

UNIVERSITY OF ABERDEEN

UNIVERSITY COURT

**Minutes of meeting held on 28 June 2011**

Present: Sir Moir Lockhead (in the Chair), Principal, Mr A Amoore, Mr A Arthur, Professor C Fynsk, Mr J Hall, Professor D Houlihan, Mr G Hunter, Professor S Logan, Professor P McGeorge, Ms K McPhail, Dr M Mackie, Mr B Pack, Mr R Parker, Mr S Robertson, Professor G Robinson, Mr R Ruddiman, Dr N Vargesson, with Ms T Birley, Professor N Haites, Professor B MacGregor, Professor P Morgan, Mr K Murray, Mr S Cannon, Ms I Bews, Mr A Donaldson, Mr L Forsyth, Mrs C Inglis, Dr G Mackintosh, Ms J Sewel, and Mr B Purdon (Clerk).

Apologies were received from Dr A Baxter, Ms J Craw, Professor P Edwards, Professor C Gane, Provost W Howatson, Mr B Lockhart, Professor A Rodger, Cllr J Stewart, and Professor N Webster.

MINUTES

269 The Minutes of the meeting held on 29 March 2011 were approved.

DECLARATION OF INTERESTS

270 Mr Arthur declared an interest in the agenda as President of the Aberdeen Branch of the Universities and Colleges Union. Mr Parker declared an interest in the agenda as a Trustee of the Rocking Horse Nursery. Dr Mackie declared an interest in the agenda through a member of his family being connected with nursery provision.

REPORT FROM SENIOR GOVERNOR

271 The Senior Governor welcomed Miss Birley, President Elect of the Students' Association to the meeting. The Senior Governor also noted that it was Mr Parker and Mr Arthur's final meeting as members and that the Court would wish to record its thanks to them for their contribution to it and to the wider community of the University.

REPORT FROM THE PRINCIPAL

272 The Principal noted to Court that the Strategic Plan had been launched to staff and external stakeholders. Two open meetings for staff had been well attended and the Plan had been well received.

273 The Principal reported that Professor Houlihan was leading on the Plan's internationalisation themes and that Professor Haites would also be involved in this. There would be an opportunity at the extended meeting of Court in September to discuss the themes. The Principal highlighted to Court that the University had participated in two recent trade and academic missions to Mexico and Brazil led by the Deputy Prime Minister and a number of opportunities had been identified as a result.

274 The Principal also highlighted to Court that elsewhere on the agenda it was reported that Professor Hannaford, (Head of Division of Applied Health Sciences, College of Life Sciences and Medicine), and Professor Wallace, (School of Social Sciences, College of Arts & Social Science) had been appointed as Vice-Principals with shared responsibility for the research portfolio.

275 The Principal noted that the University had recently held a very successful event to promote awareness of the 2012 British Science Festival being held in Aberdeen. The Principal also noted that a piece of music composed by Dr Paul Mealor, School of Education, had been played at the Royal Wedding in April, promoting the University to a worldwide television audience.

- 276 The Principal then reported on the post-election political context in Scotland and its implications for higher education. It was expected that the Scottish Government would respond with changes to the tuition fee system for students from the rest of the UK studying at Scottish institutions. Should the University be given greater freedom to charge a higher fee to such students, an extraordinary meeting of Court would be called to discuss the matter.

#### STRATEGY SESSION: THE STUDENT EXPERIENCE

- 277 The Vice-Principal for Teaching and Learning presented to Court on a range of aspects of the student experience at the University. The presentation highlighted the changing expectations of students, their increasing diversity in terms of level of study, nationality, age, part-time and distance learning, and the implications for how the University supported and enhanced their educational experience. The presentation explained the recent initiatives put in place, and work that was ongoing to anticipate further changes, such as the need for a more flexible learner journey, increased partnership with further education colleges and schools, and further support to improve graduate employability.
- 278 In discussion, a range of points were noted including a suggestion that there be a further discussion of how the University could enable its graduates to progress to high quality jobs. It was agreed that the Court should invite the Students' Association to present on its view of the student experience at Aberdeen at a future meeting.

#### REPORT FROM THE OPERATING BOARD

- 279 The Convenor of the Operating Board introduced a report from the Operating Board meetings of 10 May 2011 and 15 June 2011.

#### REVENUE BUDGETS

- 280 The Court noted that the Board had received and considered a paper setting out Revenue Budgets for 2011/12 to 2013/14 and had recommended these to Court for approval subject to certain conditions. (Minutes 303-308 refer).

#### PENSIONS

- 281 The Court noted that the Board had received and considered a paper setting out the impact of changes to the USS pension scheme on the University's own scheme, UASLAS.
- 282 The Court noted that when approving the changes to the UASLAS Scheme it had been agreed, by both the Operating Board and the UASLAS Trustees '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.' USS changes had now been confirmed and would be implemented in October 2011. New members of USS would move to a Career Average Revalued Earnings (CARE) Scheme with increases based on CPI up to a cap of 5%. Currently, the proposals for UASLAS were CPI up to a cap of 2.5%. Other university schemes in Scotland which had also been negotiating on pension changes, had agreed a cap of 5%. The UASLAS Trustees had also requested that the University consider bringing UASLAS in line with other institutions.
- 283 The Court approved a recommendation that the University should increase the cap from 2.5% to 5% for annual revaluation purposes. The impact was a contribution increase of 0.2%, which equated to around £30k per annum.

#### 10-YEAR CASH FLOW PLAN

- 284 The Court noted that the Board had received and considered an updated 10-Year Cash Flow Plan. (See Minutes 309-313)
- 285 The Court noted that the Board had received a presentation on the strategy for the marketing and disposal of the Rowett Estate, and the planning context of the strategy. The Court also noted that the Board had discussed two projects which had been included in the 10-Year Plan for the first time Universal Resource Planning (URP) and the University Nursery.

- 286 The Court noted that the Board, for its part, had agreed to recommend the Plan for approval to Court on the following basis:
- (i) that in order to deliver the savings and efficiencies from the investment in URP, future investment in stand alone, systems should not be made unless there was a strong business case for doing so, and it was demonstrable that the need for the system could not be met through URP;
  - (ii) that a budget of £200K be approved to allow the design stage of the Nursery project to be undertaken, taking the project to tender, before bringing it back to the Operating Board for approval of the way forward; and
  - (iii) that following completion of Stage D of the RINH project, a review of the savings that could be delivered from the re-design be brought back to Operating Board and based on this review that the project budget be reduced as appropriate.

#### ESTATES AND CAPITAL

##### **Aquatic Centre**

- 287 The Court noted that a decision had been taken by the Operating Board, under delegated authority approved at the May meeting of the Board increase the University contribution to the Aquatic Centre to £8M, offset by the fundraising achieved to date plus a target of a further £0.9M (£2M in total). A detailed briefing note had also been previously circulated to Court members on this issue. The revised funding arrangements resulted in the Aberdeen City Council and the University investing equal funding shares of £8M each, which would allow the Aquatic Centre to be developed on the same principle as the Aberdeen Sports Village, which was 50:50 funding and ownership between the Council and the University (See Minute 309).

##### **50/52 College Bounds**

- 288 The Court noted that the Board had considered a proposal to re-allocate funding from the Estates recurrent budget to the project to refurbish 50/52 College Bounds. The lowest tender for which was £424K over budget, giving a total cost of £2.2M. The increase had resulted largely from design changes to meet Historic Scotland conservation requirements. The Board had discussed this proposal at its meeting in May, and requested a detailed report to its June meeting, noting that tenders were due to lapse on 21 June.
- 289 On the basis that it would be approving the re-allocation of an existing approved budget, the Board had agreed that £424K from the Estates recurrent capital allocation be re-allocated to 50/52 College Bounds. The updated 10-Year Plan reflected this change.

##### **Library**

- 290 The Court noted that the Board had noted that the principles of a commercial settlement to mitigate continuing uncertainties around the cost of the project, and as yet unsettled claims against the construction contingency, had been agreed with the contractors, Pihl. The planned building handover was 5 August 2011, and detailed plans were in place to allow occupation of the Library for the start of academic year 2011/12.

##### **Capital Grants 2011/12**

- 291 The Court noted that the Board had considered a proposal for the use of the University's funding allocation from the Scottish Funding Council (SFC) for 2011-12 for capital maintenance (£1.98M) and, via SFC from the Department of Business Innovation and Skills, for specialised equipment (£0.6M), which had to be spent by March 2012. The Board had agreed that the £1.98M be allocated towards the cost of the refurbishment work at Fraser Noble and the BIS funding allocated towards the purchase of research equipment on the basis that matched funding would be required.

## **2011/12 Recurrent Capital Programme and Capital Grants**

- 292 The Court noted that the Board had noted that University Management and the Advisory Group on Capital Expenditure had agreed the detailed allocation of the £4M recurrent capital budget, previously approved by Court and included in the 10-Year Plan.

### STAFFING MATTERS

#### **Voluntary Severance**

- 293 The Court noted that the Board had received and considered an update on the second Voluntary Severance Scheme.

#### **Industrial Relations**

- 294 The Court noted that the Board had received updates on Industrial Relations and the prospect of a ballot of UCU members on industrial action.

### STRATEGIC DIALOGUE: ROBERT GORDON UNIVERSITY

- 295 The Court noted that the Board had received updates on the continuing discussions with RGU on the creation of a Joint Institute of Engineering. Initial work had been carried out on proposals for governance structures with focus now on progressing the academic vision and strategy for the student experience.

### PLANNING UPDATE

- 296 The Court noted that the Board had received an update on University planning. It had noted that the University's Strategic Plan for the period 2011-2015 had been finalised and was available on the web at [www.abdn.ac.uk/about/strategic-plan.php](http://www.abdn.ac.uk/about/strategic-plan.php). The Board had also noted progress with the operational plans process. The first Operational Plan update would be made to the Board in September. As in previous years, the University's progress towards its strategic objectives would be measured through a series of performance indicators: operational College/School performance indicators, which accompanied the University Budgets; and higher-level institutional indicators which would accompany updates to the Operating Board.

### REPORTING COMMITTEES

#### **Risk Management**

- 297 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. The Board would be asked to consider the updated Corporate Risk Register, together with updates on Operational Plan actions, at its meeting in September.

#### **Health and Safety Committee**

- 298 The Court noted that the Board had received and considered the Health and Safety Committee's Annual Report for 2010/11. It had noted the improvement in 2010 in relation to the number of accidents per 1,000 employees, and that the University had performed better than UK universities overall. However, there remained room for improvement. The Board had noted that regular inspections took place to try and pre-empt problems, and agreed to recommend that the Health and Safety Convener's Advisory Group should review and discuss further the inspection regime.

#### **Strategic Business Ventures Group**

- 299 The Court noted that the Board had received and considered a report summarising University spin-out activity where the University held shares in a company for the period December 2010 – May 2011.

## SFC STRATEGIC PLAN FORECAST

- 300 The Court noted that the Board had received and noted the revised financial forecasts for 2010-11 to 2011-12 following the Scottish budget announcement, as requested by the Scottish Funding Council. (See Minutes 314-315)

## UNIVERSITY POLICIES

- 301 The Court noted that the Board, for its part, had approved the following University policies (See Minutes 367-368, 371-374):

- (i) Policy on Data Protection
- (ii) Policy on Access to Personal Data
- (iii) Equality and Diversity Policies

## FINANCIAL REGULATIONS

- 302 The Court had approved minor changes to the financial regulations, which the Board had approved following routine biannual review.

## FINANCE

### REVENUE BUDGETS 2011/2012

- 303 Ms Bews introduced a paper outlining proposed revenue budgets for 2011/2012 to 2013/2014, together with reports from all Colleges and the Administration on their recent and forecast future financial performance.

The Court noted that with a one-year Scottish budget and the recent Scottish elections, the two outlying years were indicative, with little certainty of future funding levels. The budgets and the 10-Year Cash Flow Plan reflected the Operating Board's recommendation that the target surplus be reduced. (See Minute 280)

- 304 The Court noted that further opportunities for reducing costs following the voluntary severance schemes were limited, although reviewing business processes to enhance efficiencies and exploring shared services with other institutions would continue to be a focus in the coming months. Maximising future income-generation opportunities would be critical and the University was refocusing its fundraising strategy with respect to emerging opportunities, in Asia in particular.
- 305 The Court noted that the Operating Board had considered in detail the different issues faced by each of the three Colleges in future and financial planning. It had noted that, in some cases, there were strategic reasons in line with the University's overall objectives to continue to invest in an academic area which might not deliver a balanced budget, but which delivered quality of activity.
- 306 The Court noted that the Board had discussed the impact of the changing funding situation in England on the future funding of Scottish universities. A number of proposals were under development for consideration by the Scottish Government, which would impact on tuition fee arrangements for students from different parts of the UK, potentially changing the shape of a future student population. The University's aim would continue to be the delivery of a high-quality experience to all its students.
- 307 In discussion, it was noted that the budgets would be challenging for the new Heads of College once appointed, although the University was now better placed to meet the financial challenges following the reductions in its cost base achieved over the past year.
- 308 The Court agreed
- (i) to approve the budgets for 2011/12, subject to measures being adopted throughout the University to exercise careful budgetary control;

- (ii) that regular updates on the development and progress of income generating activities would be collated centrally to inform institutional planning, share best practice and develop opportunities cohesively; and
- (iii) that Heads of Colleges would lead the implementation of the operational plans at school level through the Senior Management Team to ensure the University delivers the strategic plan and financial sustainability in future years.

#### 10 YEAR CASH FLOW PLAN

- 309 Ms Bews introduced an updated version of the 10 year cash flow plan which incorporated the following changes:
- Cash generated from surpluses in 2010/11 was assumed to be £5M after taking account of the voluntary severance schemes;
  - The target surplus for future years has been reduced, recognising that income growth will not be in line with previous expectations;
  - The greatest uncertainty remained the value and timing of proceeds from the sale of Rowett land. Currently sales proceeds of £22M were included based on the disposal strategy paper submitted separately to Operating Board. Changes in the timing or value of the proceeds would have a direct impact on the borrowing profile;
  - The specification for the Rowett Institute of Nutrition and Health (RINH) project has changed reducing the expected costs by £5.2M to £35.2M, the spend profile is currently based on best expectations pending completion of stage D;
  - The contribution to the Aquatics Centre has been revised to maintain a 50/50 partnership with Aberdeen City Council;
  - The integrated IT system for corporate systems (URP) has been incorporated as committed in principle, based on estimated spend profile at £5.3M in line with a paper submitted previously to Operating Board;
  - A provisional budget of £0.2M for the design stage of the Nursery project to be undertaken has been incorporated as committed in principle, subject to approval by Court and based on the business plan included with the papers. Before tender the project will be brought back for approval of the way forward. The full cost of the project was expected to be £2M;
  - Prudent estimates of capital grants for 2012/13 and 2013/14 are included at £1M per annum, based on the 2011/12 grants of £1.98M from SFC and £0.6M from BIS.
- 310 In discussion, it was noted that due to its nature, the URP project carried an inherent risk of growing in cost and that it should be carefully monitored. The Court noted that the business case would return to Court in due course.
- 311 The Court discussed the recommendation regarding the Nursery and noted that, following extensive consultation with staff and Trustees, University Management had taken a decision on the type of Nursery provision and model that was appropriate, namely that it should be financially viable and not commercially viable, and that outsourcing had been rejected as an option. The issue under consideration was, therefore, the need for a new building rather than changes to the management or operation of the Nursery, which was highly regarded.
- 312 It was noted that the Operating Board was encouraging the executive team to bring forward for consideration future priorities for investment, to avoid any delay in bringing them into the financial planning process.
- 313 The Court approved the revised 10-Year Cash Flow Plan subject to the following:
- That in order to deliver the savings and efficiencies from the investment in URP, that a future investment in stand alone, systems is not made unless there is a strong business case for doing so, and it is demonstrable that the need for the system cannot be met through URP.
  - That a budget of £200K be approved to allow the design stage of the Nursery project to be undertaken, taking the project as far as tender, before it is brought back for approval of the way forward

- That following completion of Stage D of the RINH project, a review of the savings that can be delivered from the re-design is brought back to Court and based on this review, that the project budget is reduced as appropriate.

#### STRATEGIC PLAN FORECAST

- 314 Ms Bews introduced a Strategic Plan Forecast 2011 return that the SFC required the University to submit, covering the forecast outturn for the current financial year (2010/11) and budgets for the three subsequent financial years.
- 315 The Court approved the Strategic Plan Forecast for onward submission to the Funding Council.

#### HUMAN RESOURCES

##### REMUNERATION COMMITTEE

- 316 Mrs Inglis presented a report from the Remuneration Committee meeting of 6 June 2011.

##### *Remit and Composition*

- 317 The Court noted that the Remuneration Committee had reviewed its Remit and Composition and considered it remained appropriate that its remit should be '*to determine and review the salaries, terms and conditions (and where appropriate, severance payments) of the Principal, Vice Principals, Heads of College, University Secretary and all Professorial and Grade 9 staff*' which was consistent with other similar organisations within the sector.

##### *Annual Review of Senior Staff Salaries*

- 318 The Court noted that the Remuneration Committee had received a brief report on the current situation with regard to national collective bargaining and its likely implications for the pay of senior staff. The Committee then considered all recommendations received from the Principal, Heads of College and the University Secretary against the terms of the Senior Staff Pay Policy that had been agreed at the earlier meeting of the Remuneration Committee on 4 February 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 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.

- 319 The Court noted that the Remuneration Committee had been advised of the process that had been undertaken to obtain the recommendations as part of this year's exercise and approved the recommendations without exception, resulting in a total of 56 awards, of which 38 were contractual commitments predominantly relating to incremental progression on the Grade 9 salary scale. The remaining 18 awards were non-consolidated 'bonus' payments in recognition of outstanding performance and contribution.

- 320 The Court noted the costs of this year's recommendations as detailed in the following table.

College/Section	Non-Consolidated		Consolidated	
	Contractual £	Non- Contractual £	Contractual £	Non- Contractual £
Arts & Social Sciences	-	9,000	6,860	-
Life Sciences & Medicine	-	19,000	13,998	20,000
Physical Sciences	-	12,000	10,094	6,000
University Office	-	-	13,000	-
Senior Management Team	41,200	15,000	-	5,000
<b>TOTAL</b>	<b>£41,200</b>	<b>£55,000</b>	<b>£43,952</b>	<b>£31,000</b>

*The Hutton Review of Fair Pay in the Public Sector*

- 321 The Court noted that the Remuneration Committee had also considered a summary of the *Hutton Review of Fair Pay in the Public Sector* and the report's 12 recommendations. The Committee would meet again when government guidance to institutions was published regarding the requirement for public disclosure of executive salaries, responsibilities and performance.

*Responsibility Allowances*

- 322 The Court noted that the Remuneration Committee had reviewed the responsibility allowances for Vice Principals, Heads of School and College Executive positions and had agreed that responsibility allowances would be reviewed, including benchmarking against other similar positions within the sector, and recommendations presented to the next meeting of the Committee.

*Female Professorial Staff*

- 323 The Court noted that the Remuneration Committee considered comparative information broken down by College in relation to male and female average professorial salaries. The Committee had requested further comparative information to be reported to its next meeting with a view to a considered approach on how best to reduce the differential.

VOLUNTARY SEVERANCE SCHEME

- 324 The Court received and noted a paper which provided a detailed breakdown by School of the numbers of staff who had formally accepted offers of voluntary severance and who had left or would leave the University by 31 July 2011.
- 325 The Court requested a report to a future meeting which, following this exercise, illustrated any growth in staff numbers.

GOVERNANCE

REPORT ON GOVERNANCE SUMMIT

- 326 The Court received and noted a paper on the main issues highlighted at a recent Governance Summit held by the Leadership Foundation for Higher Education. The event had been attended by the Senior Governor and the Director of Policy, Planning & Governance, and had included the launch of a publication, *A Framework for Identifying Governing Body Effectiveness in Higher Education*.
- 327 The Court noted that the Governance Committee had held a discussion with Mr Hall regarding his initial thoughts on the University's governance arrangements. It had also considered a benchmarking review of the University's arrangements against the Updated Corporate Code 2010, new guidance from the Committee of University Chairs (CUC) on effectiveness in governing bodies, and Lord Davies' recent report on diversity in the boardroom.

- 328 The Committee's intention was to bring the issues raised through the benchmarking exercise and the points identified by Mr Hall's review and to present a report to the September 2011 meeting of Court. In the meantime, Court Members were invited to submit any comments they wished to make on the new Framework for Identifying Governing Body Effectiveness in Higher Education to the Director of Policy, Planning and Governance.
- 329 The Court also noted that the Scottish Government was expected to announce a review of governance in higher education in the coming weeks.

#### DELEGATION OF POWERS TO OPERATING BOARD

- 330 The Court received and noted the Schedule of Delegation to the Operating Board. The Court further noted some potential amendments that had been identified, and agreed that these should be considered by the Governance Committee in consultation with the Operating Board.

#### REPORT ON RECTORIAL ELECTION

- 331 The Court received a paper which outlined the arrangements for the re-run of the Rectorial Election which had been declared null and void in May following complaints regarding breaches of campaign rules. The election would be open to all candidates, including those from the May election, should they wish to stand again.
- 332 The Court noted that the Senate Business Committee had approved a revised set of rules for the conduct of the forthcoming election and it was anticipated that the revised rules would eliminate ambiguity which had in part contributed to the decision to declare the May election null and void. The revised rules contained provisions for the establishment of an Election Committee drawn from the Senate, which would oversee the election and hear any appeals against decisions of the Returning Officer.
- 333 The Court also noted that the current Rector and Rector's Assessor would be invited to continue in an "in attendance" capacity at Court and the Student Affairs Committee until a new Rector was appointed.

#### FREEDOM OF INFORMATION REPORT

- 334 The Court received and noted a paper which provided an overview of the number and nature of requests received by the University under the Freedom of Information (Scotland) Act 2002 and the related Environmental Information (Scotland) Regulations 2004, received by the University over the past year. The paper also included information on requests under the Data Protection Act.

#### TIMING AND FORMAT OF COURT MEETINGS AND BUSINESS FOR SEPTEMBER MEETING

- 335 The Court noted a paper which invited members to consider the present format and timing of Court meetings and to reflect on whether this remained the best arrangement. Members were also invited to forward any items of business they felt it would be helpful to have included on the agenda of the Court's extended meeting in September 2011.
- 336 The Court noted that the Governance Committee would no longer meet the day prior to Court so as to allow recommendations to be brought to the Court meeting with sufficient time for due consideration by members.

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

##### GOVERNANCE COMMITTEE

##### **Membership of Court and Convener of the Audit Committee**

- 337 The Court, on the recommendation of the Governance Committee agreed that Mr Brian Pack be re-appointed as a member of Court for a term of three years from 1 October 2011 to 30 September 2014.

- 338 The Court on the recommendation of the Governance Committee agreed
- (i) to extend Mr Amoores appointment as a member of Court and Convener of the Audit Committee from 30 September 2011 to 30 October 2011;
  - (ii) to appoint Mr Ken Murray as a member of Court and Convener of the Audit Committee with effect from 1 November 2011 for a term of three years;
  - (iii) to extend Mr George Ross's appointment as a member of the Audit Committee from 30 September 2011 to 30 October 2011.

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

- 339 The Court noted that the Committee had considered the three vacancies on Court for co-opted independent members (including one reserved to a representative of non-academic staff).
- 340 The Court approved the appointment of Mr David Steyn as a co-opted member of Court with effect from 1<sup>st</sup> August 2011 for a term of three years.

#### *Representative of Non-Academic Staff*

- 341 The Court noted that the Committee had considered nominations and applications that had been received from the University community for the position on Court of a representative of non-academic staff.
- 342 The Court approved a recommendation that Mr Brian Paterson be appointed to the co-opted vacancy of a member of non-academic staff with effect from 1<sup>st</sup> August 2011 for a period of three years.

#### **Vacancies on Court/Court-Senate Committees for Current Year**

- 343 The Court noted that the Committee had considered vacancies for members of Court or representatives of Court on Court and joint Court-Senate Committees. The Court noted that the Committee had also considered nominations for the positions, including those that had been received directly from members of Court.
- 344 The Court approved the appointment of Mr James Hall to a vacancy for an independent member of Court to the Operating Board with immediate effect.

#### **FOI Requests on Governance and Senior Staff Severance**

- 345 The Court noted that the Committee had noted that the University had recently received two requests for information under the Freedom of Information (Scotland) Act, on governance, and on Senior Staff severance. The Committee had also noted the University's responses to the requests and that these had since been subject to formal review by a lay member of Court, who had upheld the University's original decision.

#### **Changes to Declaration of Interest Forms**

- 346 The Court noted that the Committee had approved a revision to the guidance notes for Declaration of Interest Forms in respect of Significant Shareholdings following a review of practice across the Higher Education sector.

#### **Alumni Lottery Proposal**

- 347 The Court noted that the Committee had considered a proposal that had been made to the University through the University Development Trust to establish a fundraising lottery. The Court noted that the Committee had noted the complexity of administering a fundraising lottery and the negative impact a scheme might have upon existing fundraising activities. The Court noted that the Committee had concluded that it would not support further consideration of the proposal.

#### AUDIT COMMITTEE

##### **External Audit: Interim Management Report**

- 348 The Court noted that the Audit Committee had received the Interim Management Report from KPMG, the University's External Auditor.
- 349 The University's controls had been found to be well-designed and operating effectively.
- 350 The Court noted that the key audit areas highlighted were :
- Pensions Accounting, following a change from RPI (Retail Prices Index) to CPI (Consumer Prices Index). The Auditor was content with the University's accounting treatment of this issue.
  - The Rowett Research Institute of Nutrition and Health, and the University's treatment of negative goodwill in its accounts. The Auditor was satisfied that the University was moving in the right direction in this area.
  - Heritage Assets: The University was found to be preparing disclosures in an appropriate manner. The Audit Committee noted that this was an issue nationally.
  - Non-consolidation of the Development Trust: KPMG took the view that the Development Trust ought to be consolidated into the University, but upon analysis of the size of transactions and the restricted basis of gifts, it had been determined that this had a minimal effect on the balance sheet, and subject to the agreement of the University Court, an unadjusted difference was to be reported.
- 351 The Court, on the recommendation of the Committee, approved the External Auditor's approach.

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

- 352 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 29 March 2011.

#### STUDENT AFFAIRS COMMITTEE

- 353 The Court noted a report of the principal items of business considered by the Student Affairs Committee at its meeting on 30 May 2011.

#### UNIVERSITY COMMITTEE ON TEACHING AND LEARNING

- 354 The Court noted a report of the principal items of business considered by the Committee on Teaching and Learning at its meetings on 24 March and 18 May 2011.

#### CHAPEL COMMITTEE

- 355 The Court noted a report of the principal items of business considered by the Chapel Committee at its meeting on 10 May 2011.

#### STAFFING AND DEVELOPMENT COMMITTEE

- 356 The Court noted a report of the principal items of business considered by the staffing and Development Committee at its meeting on 13 June 2011.

#### ROUTINE BUSINESS NOT PROPOSED FOR DISCUSSION

##### **Vice-Principal Appointments**

- 357 The Court approved, on the recommendation of the Principal that:
- (i) Professor Steven Logan's period of appointment as Senior Vice-Principal be extended until 30 September 2015.

- (ii) Professor Neva Haites' period of appointment be extended to 30 September 2012, in order to effect a smooth transition to the new Head of College, and thereafter to provide executive level support to development and other strategic and operational priorities.
  - (iii) Professor Bryan MacGregor's period of appointment be extended to 31 July 2013.
- 358 The Court noted that Professor Philip Hannaford and Professor Claire Wallace had been appointed jointly to the role of Vice-Principal (Research and Knowledge Exchange) at the level of 0.5fte each for the period 1 July 2011 to 31 July 2014. Professor Hannaford would lead on matters of research strategy, including Research Excellence Framework, and Professor Wallace would lead on research funding and innovation.
- 359 The Court also noted that, following consultation with Court members that -
- (i) Professor Houlihan had accepted appointment to the role of Vice-Principal (Internationalisation) for the period to 30 September 2012.
  - (ii) Professor Albert Rodger had accepted appointment to the role of Vice-Principal (External Affairs) for the period to 31 July 2013.
- 360 The Court also noted that the University would advertise internally vacancies for the three Heads of College shortly, with external advertisement if required.

#### SENATE

##### *Draft Resolution No 267 of 2011 [Amendments to the Code of Practice on Student Discipline]*

- 361 The Court on the recommendation of the Senate, approved the Draft Resolution [Amendments to the Code of Practice on Student Discipline] and agreed, in accordance with the provisions of Section 6(2) of the Universities (Scotland) Act 1966 that the Draft Resolution be passed forthwith so that the amended provisions may be applied with effect from the date on which they are passed by the University Court.

##### *Validation of the UHI Subject Area of Energy Engineering*

- 362 The Court noted that the Senate had approved the recommendation that the UHI subject area of Energy Engineering be validated under the terms of the accreditation agreement currently in force between the University and the UHI.

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

- 363 The Court noted that the terms of office of Professor Edwards, Fynsk and Robinson as Senate Assessors on the University Court would expire on 30 September 2011 and that Mr Arthur would be leaving the University on 30 June 2011.
- 364 The Court noted that an election was currently running for these vacancies with the outcome due to be known by 29 June 2011.

##### *Remit and Composition of the University Committee on Teaching and Learning*

- 365 The Court noted that the Senate, for its part, had approved revisions to the remit and composition of the Committee on Teaching and Learning.

##### *Rectorial Election*

- 366 The Court noted that the Senate Business Committee, on behalf of the Senate, had approved the timetable for the forthcoming Rectorial election. (See Minutes 331-333)

#### EQUALITY AND DIVERSITY

- 367 The Court received a paper which outlined amendments which had been required to University policies following the introduction of the Equality Act 2010.

368 The Court approved the amendments to the policies as set out in the paper.

#### SUB-COMMITTEE ON LEGAL SERVICES

369 The Court noted that the Sub-Committee on Legal Services required additional time to agree the tender specification and had agreed that there was insufficient time available to conclude an appropriate and robust tender process.

370 The Court, therefore, agreed to extend the existing contract of McGrigors LLP to provide legal services to the University for a further period of three months with effect from 1 August 2011 to 31 October 2011.

#### POLICY FOR DATA PROTECTION

371 The Court received a paper which set out the University Policy for Data Protection, which was in line with the Data Protection Act.

372 The Court approved the Policy for Data Protection.

#### POLICY FOR ACCESS TO PERSONAL DATA

373 The Court received a paper which outlined the reasons for a Policy for Access to Personal Data.

374 The Court approved the Policy for Access to Personal Data.

#### INTERNAL REVIEW PROCESS – HANDLING OF FREEDOM OF INFORMATION REQUESTS

375 The Court received a paper regarding a revision to the University's arrangements for the undertaking of internal reviews of the University's handling of Freedom of Information Requests.

376 The Court approved the revision to the University's Freedom of Information Review procedure as set out in the paper.

#### DRAFT RESOLUTION NO 266 OF 2011 [CHANGES TO REGULATIONS FOR VARIOUS DEGREES]

377 The Court noted that the draft Resolution No 266 of 2011 [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, amendments to the Regulations had been proposed.

378 The Court approved the Resolution as amended.

#### MANAGEMENT ACCOUNTS

379 The Court noted a summary of the management accounts for the period to 31 May 2011.

#### STAFF PROMOTIONS

380 The Court received and noted from the Staffing and Development Committee, a series of decisions pertaining to staff promotions, resulting from the annual promotions exercise.

#### VACATION POWERS

381 The Court was reminded that during the vacation period between this meeting and its meeting on 27 September 2011 matters requiring decision during that time would be taken under the standing delegated authority procedures for decisions required between meetings, as approved by Court on 29 March 2011, namely :

- (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 could not be deferred to the next meeting of Court, would 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 could not be reserved to the next meeting of Court, would be delegated to a small group consisting of the Senior Governor, Convenor of the Governance Committee and the Principal.

DATES OF MEETINGS: 2011/2012

382 The Court noted the dates for Court Meetings for session 2011/2012.

Tuesday	27 September 2011	2.00-5.00pm Court meeting, followed by Dinner
Wednesday	28 September 2011	9.00am-12.00noon, Court meeting continued from previous day
Monday	5 December 2011	9.00am-12.00noon, followed by lunch
Tuesday	27 March 2012	9.00am-12.00noon, followed by lunch
Tuesday	26 June 2012	9.00am-12.00noon, followed by lunch