MINUTES

100 The Minutes of meeting held on 2 October 2013 were approved.

101 The Court also noted an Action Log which would be updated after each meeting and received routinely (copy filed with the principal copy of the minutes).

HEALTH AND SAFETY

102 The Court received detailed reports (copy filed with the principal copy of the minutes) on two recent accidents; a further update on an accident in the Combined Heat and Power Station and regarding a more recent incident involving six students who had got into difficulties while swimming in the sea at the mouth of the River Don. The Court also noted a summary report of the Operating Board’s consideration of the two incidents.

103 The Court noted that the cause of the accident in the Heat and Power Station had been identified as a faulty valve which had been installed incorrectly and which when turned to close resulted in the valve opening. Further underlying causes were: (1) that the valves in the Heat and Power Station were not part of the Estates planned maintenance arrangements; and (2) there were no formal procedures for responding to emergencies such as leaks in circumstances where the flow of fluid had ceased but where there was a possibility of that flow starting again. Actions were underway to address both these underlying issues and to address wider questions raised by the accident.

104 The Court noted that the incident involving students swimming in the sea could have resulted in loss of life and had instigated a major rescue operation by the emergency services. The students had been encouraged to swim in the sea by promotional material produced during Freshers’ Week by a society affiliated to the Students’ Association. As a result of the incident, the University had worked with the Students’ Association to communicate to all students the risks of swimming in the sea and the society involved had ceased to promote the activity. The Court noted that the University was working with the Students’ Association to address wider issues raised by the incident.
The Court noted that the incident highlighted the need for the University to continue to progress its working closely with the Students’ Association in particular to support health and safety matters, notwithstanding the fact it was a separate organisation which was required by the Office of Scottish Charities Regulator (OSCR) to have independent governance arrangements. In discussion, the Court noted that such independent charitable status restricted the extent to which the University could influence health and safety within the Association. It was suggested that the University should highlight to the OSCR the particular issues that necessitated the University working closely with its Students’ Association.

HEALTH AND SAFETY IN THE UNIVERSITY

The Court received and considered a paper (copy filed with the principal copy of the minutes) on health and safety culture in the University and noted the actions the University had taken to enhance and further embed this across the institution. The Court also noted a summary report of the Operating Board’s consideration of the paper.

In discussion, the practices of some organisations in the Oil and Gas industry in using safety videos were noted. It was also noted that the University had specific videos for laboratory staff and students which could be shared with members. The Court noted further that the University’s Investors in People Assessor had reviewed staff perception of the institution’s attitude to Health and Safety practice and that the outcome of this exercise had been positive. The Court noted that the University was working with senior representatives of a major Energy company to identify lessons from their experience that could help to embed a strong safety culture in the University.

The Court endorsed the following proposals that the University had identified to support the enhancement of safety culture:

(i) The University would look to other organisations both within and outside the HE sector to see what lessons could be learnt from their experiences in managing health and safety risks and in making step changes in safety performance by developing and embedding positive safety cultures;

(ii) The University would use the Health and Safety Laboratory’s Safety Climate Tool to help it better understand the current safety culture in the University;

(iii) The University would review and update its approach to Health and Safety management in the light of the findings from the above.

The Court noted that it would receive updates regarding the progress of these proposals.

STANDING REPORTS

REPORT FROM THE SENIOR GOVERNOR

The Senior Governor welcomed Dr Black to her first meeting as a Senate Assessor and Mr McCorkell to his first meeting as a student ‘in attendance’.

The Senior Governor noted that the Committee of Scottish University Chairs had met recently at the University and that the main item of business had been discussion of the Scottish Code of Good HE Governance.

The Senior Governor also highlighted to Court a visit he had participated in recently to the University’s School of Medical Sciences to learn about research being undertaken on spinal injuries. The Senior Governor encouraged members of Court to visit the Institute of Medical Sciences (IMS) and other parts of the University when they had the opportunity to do so.
The Principal introduced a written report (copy filed with the principal copy of the minutes) on recent developments within the University.

The Principal highlighted a number of matters arising from his report, including student admissions and research grant success in all Colleges. The Principal also reported that the University’s external Enhancement Led Institutional Review had now been completed and that the outcome had been very positive. The University had also recently undergone an Investors in People accreditation review where the Assessor had highlighted increased staff morale.

In discussion, the Court considered issues in the recruitment of Widening Participation students and the University’s continuing concern regarding the definition of poverty used by the Scottish Government and SFC which was considered to be deficient in terms of capturing ‘pockets of deprivation’, particularly in rural areas. It was suggested that the University should highlight this as an issue with those leading on the development of a report for the Scottish Government on youth education and employment. The Court also discussed the University’s brand image and its perception by potential applicants from deprived backgrounds.

The Principal reported on the key points arising from the Chancellor’s Budget Statement. This included two points of significance for higher education and the University. The first being the proposal to create 30,000 additional student places in England in 2014 and to lift the cap on student numbers in England from 2015. This was expected to increase the competition for RUK students with the University’s English competitors. The second key announcement had been that the Department of Business, Innovation and Skills, would be subject to further budget cuts and it was expected that in the short-term this would result in reductions in UK Research Council funding and that in the medium-term a reduction in the budget available to the Scottish Government through the Barnett Formula.

The Principal drew attention to the publication of the Scottish Government’s White Paper on Independence and a number of briefings which had been issued in the past few months by the UK Government. The Principal highlighted to Court the key emerging issues for higher education in the Independence debate which were: Immigration Policy, Research Council Funding; the continuation of a single UK research area; and the fee status of RUK students. The Court engaged in an initial discussion of some of the implications of these issues for the University and noted that it would have a further detailed consideration of them at its next meeting.

The Rector provided a brief report on his recent work with the Students’ Association.

Professor Logan introduced a new Estate Strategy for the period 2013-2023, a revised Ten year capital plan and a ‘flythrough presentation’ of the proposed developments within the Old Aberdeen campus (copies filed with the principal copy of the minutes).

The Court noted that the Estate Strategy aimed to put in place a framework which would allow the University to continue to improve its estate over the period 2013-2023. The University was also required by the Scottish Funding Council (SFC) to have an Estate Strategy and the Strategy had been prepared in line with SFC guidance.
121 The Strategy sought to ensure the following:

- that accommodation would be fit for purpose;
- that there was efficient use of land and buildings;
- the rationalisation or disposal of appropriate inefficient assets;
- the maximisation of the estates value; and
- the achievement of an appropriate level of flexibility for meeting future needs.

122 The Court approved the Estate Strategy subject to it being revised to include a reference to reflect the University’s commitment to LEED accreditation (or UK equivalent) and to giving a greater emphasis to improving disabled access to its facilities.

TEN YEAR CAPITAL PLAN

123 The Ten Year Capital Plan set out a proposed programme of investment of £288M over the next ten years to meet the University’s infrastructure needs aligned to the Strategic Plan (copy filed with the principal copy of the minutes). The Senior Management Team had considered all the projects and ranked them taking account of early impact on delivering a student experience second to none, and the urgent need to improve and modernise teaching and research facilities in the science disciplines on the Old Aberdeen campus. The phasing of spend on projects reflected the ranking and design work on the new Science building, Students’ Union centre and extensive modernisation of teaching facilities and would commence immediately upon Court approval for the programme.

124 The Plan included cash-flows setting out how the investment would be funded through cash generated from surpluses, fundraising, sale proceeds, capital grants and utilisation of the existing borrowing facility. This was based on generating sufficient cash to deliver the projects with lower cash generation than had been assumed previously and no new additional borrowing. The Court noted, however, that the profile of spend and cash generated could require access to additional funding for a short period. The Court also discussed and noted the key risks to the generation of sufficient cash being achieved.

125 In general, the Court welcomed the Plan and a number of members highlighted the benefit to the University of delivering projects sooner than the Plan proposed. However, it was also noted that this would require borrowing and exposure to financial risk. The importance of student and staff accommodation, given the expected pressure on affordable housing in Aberdeen, was noted and it was acknowledged that it would be desirable to bring forward accommodation projects should the financial forecasts become more favourable than currently assumed.

126 A number of members commented that the architectural standard set by the Sir Duncan Rice Library made it critical that the projects with the biggest impact on the Old Aberdeen campus, such as the Science building, were of a similar standard and that they formed part of a cohesive Campus Development framework. A number of members highlighted that the design and development of the Taylor Bridge area needed to be considered very carefully in terms of its impact within the medieval core of the campus.

127 The Court:

(i) Approved the capital programme of £288M over 10 years to allow the projects to progress. In addition, the Court agreed that, given the potential importance of student and staff accommodation projects, the University should work to bring projects forward for earlier commencement wherever possible should the timing of cashflows and funding change to make this affordable.

(ii) Noted that if additional short term funding was required the Finance Director would seek external professional advice to put in place a suitable facility.
(iii) Noted that updates on progress of the projects included in the 10 year plan would be brought back to Court at key milestones during the pre-construction phase including detailed proposals prior to lodging planning applications. Following discussion, the Court agreed that it should receive either by circulation or at its next meeting, a timeline of the key project decisions required together with information on how approvals would be made;

(iv) Agreed that the Court should discuss the overall framework for the development of the University's Estate and in particular the future cohesion and aesthetics of the Old Aberdeen campus.

(v) Noted the importance of the aesthetic and architectural character of the projects, particularly the Science Building and the Taylor Building/Bridge.

FINANCIAL STRATEGY

128 Ms Bews introduced a paper (copy filed with the principal copy of the minutes) which provided, in the context of the ten year capital plan, background information on the levels of borrowing at the University as compared to the UK higher education sector, together with a review of the borrowing levels which were considered to be appropriate for the institution.

129 The Court noted that the University's financial strategy would:

(i) Retain access to £12M cash, equivalent to approximately one month's staff costs, which was considered to be a reasonable level of working capital;

(ii) Maintain the University's current borrowing facility of £40M, and remain lowly geared in the short term until such time as there was greater clarity over the proceeds of land sales, fundraising and spend profiles.

DEVELOPMENT TRUST UPDATE

130 Professor Haites introduced a paper (copy filed with the principal copy of the minutes), which provided an update on fundraising activity since March 2013 and outlined how the Development Trust proposed to support the University's 10 year capital plan. The paper reported on the steps, based on best practice in fundraising, that would be taken in preparation for the launch of a major fundraising campaign in spring 2015 and the scope and expected focus of such a campaign.

131 The Court discussed the extent of fundraising activity and the development of fundraising capacity that had been progressing during the current 'pre-campaign' phase. It also discussed the proposed use of consultants to interview existing donors and the added value this would bring. The Court noted that advice on the development of the campaign had been received from a leading US expert. The Court noted that many of the major energy companies based in Aberdeen operated on 10 year plans and were considering their 'legacy projects. The Court was assured that despite being in the 'pre-campaign' phase, the University and Development Trust were taking forward actions to engage with these companies particularly in relation to the Aberdeen Institute for Energy.

132 In discussion, it was suggested that the Chair of the Development Trust might be invited to future Court meetings when the six monthly reports from the Development Trust were being considered. The Court agreed, therefore, that the University should consider the suggestion and clarify whether it was appropriate in the context of charities law.

133 The Court endorsed the proposed approach for the launch of a new fundraising campaign.
134 Ms Bews introduced the University Group Consolidated Annual Accounts (copy filed with the principal copy of the minutes) for the financial year 2012/2013, which had been considered and approved by the Audit Committee and considered by the Operating Board (See also Minute 161). The Court also received a commentary from the Finance Director which highlighted key audit and accounting issues, and the External Auditor’s Report which provided an unqualified audit opinion and which included the Management Letter (copies filed with the principal copy of the minutes).

135 The Court noted the key points arising from the results which included: reporting of an operating deficit of £0.5m and historical cost surplus of £5.7m for the year ended 31 July 2013; the achievement of surplus target for 2012/13 (before exceptional items) of £4.5m; and that the outturn was in line with the SFC financial forecasts submitted in June 2013, with the exception of the gain on sale for Rowett land which occurred after the financial year end.

136 The Court approved the Annual Accounts for the year ended 31 July 2013.

The Court also noted the External Auditor’s Report and Management Letter (copy filed with the principal copy of the minutes). In discussion, it was noted that the Auditors had highlighted one issue in relation to an unadjusted audit difference for pensions liabilities arising from the varying actuarial valuation used by the University’s Actuary to that used by the Auditor’s Actuary. The difference was not material but in future years the University would work with the Auditors regarding the actuarial assumptions used at an earlier stage in the audit process.

137 The Court agreed to commend the University staff involved for the timely and efficient production of the Annual Accounts and related Audit process.

AUDIT COMMITTEE ANNUAL REPORT FOR 2012-13

138 The Court received and approved the Audit Committee’s Annual Report for 2012-13, which would be included in the annual financial reports to the Scottish Funding Council (copy filed with the principal copy of the minutes).

139 The Court also noted that the Committee was satisfied with the work of the internal and external auditors. (See Minute 161).

140 In discussion, the Court noted that the Internal Audit Report on Internationalisation had included two fundamental recommendations but that the Committee had been cognisant of the significant period of time that had elapsed between the audit fieldwork and the report being received by the Committee, during which time management had taken a series of actions. The Committee had requested that the Internal Auditors undertake a follow up report in early 2014.

INTERNAL AUDITOR’S ANNUAL REPORT FOR 2012-13

141 The Court received and approved the Internal Auditor’s Report for 2012-13 (copy filed with the principal copy of the minutes) which would be included in the annual financial reports to the Scottish Funding Council. The Audit Committee had considered the Internal Auditor’s Report for 2012-13 and had noted that it reported an overall level of Substantial Assurance and that the Auditors had commended the University on its high implementation rate.
RISK MANAGEMENT UPDATE

142 Ms Sewel introduced a paper (copy filed with the principal copy of the minutes) which set out proposals in relation to the management and monitoring of risk in the University and provided a brief update on the University’s Corporate Risk Register, both of which had also been received and considered by the Operating Board.

143 The Court considered the proposals for the future management and monitoring of risk. The proposals included the abolition of the Risk Management Committee, with the embedding of monitoring and management of risk into existing University Committees. As part of this, the University Management Group (UMG) would be responsible for monitoring and managing the Corporate Risk Register. In addition, the Audit Committee would increase its focus on ensuring the adequacy of risk management arrangements and receiving reports on risk management from UMG to inform its work and the setting of the annual Internal Audit Plan. The Operating Board would continue to receive regular reports on risk. The Court approved the revised process for the management and monitoring of risk.

144 The Court considered the updated Corporate Risk Register, noting that three risks had had their risk scores reduced since June 2013, and the rationale for these reductions. The Court noted, however, that given the dynamic nature of the external environment, some of the risk scores may change again in the near future.

145 The Court also noted that, in line with the Planning and Budgeting timetable, a fuller update on actions would be given to the Operating Board at its meeting on 29 January 2013 and thereafter to Court. This would also include a report on progress against the strategic targets in the Strategic Plan.

IMPLEMENTATION OF STRATEGIC TEACHING AND LEARNING PRIORITIES

146 Professor McGeorge introduced a paper (copy filed with the principal copy of the minutes) which outlined the key operational activities associated with Learning and Teaching which were planned for the remainder of the 2013/14 session in support of the Strategic Plan and in response to the key challenges that had been set out in the Principal’s presentation to Court in October 2013.

147 The Court noted that these challenges were to:

(1) Maintain or enhance the level of qualifications of students entering the University (entry tariff);
(2) Increase the level of student satisfaction as expressed though the National Student Survey;
(3) Increase levels of retention; and
(4) Improve the percentage of students obtaining graduate level employment or going on to further study (employability).

148 The Court noted the key activities that were being taken forward in relation to each of these challenges.

INTERNATIONALISATION

149 Mrs Inglis presented a paper (copy filed with the principal copy of the minutes) which updated the Court on progress made in relation to the Business Plan for International Student Recruitment which supported the University’s Internationalisation Strategy.
The Court noted that Phase 1 of the Business Plan was nearing completion and was expected to be finalised in 2013-14. The focus of this Phase had been to put in place a platform for future growth, by undertaking a wholesale review of the postgraduate taught portfolio, appointments to strategic posts, investment in emerging markets and in marketing. The Court noted the progress that had been made while also noting that there remained challenges around achievement of the strategic targets.

The Court noted that Phase 2 was underway and the paper outlined details of the strategy for growth with information on existing and emerging markets. The Court also noted information on progress in the areas of partnerships and in marketing, including search engine marketing. The initial impact of Phase 2 was expected in 2014/15, with an acceleration of growth in subsequent years.

In discussion, the Court considered how the University was monitoring the impact of interventions and where it needed to refine these to focus further on markets where growth had been achieved. The Court also discussed the more general question of how the University worked with other agencies in the City of Aberdeen and in Aberdeenshire to raise the profile of the area as a destination for students and for research/industry.

The Court noted the update on the business plan for international student recruitment. The Court also noted that a further update would be provided to Court, by the new Vice Principal for Internationalisation on the wider internationalisation strategy in June 2014.

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SIZE OF COURT: DRAFT ORDINANCE

Ms Sewel introduced a paper which enclosed a draft Ordinance to amend the size and composition of Court to a model of 24 members as had been agreed, in principle, by Court at its previous meeting (copy filed with the principal copy of the minutes). The Court also received and considered a submission made by the Business Committee of the General Council which requested that the Court reconsider, on a number of grounds, the proposed change to the reduction in the number of General Council Assessors. The submission proposed that if a reduction in the size of Court left no alternative but to reduce the number of General Council Assessors, any such reduction should be by no more than one post.

In discussion, it was noted that while the proposed composition of 24 would achieve a majority of independent members this was dependent on both the Rector and Chancellor’s Assessor not being a student and was therefore not a ‘guaranteed’ independent majority. It was suggested that the Business Committee proposal to reduce the number of General Council Assessors to 3 would address this issue. A number of members expressed a preference for the matter to be referred back to the Governance and Nominations Committee with an instruction from Court to review, in full, the proposed change to the size and composition of Court in a more fundamental way than the current proposal and which also reviewed the question of a ‘guaranteed’ independent majority. It was noted that this would make it unlikely that any change to the Ordinance could be achieved before financial year end 2013/14, which was the date by which the University would need to set out its compliance or otherwise with the new Scottish Code of HE Governance. The Court was also reminded that the nominations and election process for 2 of the 4 places on Court for General Council Assessors would take place in spring/summer 2014.

The Court agreed that the Governance and Nominations Committee should review in full the proposed change to the size and composition of Court in a more fundamental way than the current proposal including how a ‘guaranteed’ independent majority could be achieved.
The Court received a report from the Operating Board meetings of 15 October 2013 and 25 November 2013 (copy filed with the principal copy of the minutes), the principal items of which were:

- Financial planning
- Student population planning
- Sickness absence
- Reverse parking
- Estates and capital, including the Rowett Estate
- Starbucks Outlet

The Court approved the Operating Board’s revised remit and composition.

In discussion, the Court noted the views of some members that the Operating Board had not given full and appropriate consideration to representations made previously regarding the development of a Starbucks outlet on campus. The Court was reminded of the consideration that had been given to the matter by the Operating Board, at its meeting in June 2013, which had included in person representations by the organisations concerned by the proposed development. The Board had, as agreed by Court in October 2013, reviewed subsequently further representations and evidence regarding the Fairtrade status of Starbucks at its meeting in November 2013, the details of which were included in the Board’s report to Court.

ROLE OF THE BUSINESS COMMITTEE OF THE GENERAL COUNCIL

The work of the Business Committee of the General Council was highlighted by a member. Following further discussion of this, it was agreed that the current review of University committees should include reference to the role and membership of the Business Committee.

REPORTS FROM COMMITTEES

AUDIT COMMITTEE

The Court received and noted a report (copy filed with the principal copy of the minutes) of the principal items of business from the meetings of the Audit Committee held on 30 September and 22 October 2013.

PARTNERSHIP, NEGOTIATING AND CONSULTATIVE COMMITTEE

The Court noted a report (copy filed with the principal copy of the minutes) of the principal items of business considered by the Partnership, Negotiating and Consultative Committee at its meeting on 20 November 2013.

STUDENT AFFAIRS COMMITTEE

The Court noted a report (copy filed with the principal copy of the minutes) of the principal items of business considered by the Student Affairs Committee at its meeting on 14 October 2013.

COMMITTEE ON RESEARCH, IMPACT AND KNOWLEDGE EXCHANGE

The Court noted a report (copy filed with the principal copy of the minutes) of the principal items of business considered by the Committee on Research, Impact and Knowledge Exchange at its meeting on 4 October 2013.

UNIVERSITY COMMITTEE ON TEACHING & LEARNING
165 The Court noted a report (copy filed with the principal copy of the minutes) of the principal items of business considered by the Committee on Teaching & Learning at its meeting on 30 October 2013.

ROUTINE BUSINESS NOT PROPOSED FOR DISCUSSION

OUTCOME AGREEMENT 2014/15

166 The Court received and noted a report (copy filed with the principal copy of the minutes) on progress with the development of the 2014/15 Outcome Agreement with the Scottish Funding Council.

167 The Court noted that the Operating Board had given consideration to an earlier draft of the 2014/15 Outcome Agreement. The Outcome Agreement had been required by SFC by 29 November 2013 and the University had complied with this deadline while indicating that it was subject to Court’s approval.

168 The Court approved the 2014/15 Outcome Agreement.

‘FAMILY FRIENDLY’ PROCEDURES

169 The Court received and approved a series of amendments to the Maternity Procedure, Paternity/Co-Maternity Procedure, and the Adoption Procedure (copy filed with the principal copy of the minutes). The amendments were intended to make the procedures more accessible and understandable to staff. In addition, a number of amendments had been required to reflect changes to legislation.

ALCOHOL AND DRUGS POLICY

170 The Court received a draft Alcohol and Drugs Policy for staff (copy filed with the principal copy of the minutes). The Court noted that the University’s existing Alcohol Policy had been extended to provide guiding principles on the use of drugs during the working day.

171 The Court approved the Alcohol and Drugs Policy.

FINANCIAL MANAGEMENT REPORT

172 The Court noted the Management Accounts and Reports for the period to 31 October 2013 (copy filed with the principal copy of the minutes).

SENATE REPORT

173 The Court noted a report (copy filed with the principal copy of the minutes) of the principal items of business considered by the Senate at its meeting on 13 November 2013.

NATIONAL PAY NEGOTIATIONS

174 The Court noted a report (copy filed with the principal copy of the minutes) on developments with regard to the sector’s national pay negotiations for 2013 and the resulting industrial dispute with the recognised Campus Trades Unions.
ANNUAL REPORT ON REDUNDANCY ACTIVITIES

The Court noted a report (copy filed with the principal copy of the minutes) on the management of redundancy activities undertaken by Human Resources for the period 1 December 2012 to 30 November 2013.

DATE OF NEXT MEETING

The Court noted that the next meeting would be held on Tuesday 25 March 2014, at 9.00am to 1.00pm in the Linklater Rooms.