

UNIVERSITY OF DUNDEE**UNIVERSITY COURT**

A meeting of the University Court was held on 24 June 2019.

Present: Ronnie Bowie (in the Chair);
Janice Aitken;
Principal, Professor Andrew Atherton;
Alan Bainbridge;
Richard Bint (items 71 – 73);
Shirley Campbell;
Catherine Cavanagh;
Lady Lynda Clark;
Rumana Kapadia;
Professor Tim Kelly;
Rebecca Leiper;
Bernadette Malone;
Jane Marshall;
Dr Alison Reeves;
Karen Reid;
Dr Jean Robson;
Professor Mairi Scott;
Sofia Skevofylaka (DUSA President);
Jay Surti;
Sharon Sweeney; and
Keith Winter.

In Attendance: Wendy Alexander (Vice-Principal (International));
Edward Frizzell (External Facilitator for Quinquennial review of Court Effectiveness);
Josh Connor (DUSA President elect);
Claire Glancy (Executive Support Officer) (item 76);
Professor Lynn Kilbride (Interim Vice-Principal (Education));
Dr Neale Laker (Director of Academic & Corporate Governance);
Dr Jim McGeorge (University Secretary and Chief Operating Officer);
Dr Christine Milburn (Policy Officer (Corporate Governance));
Pam Milne (Director of Human Resources & Organisational Development);
Carol Prokopyszyn (Director of Finance);
Wesley Rennison (Director of Strategic Planning);
Professor John Rowan (Vice-Principal (Research, Knowledge Exchange & Wider Impact)); and
Thomas Veit (Director of External Relations).

Apologies: Lord Provost Ian Borthwick;
William Boyd;
Allan Murray; and
Professor Nic Beech (Vice-Principal (Provost)).

Prior to the start of the meeting members of the Court attended a session at which posters from the Internal Planning Conference were presented by representatives of each of the schools and directorates. The Sports Union President, Jacob McConkey, and the Dundee University Students' Association (DUSA) President, Sofia Skevofylaka, presented their posters in a subsequent session,

and in doing so drew members' attention to matters outlined within their annual reports to the Court (items 86 and 87 below).

71. MINUTES

(1) Minutes of the Meeting of the Court on 30 April 2019

The Court decided: to approve the minutes of the Court meeting on 30 April 2019.

72. MATTERS ARISING

(1) Action Log

The Court considered the action log and noted the updates provided. Members formally noted that the implementation of actions identified within the 'Enhancing Student Experience' report (minute 59 of the meeting of the Court on 30 April 2019) would be monitored by the Student Experience Oversight Group. Members were also advised of the timeline for visits to, and by, Central South University (China) and noted that an update would be provided at the Court following these visits.

The Court decided: to note the updates.

73. FINANCIAL SUSTAINABILITY

(1) Presentation from the Director of Finance

The Director of Finance delivered a presentation to the Court which outlined the principles of financial sustainability, financial trends and factors relevant to the financial sustainability of Higher Education Institutions (HEIs). In doing so she drew members' attention to the specific challenges facing the University as illustrated by its surplus/deficit as a percentage of income, operating cash flow as a percentage of income, TRAC data, and an analysis of its major sources of income and expenditure. Members also noted the impact of internal and external challenges (including the flat-cash settlements from the Scottish Funding Council (SFC), rising pension/salary costs, lower than average income per individual academic, below Full Economic Cost (FEC) awards for some research grants, and below FEC funding of home student fees) on the University's financial sustainability.

The Court noted that the University was in a similar position to other HEIs, and that the University's strong reputation in research, teaching and innovation, and its lack of existing borrowing were positive indicators for the development of the financial sustainability plan (see also minute 73(2) below). The Court reiterated its commitment to the development of a financial sustainability plan and members highlighted the expectation that the University Executive Group (UEG) would review a wide range of growth, savings and cost control options in advance of the Court's exploration of scenarios at the Court retreat in early September 2019.

In response to questions, officers confirmed that the capital/estates strategy would be considered in the context of the development of a financial sustainability plan and the Director of Finance confirmed the governance process, including options

appraisal, by which any significant capital projects would be considered and approved. Members also acknowledged the need to invest in the University's infrastructure in order to maintain the student experience, support growth targets, and maintain the University's league table position and reputation.

The Court thanked the Director for the informative presentation.

The Court decided: to note factors influencing the University's financial sustainability and the associated challenges as outlined.

(2) 2019/20 Budget and Strategic Plan Forecast for the Scottish Funding Council

The Court considered the proposed budget for 2019/20 and the three-year projections for the Scottish Funding Council (SFC), which had been endorsed by the Finance & Policy Committee at its meeting on 28 May 2019.

In the context of the financial sustainability discussions (noted in minute 73(1) above) the Court approved the budget and the 3-year plan for submission to the Scottish Funding Council (SFC) and endorsed the extended 5-year plan provided for the Court's information. Discussions focussed on the medium-term financial plan and in particular the following four dimensions of activity: continued growth; increased productivity; reduction of costs; and strategic projects. The paper also set out the risks associated with the plan and members highlighted the importance of balancing the University's ambitions against these risks to ensure realistic targets were set.

The Court noted the plans projected reducing deficit levels to reach a break-even position within 5 years and members were keen to see further detail in due course regarding the nature of, and risks associated with, the proposed '£15m contribution challenge'. Following discussion, the Court confirmed that it was content that the projected level of growth in student numbers was achievable, and members were also supportive of the further exploration of borrowing opportunities at this time. The Court also highlighted the importance of ensuring engagement with staff and students throughout the process of developing a financial sustainability plan.

The Court decided:

- (i) to approve the proposed budget for 2019/20 and indicative budgets for the following two years; and
- (ii) to approve the Strategic Plan Forecast for submission to the SFC in the context of the broader financial sustainability discussions noted in minute in 73(1).

(3) Financial Sustainability Road Map

The Court reviewed a paper which set out a timeline for work on a financial sustainability plan. Members were supportive of the timeline set out, noting that the direction of travel would be more fully determined by the end of 2019, with detailed and deliverable plans to achieve sustainability, including a comprehensive risk assessment, being developed for approval by the Court by June 2020.

The Court also approved the suggestion that the conveners of the committees of the Court be consulted, if and when required, as a Strategic Oversight Group to provide input to the development of the University Executive Group's thinking over the summer.

The Court decided: to approve the timeline and agree to the use of the conveners of the committees of the Court as a Strategic Oversight Group if required over the summer.

74. **UNIVERSITY OF DUNDEE SCHOOL OF BUSINESS**

[Secretary's note: The Court had previously been informed by the Deputy Chair of Court, Bernadette Malone, of a family relationship which might be a potential source of a conflict of interest and had agreed that, in this case, there was no conflict of interest in her participation in the item. Members were reminded of Rebecca Leiper's and Dr Alison Reeves' roles as School Manager and Associate Dean in the School of Social Sciences respectively.]

Noting the in-principle approval of the proposal to establish the School of Business as a tenth school at the meeting of the Court on 26 February 2019, and the subsequent approval on 30 April of proposals relating to the academic, financial and business planning aspects of the proposed school, the Court considered a paper which set out the outputs from the remaining two workstreams, 'Governance' and 'Communications'.

The Court noted the communications update and were particularly pleased to note the continued strong engagement with students and staff within the School of Social Sciences. The Vice-Principal (international) advised members of the timeline for the interview and appointment of a Dean of the School of Business and members also noted the transition arrangements in place in the interim period.

The Court decided:

- (i) to approve the recommendations from the Governance workstream;
- (ii) to note the communications update; and
- (iii) on the basis of previous decisions of the Court and the approvals set out above, to formally approve the establishment of a new University of Dundee School of Business from 1 August 2019.

75. **CHAIR'S REPORT TO COURT**

The Court received a report from the Chair of Court outlining activities undertaken on behalf of the Court and the University since the last meeting of the Court. The Chair focussed his report on setting out his interactions with the University Executive Group (UEG) and Court members in relation to strategic planning for a sustainable future. He also highlighted interactions with internal and external stakeholders, and in particular engagement with the Scottish Government.

The Court decided: to note the report.

76. PRINCIPAL'S REPORT TO COURT

The Court received the regular report from the Principal (**appendix 1**). In presenting the report the Principal highlighted the University Executive Group's (UEG's) focus on the development of a budget consistent with the four dimensions (continued growth; increased productivity; reduction of costs; and strategic projects) identified as being critical to the development of plans to achieve financial sustainability. The Principal also highlighted relevant sectoral matters including recommendations from the Augar Review, pay and pensions negotiations, and the publication of a 'Statement of intent on degree classification' by the QAA on behalf of the UK Standing Committee for Quality Assessment.

The Principal drew members' attention to the University's exceptional performance in the Herald Higher Education Awards, where the University had won five awards including 'HE Institution of the Year'. The Court also noted the other awards: 'Outstanding Contribution to the Local Community' (a joint award with Abertay University) for the role as founding partners of V&A Dundee; 'Outstanding Contribution from a Student' to Rawad Qaq, a refugee from the Syrian war who was awarded a fully-funded PhD scholarship at the University; 'Outstanding Contribution from a Staff Member' to Professor Kurt Mills for his work with the Scottish Human Rights Defenders Fellowship; and 'Outstanding Marketing/PR Campaign of the Year' for the Discover Dundee recruitment campaign.

The Principal also took the opportunity to discuss the University's performance in recently published league tables and in doing so highlighted the CWTS Leiden Rankings and the Nature Index ranking of the university, which demonstrated the impact and research quality and capability of the University.

Through discussion the Court noted the announcement by the UK Government that funding for EU students would cease beyond 2020, irrespective of the status of Brexit, and that it was likely that the Scottish Government would adopt a similar position. The Court discussed the potential impact on student numbers and fees in the context of recruitment levels to HEIs south of the border where EU students already paid fees, and was satisfied that this was appropriately reflected in the budget position discussed in item 73(2).

Finally, the Principal highlighted the arrival of the new Vice-Principal (Education), Professor Blair Grubb, on 1 August 2019, and thanked the Interim Vice-Principal (Education), Professor Lynn Kilbride, for her contributions to the UEG.

The Court decided: to note the report.

77. CONVENER REPORTS

The Court received reports from the conveners of each of the committees of the Court, highlighting strategically relevant matters considered by the committees for discussion by the Court.

The Convener of the Audit Committee highlighted the Committee's review of performance measures and targets within the University Strategy to 2022 which were relevant to the Committee, the Internal Audit Plan for 2019/20, and the importance the Committee placed on ensuring that the estates strategy, budget, and financial sustainability plan continued to be considered on a holistic basis to ensure that the University maximised its capital. The

Court also approved the suggestion that the Committee be renamed as the 'Audit & Risk Committee' to better reflect its responsibilities and focus.

Noting that the business of the Finance & Policy Committee had revolved around the preparation of the budget, 5-year plan, and matters relating to financial sustainability, all of which were discussed under item 73 (above), the Convener highlighted to members the use of and further provision of contingencies in relation to the Business Transformation Programme.

The Convener of the Governance & Nominations Committee highlighted two matters for the approval of the Court, those being (i) memberships for the committees of the Court for 2019/20 and (ii) changes to the Standing Orders for the University Court. The Court approved both items.

The Convener of the People & Organisational Development Committee focussed her update on the Committee's consideration of performance measures which it would have oversight of, and its consultation on matters being considered at a future University Executive Group (UEG) away-day focussed on people matters.

The report from the Convener of the Remuneration Committee focussed on the review of business for 2019/20. The Court was supportive of the Committee's proposal that processes for the approval of remuneration decisions outwith the annual remuneration cycle relating to retention, consultancy and appointment be aligned fully to those of the annual cycle. The Court also noted the Committee's approval of changes to the University Severance Policy (**appendix 6 annex 1**).

Finally, members received a short update from the Convener of the Quinquennial Review of the Effectiveness of the Court Working Group detailing progress to date, and the Court was supportive of the extended timeline for the review process. The Chair of Court encouraged members to engage with the online questionnaire which would be published later in the week.

The Court decided: to thank the conveners for their reports (approvals are noted in section 84 below).

78. **REPORT FROM THE CHAIR OF THE SENATE**

The Principal, in his capacity as the Chair of the Senate, provided the Court with a report highlighting strategic matters of business which were of particular relevance to the Court. The Court noted in particular the approval and subsequent submission of the Research Excellence Framework (REF) 2021 Code of Practice, and the Senate's engagement with the development of a School of Business.

The Court focussed its attention on the Senate's debate of honours degree classifications following the identification of a clear gap between the high entry standards and lower numbers of good honours awarded. The Court was pleased to note the importance the Senate placed on maintaining high standards and appropriately recognising student achievement and was satisfied that the steps taken to guard against grade deflation were appropriately robust.

The Court decided: to thank the Principal for the update.

79. **UNIVERSITY STRATEGY TO 2022: END OF YEAR REPORT**

The Director of Strategic Planning introduced a report which outlined the process for the development of targets for the performance measures previously approved by the Court. The Director also drew members' attention to a 'top-down' assessment of progress for each composite KPI and a high-level update on areas of potential interest to the Court. Members were advised that a 'bottom-up' summary had also been considered by the individual committees of Court for each of the performance measures assigned to them.

The Chair of Court encouraged members to engage with the online dashboard, and the Director highlighted the support available to members in this respect.

The Court decided: to approve the proposed targets.

80. **COURT RETREAT 2019**

The Chair of Court introduced a paper outlining the proposed schedule for the Court Retreat on 5 - 6 September 2019. Members were supportive of the proposals.

The Court decided: to approve the proposed schedule.

81. **NARRATIVE FOR THE SENATE**

The Court suggested that its discussions relating to financial sustainability and the development of a financial sustainability plan be highlighted to the Senate along with the approval of the final workstream proposals in relation to the School of Business and as a result the Court's formal approval of the establishment of the School of Business as a tenth school.

The Court decided: to ask that the Chair of Court prepare a report to the Senate on this basis.

82. **EMERGENCY COMMITTEE**

The Court decided: in accordance with accepted precedent, to remit the transaction of any urgent Court business over the summer to an Emergency Committee, comprising the Principal or a Vice-Principal (Convener), two lay members (normally the Chairperson of Court and the Convener of the Finance & Policy Committee), one other staff member, and a student member where available; noting that the precise composition would be subject to availability. A report on any action taken would be submitted to the first business meeting of 2019/20.

83. ANNUAL REVIEW OF EFFECTIVENESS AND PERFORMANCE OF THE CHAIR OF COURT

(1) Annual Report from the Chair of Court

The Court received an annual report from the Chair, in which he reflected on his activities and performance during the 2018/19 academic year relative to objectives agreed with the Court at the start of the year.

The Court decided: to note the report.

(2) Review of Effectiveness and Performance

[Secretary's note: The Chair of Court left the room for the duration of discussions relating to his personal effectiveness and performance. The Deputy Chair of Court, Bernadette Malone, chaired the meeting for this part of the discussion. Officers, with the exception of the University Secretary and the Policy Officer (Corporate Governance), left the room after providing initial comments.].

The Deputy Chair invited comments from members in relation to focal areas identified by the Governance & Nominations Committee as follows: performance relative to objectives; stewardship and chairing of meetings; communication; challenge; and sectoral awareness. Overall members felt that the Chair had performed very well over the period being reviewed, highlighting his facilitative approach, enthusiasm, dedication and willingness to listen, and engagement with staff and students as being particular areas of strength. Members also suggested that the Chair had managed the transition following the arrival of the new Principal particularly well. The Court suggested some improvements which could be made to the setting of objectives for the Chair for the coming year, and also expressed an interest in being made more aware of the Chair's engagement as an ambassador for the University across all stakeholders.

Members also highlighted areas where the Court as a whole could improve and suggested that these be further considered as part of the ongoing Quinquennial Review of the Effectiveness of the Court.

The Court decided: to note the outcomes of the review.

84. COMMITTEE REPORTS

(1) Audit Committee Minutes

(a) Minutes of the Committee's Meeting on 21 May 2019

The Court received the minutes of the Committee's meeting on 21 May 2019 (**appendix 2**). The Court's discussion of matters raised by the Committee for the attention of the Court are detailed in the Conveners' Report (Minute 77).

The Court decided:

- (i) to approve the suggestion that the Committee be renamed as the 'Audit & Risk Committee' to better reflect its responsibilities and focus; and
- (ii) otherwise, to approve the minutes.

(b) Reserved Business: Minute 9 of the Meeting on 21 May 2019

The Court received minute 9 of the Committee's meeting on 21 May 2019. The minutes were considered to be reserved business and the University claimed exemptions in sections 30(b), 30(c), 33(1)(b) and 38 of the Freedom of Information (Scotland) Act 2002. The minute will be included as an appendix to the minute of the Court meeting at which its release is approved.

The Court decided: to approve the minutes

(2) Finance & Policy Committee Minutes(a) Minutes of the Committee's Meeting on 28 May 2019

The Court received the minutes of the Committee's meeting on 28 May 2019 (**appendix 3**). The Court's discussion of matters raised by the Committee for the attention of the Court are detailed in the Conveners' Report (Minute 77).

The Court decided:

- (i) to note the Committee's endorsement of the budget and 3-year plan; and
- (ii) otherwise, to approve the minutes.

(b) Reserved Business: Minute 8(1) of the Meeting on 28 May 2019

The Court received minute 8(1) of the meeting of the Finance & Policy Committee on 28 May 2019. The minute was considered to be reserved business and the University claimed exemptions in sections 30(b), 30(c), and 33(1)(b) of the Freedom of Information (Scotland) Act 2002. The minute will be included as an appendix to the minute of the Court meeting at which its release is approved.

The Court decided: to approve the minutes.

(3) Governance & Nominations Committee Minutes

The Court received the minutes of the Committee's meeting on 28 May 2019 (**appendix 4**). The Court's discussion of matters raised by the Committee for the attention of the Court are detailed in the Conveners' Report (Minute 77).

The Court decided:

- (i) to approve the committee memberships for 2019/20 as set out in **appendix 4 annex 1**;
- (ii) to approve changes to the Standing Orders (**appendix 4 annex 2**); and
- (iii) otherwise, to approve the minutes.

(4) People & Organisational Development Committee Minutes

The Court received the minutes of the Committee's meeting on 20 May 2019 (**appendix 5**). The Court's discussion of matters raised by the Committee for the attention of the Court are detailed in the Conveners' Report (Minute 77).

The Court decided: to approve the minutes.

(5) Remuneration Committee Minutes

The Court received the minutes of the Committee's meeting on 20 May 2019 (**appendix 6**). The Court's discussion of matters raised by the Committee for the attention of the Court are detailed in the Convener Reports (Minute 77).

The Court decided: to approve the minutes.

(6) Welfare & Ethical Use of Animals Committee Minutes

The Court received the minutes of the Committee's meeting on 18 April 2019 (**appendix 7**).

The Court decided: to approve the minutes.

(iv) **REPORT FROM THE MEETING OF THE SENATE**

The Court received a report from the meeting of the Senate on 22 May 2019 (**appendix 8**). Matters of interest highlighted to the Court were discussed under item 77 (above).

- The Court decided:**
- (i) to note the approval by the Senate of changes to Ordinances 40 (Student discipline) and 57 (Schools) (**appendix 8 annex**), and further noting that these were considered to be urgent and uncontentious in nature, to approve the changes under the terms of Article 16.2 of the Charter, such that they be passed at a single meeting;
 - (ii) to approve the recommendations concerning the conferment of the title of Professor Emeritus upon Professor Irwin McLean; and
 - (iii) otherwise, to note the report.

(v) **ANNUAL REPORT OF THE SPORTS UNION**

The Court received a report from the Sports Union President, Jacob McConkey, which formed the basis for the poster presentation which preceded the meeting of the Court. The President provided statistical data on engagement, but focussed his report and poster

presentation on development and engagement matters. The Court welcomed the collaborative approach taken to working with the Dundee University Students' Association (DUSA) and highlighted the important contribution of the Sports Union to health and well-being agendas and the overall student experience.

The Court decided: to thank the Sports Union President for his report.

(vi) **DUNDEE UNIVERSITY STUDENTS' ASSOCIATION
ANNUAL REPORT**

The Court received a report from the Dundee University Students' Association (DUSA) which highlighted progress relative to the 2019/20 executive manifesto. The report built upon themes presented during the poster session, where the DUSA President had provided a month-by-month overview of the activities and achievements of the DUSA Executive and its members. The report was set around the themes of: activities linked to the DUSA charitable purpose, community, employability, representation, and welfare.

The Court decided: to thank the DUSA President for her report.

(vii) **STAFF COUNCIL MINUTES**

The Court received the minutes of the Staff Council meeting on 24 April 2019.

The Court decided: to note the minutes.

(viii) **ELECTION OUTCOMES**

The Court noted the re-election of Professor Mairi Scott by the Senate for a further period of 4 years, and the election of Dr David Martin by the Senate for a period of 4 years in the first-instance. Both effective from 1 August 2019.

The Court decided: to note the outcome of the elections and congratulate the individuals.

(ix) **STAFF**

(1) Professorial and Grade 10 Appointments

The Court noted the appointment of the following members of staff:

Name	Title	Date
Professor Natasha Lushetich	Professor of Contemporary Art & Theory	3 December 2018
Professor William Russell	Professor of International Business	17 September 2018
Professor Louise Valentine	Professor of Design	18 September 2018

- The Court decided:** to note the appointments.
- (2) Grievances, Appeals and Hearings

The Court decided: there were no matters to report.

(x) **HONORARY CHAPLAIN**

On the recommendation of the University Chaplain, the Court approved the appointment of Carrie Varjavandi as an Honorary Chaplain for the period of 1 year in the first instance, with immediate effect.

The Court decided: to approve the appointment of Carrie Varjavandi as an Honorary Chaplain for the period of 1 year in the first instance, with immediate effect.

(xi) **RETIREMENTS**

The Court noted that Professor Tim Kelly, Dr Alison Reeves, Dr Jean Robson, and Sofia Skevofylaka were attending their last meeting as members of the Court, and members noted that the Rector (Mark Beaumont) and Neil Menzies (Lay member of the Audit Committee) would also retire from their roles over the summer. The Chair of Court drew the Court's attention to the contributions of each of these individuals to the business of the Court, and in particular the value of their different perspectives and their dedication to the role.

The Court decided: to note the Court's thanks to the members leaving the Court.

Ronald Bowie
Chair of Court

APPENDIX 1

PRINCIPAL'S REPORT (Minute 76)

INTRODUCTION

1. Achieving financial sustainability is a key priority for the University. The University Executive Group (UEG) have focused on 4 dimensions in order to achieve financial sustainability.
 - Continued growth;
 - Increased productivity;
 - Reduction of costs; and
 - Strategic projects.
2. At the upcoming meeting of Court, the Director of Finance will give a presentation analysing our financial position and how to achieve breakeven within 5 years and generate a sustainable surplus within 8 years. This will be essential in informing the Court's exploration of a range of different scenarios at the Court retreat in August and the development of an action plan based on this shared understanding for discussion at the November and February meetings.

SECTOR CONTEXT

3. The Higher Education (HE) sector faces a significant degree of uncertainty and external pressure, with clear financial challenge on the horizon. This section provides an overview of key developments and the context within which we are developing our action plan.

Government review of post-18 education & funding in England

4. The UK Government's review of post-18 education and funding in England (['the Augar review'](#)) has now been published and sets out what it terms 'key implementation considerations' for Higher Education (HE) and Further Education (FE) providers south of the border. These centre around increasing funding to the FE sector, and ensuring value for money in both HE and FE provision. Key recommendations include:
 - Taking a more joined-up approach across the post-school education system.
 - Rebalancing resources between the HE and FE sectors to reflect the review's finding that the FE sector is under-resourced.
 - Cutting the maximum fee level from £9250 to £7500, with any resulting loss in fee income to be met through increases to Government teaching grants.
 - Taking action to address 'poor quality provision,' e.g. courses with low retention rates and graduate prospects, by capping recruitment to such courses and by adjusting the teaching grant attached to subjects to reflect their costs and perceived social and economic value.
5. Given recent changes to Government, it is unclear how many of the recommendations made within the review will be taken forward. However, it is expected that elements of it will drive future policy. Although the review focuses on England, it could have a number of implications for the Scottish HE sector and therefore the University.
6. Dundee has over 1500 rUK students, who pay fees equivalent to the maximum level in England. Cuts to fee levels in England would adversely affect HEIs in Scotland and it is unclear whether the resultant shortfall in fee income would be made up through increased funding from the Scottish Government. Any rebalancing of resource to increase funding to FE would be problematic within the Scottish context given the funding shortages that already exist within the HE sector.
7. We are carefully monitoring UK Government debate around taking forward the recommendations made within the review. We are also working with other Universities and Universities Scotland to develop a coordinated sector response that ensures any decisions made in respect of England are mindful of the ramifications for the wider UK sector.

Pay & pensions matters

8. On-going disputes in relation to the Universities Superannuation Scheme (USS) and the 2019-20 pay offer continue to pose a significant financial and employee relations challenge to the sector. It appears unlikely that a resolution in respect of either will be reached anytime soon and at the UCU annual congress last month motions were passed to enable ballots on industrial action later in the year.
9. Employer contributions to the USS are set to rise again in November. The Pensions Regulator has been quoted as having “grave concerns” around the options proposed by the USS in respect of the 2018 pension valuation and the newly elected General Secretary of the University & College Union (UCU) has criticised USS’ valuation methods, advocating for a change of approach.
10. In respect of pay, the Universities & Colleges Employer Association (UCEA), working on the sector’s behalf to negotiate pay at national level, has made a final offer of a 1.8 % pay rise for the next academic year after lengthy negotiation. UCU has rejected the offer, taking the view that it does not adequately address the real term decrease in pay over recent years. The new rate is applicable from the beginning of the next academic year, and at present the University anticipates implementing this rise in the absence of an agreement.

Academic Standards

11. The Quality Assurance Agency (QAA) on behalf of the UK Standing Committee for Quality Assessment (UKSQA) has published a ‘statement of intent on degree classification’, which calls for institutions to issue a public statement committing to protect the value of honours degree qualifications over time. Institutions have been encouraged to review and explain how they calculate final degree classifications and publish analysis on degree outcomes. In England, the Office for Students (OfS) has indicated an intention to drive change in this area by levying fines from institutions who fail to address rises in the proportion of top degrees being awarded.
12. Dundee has already undertaken a significant degree of work in this area through the Senate Quality & Academic Standards Committee (QASC). Led by the interim Vice-Principal (Education) and Director of Academic & Quality Standards, QASC continue to enhance and develop practice through the ongoing consideration and review of School activities in relation to quality and academic standards. Details of the Committee’s work are provided in an annual report to the Governance & Nominations Committee. An annual review of Periodic Programme Reviews and External Examiner reports will be evidenced in the annual report to the Scottish Funding Council, submitted to Court in September.

FUTURE CONSIDERATIONS FOR HIGHER EDUCATION PROVISION

13. Court has expressed an interest in understanding the contextual significance of a number of different modes of HE study. This section provides commentary on two of these.

Graduate Apprenticeships

14. Graduate Apprenticeships are relatively new in Scotland and the University has been a pioneer in this area, currently offering apprenticeships to honours degree level in 5 areas: IT Management for Business, IT Software Development, Engineering, Design & Manufacturing, Civil Engineering and Business Management. We are the only University with a hub model which allows for shared teaching of ‘core skills’ between apprenticeships and for collaborative working across our Graduate Apprenticeship professional services and academic staff. The model has been commended as leading in the sector by Skills Development Scotland who fund all apprenticeships in Scotland.
15. We currently have 90 students who have come via the Graduate Apprenticeship route, with a further 60 to 80 expected to begin study in September. However, funding from Skills Development Scotland must be applied for annually and Graduate Apprenticeships are only available in a limited number of areas. It is therefore unlikely that these programmes will become a dominant form of education at the University or within the sector more generally.
16. We continue to monitor SDS funding calls and to lobby SDS for new programmes, particularly within Civil Engineering at MSc level and Nursing. We are also exploring the commercial opportunities presented by Graduate Apprenticeships to strengthen links with local employers.

Online Education

17. Dundee has over 30 years’ experience in delivering distance learning programmes, with well-established programmes in Medical Education, Nursing, Education and Archives all delivered online. Online distance learners make up around 7% of our FTE student population, and many of our on-campus programmes also offer online modules, creating a rich learning environment.

18. Our online programmes have a strong focus on professional learning, and there is significant growth potential in this space. Research by FutureLearn and others highlights increasing numbers of professionals looking to complete online learning with University-accredited stackable credentials or micro credentials to support career progression, promotion and the acquisition of new knowledge and skills.
19. As new technologies become more reliable, viable and affordable, we will continue to grow our online capability and presence to offer greater student choice and flexibility in learning. However, the extent to which online education will replace traditional face to face learning remains to be seen.

PEOPLE, AWARDS AND ACCOLADES

Reputation

20. **Herald Higher Education Awards.** We won 5 awards in the Herald Higher Education Awards this month, including overall Higher Educational Institution of the year. Awards included:
 - Higher Educational Institution of the Year, reflecting the overall quality of the University's activity.
 - Outstanding Contribution to the Local Community, a joint award with Abertay University based on our role as founding partners of V&A Dundee, and the subsequent positive impact it is has bestowed on the city.
 - Outstanding Contribution from a student for Rawad Qaq, a refugee from the Syrian war, who has performed extremely well in his studies and has now been awarded a fully-funded scholarship to complete a PhD at the University.
 - Outstanding Contribution from a staff member for Professor Kurt Mills' for his work with the Scottish Human Rights Defenders Fellowship, which supports international human rights defenders by providing them with a short period of protection in Scotland while they conduct research.
 - Outstanding Marketing/PR Campaign of the Year, recognising our success in growing student numbers.
21. **Guardian League Tables.** We ranked 29th overall in the Guardian University League Tables, the same position as last year. We are pleased to maintain a spot within the top 30 and will look to make gains in the coming year. Notable areas of success include maintaining position as 3rd in the UK for teaching and improving to 8th in the UK for student satisfaction with their course. Subjects which ranked top ten in the UK included Dentistry (3rd); Law (4th); Medicine (6th) and Social Work (9th), with new appearances from Forensic Science & Archaeology (9th); Politics (9th) and Fashion & Textiles (10th). Full tables, including subject rankings can be accessed [online](#).
22. **CWTS Leiden Ranking .** The University of Dundee has been rated among the world's best universities in terms of the impact of its scientific research. The Leiden rankings are based on research publications data and offer important insights into the scientific performance of nearly 1000 major universities worldwide. They place Dundee at 15th in the world for the highest proportion of highly-cited publications. This is based on the proportion of citations in the most cited 1% of articles across all disciplines. Dundee is ranked just behind Oxford (11th) and Cambridge (12th) in this marker of research quality, and is the highest placed university in Scotland.

People

23. **Professor Lynn Kilbride.** The meeting of Court will be the last for Professor Lynn Kilbride in her capacity as interim Vice-Principal (Education) as Professor Blair Grubb will join us from 1 August. Lynn has been serving in the role since 1 March 2019 and her expertise and effective methods of working have been a huge support to the UEG and many others across the University. Lynn will be returning to future meetings of Court as the member of academic staff elected by the Staff Council.
24. **Honorary Graduates and Titles.** A summary of the graduation ceremonies later this week has been circulated to Court members along with details of the honorary graduates and titles bestowed. I would particularly like to mention Mark Beaumont who is stepping down as Rector and has been made *Centre for Entrepreneurship Inaugural Ambassador* in recognition of his past services and continued involvement in the Scottish entrepreneurial landscape.

Principal, Professor Andrew Atherton
June 2019

Annex 1: University Executive Group Meetings

The University Executive Group has met formally on 24 April, 8 May, 15 May, 22 May and 5 June since the last Principal's report to Court. The following items were considered:

1. CORPORATE ISSUES

- Business Transformation
- Development of the Estates Strategy
- Strategy Performance Measure Targets
- Business continuity update
- Higher Education Awards Strategy
- Tay Cities Update
- Gender-based violence – institutional policy
- Augar Review
- Brexit
- UK visa and immigration sponsor license rating

2. FINANCIAL ISSUES

- Budget & capital plan
- Management accounts
- Planning for financial sustainability
- SFC Funding allocations
- USS pension costs

3. ACADEMIC MANAGEMENT ISSUES

- REF 2021 Code of Practice
- 2019/20 Student application trends
- Doctoral Academy
- University of Dundee Business School – leadership, governance & communication proposals
- International Opportunities
- Implementation of Workload Allocation Model Software
- Review of NSS and recommendations for the next cycle
- Student retention
- Validation & franchise arrangements
- Update on ACCA integrated Masters

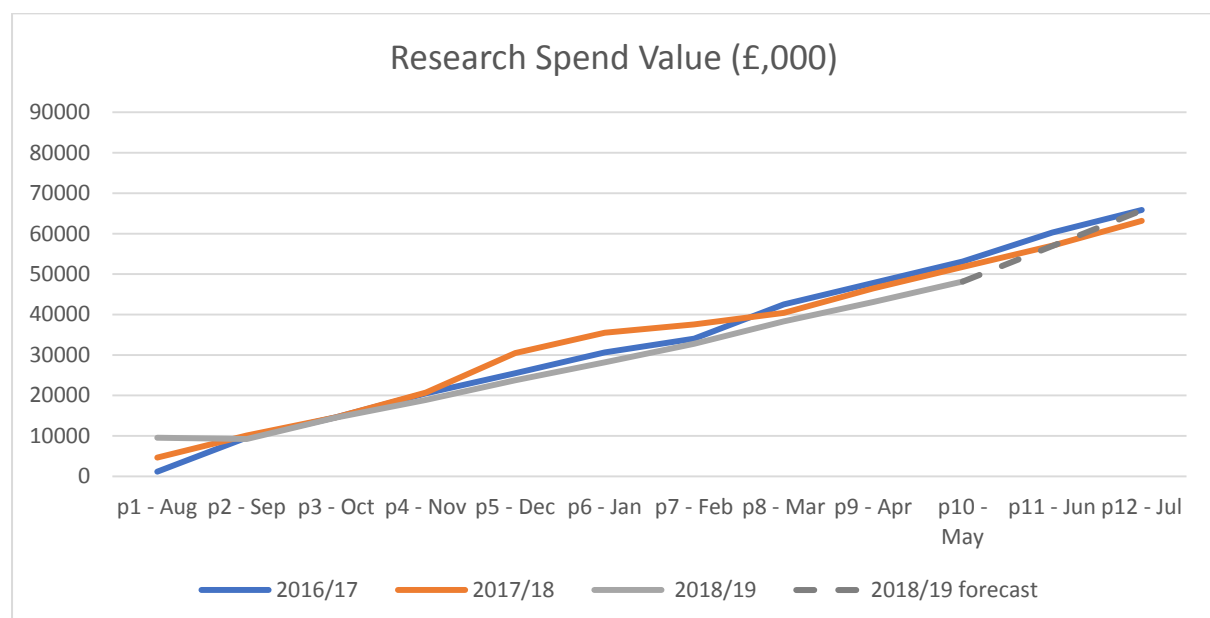
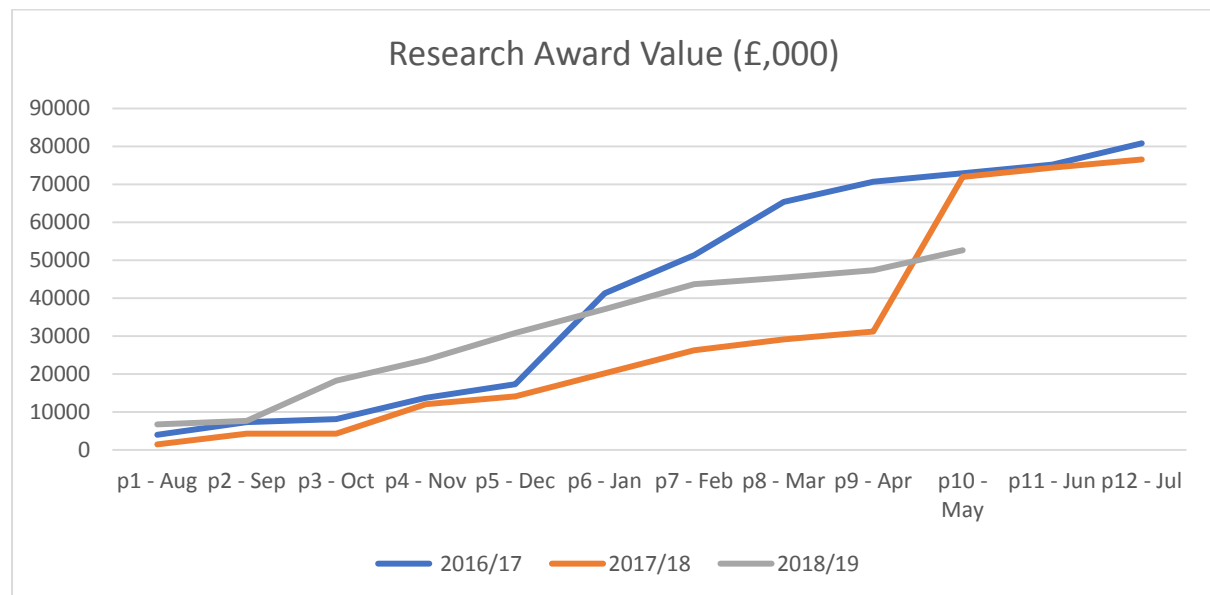
4. HUMAN RESOURCES ISSUES

- Senior Staff Appointments
- Financial incentives for growth
- Hourly paid staff expenditure
- Equality, diversity & inclusion review

Annex 2: Major Grants and Awards

1. OVERVIEW OF RESEARCH & RELATED AWARDS

Since the April report to Court, £7,985,848 of research and related awards have been processed by the University for 63 projects. To provide further context, changes over the last three years in respect of our research related awards and spend is outlined in the graphs below:



2. DETAILS OF RESEARCH & RELATED AWARDS

The selection of grants and awards detailed below is intended to showcase the diverse range of research undertaken across the University which is enabled by funding sources that include research councils, charities and industrial sponsors. Please note that any joint awards listed below state the University of Dundee value only.

A. RESEARCH AWARDS >£500,000(i) **Dr K Rasmussen (School of Life Sciences)**

Aberrant DNA Methylation and its Impact in Blood Cancer Development (Career Development Fellowship)
£1,474,421 from Cancer Research UK

Every cell carries genetic information (genes), as well as epi-genetic information that mark which genes to express. We now know that disruption of the epigenome can promote cancer especially in the blood forming cells in the body, and lead to diseases such as Leukemia. This project will study fundamental aspects of the epigenome and apply this knowledge to look for treatments better directed against cancer to improve patient outcomes.

(ii) **Professor R McCrimmon (School of Medicine)**

Scottish Diabetes Research Network 2019-20
£614,911 from the Chief Scientist Office

Diabetes is a common life-long health condition that currently affects 1 in 20 people in Scotland. It is thought that a further 49,000 people have undiagnosed type 2 diabetes and Diabetes UK estimates that at least 620,000 people in Scotland are at high risk of developing type 2 diabetes. The Scottish Government Chief Scientists Office has funded Professor Rory McCrimmon to lead a Scottish Diabetes Research Network (NRS Diabetes), which is tasked with supporting the setup and delivery of clinical and epidemiological research throughout Scotland and helps to improve the care and prevention of diabetes and diabetes-related complications. This research will seek to improve our understanding of the impact of changing diabetes care on our population, the complications associated with diabetes and the development of new therapies.

B. RESEARCH AWARDS >£100,000<£500,000

Name	School	Project Title	Total Value	Funder
Dr D. R. Morales	Medicine	Approaches for Creating Clinical Evidence of Treatment Effects in Routine Populations Excluded from Trials (ACCEPT) (Clinical Research Career Development Fellowship)	£485,942	Wellcome Trust
Prof. C.C. Lang	Medicine	Cardiomyopathy in type 2 Diabetes mellitus (CARDIATEAM) (Joint with Institut National de la Sante et de la Recherche Medicale as lead, Consorcio Centro de Investigacion Biomedica en Red M.P., Luxembourg Institute of Health and 17 others)	£469,613 (including £92,923 overheads)	EC - IMI - Innovative Medicines Initiative
Dr. I. Hein	Life Sciences	Studying Co Evolution in Agriculture to Inform NLR Deployment (Industrial Partnership Award - IPA)	£456,327 (including £174,931 overheads))	Biotechnology and Biological Sciences Research Council
Mr. G. M. Pullin	Art & Design	Imaging Technologies for Disability Futures (Joint with Universities of Leeds, Exeter and Sheffield)	£358,875	Wellcome Trust
Prof. K. Hiom	Medicine	Ninewells Cancer Campaign Research Fellowship 2019	£317,646	Ninewells Cancer Campaign
Dr. S. M. Grant	Medicine	Improving Medicines Management Across Organisational Boundaries Using Video Reflexive Ethnography (The Healthcare Improvement	£258,795	Healthcare Improvement Studies Institute

		Studies Institute PhD Fellowship Programme)		
Prof. J. J. Lambert	Medicine	LIMK1 Inhibitors - A Novel, Disease-Modifying Approach for the Treatment of Fragile X Syndrome (Developmental Pathways Funding Scheme - Full Stage) (Joint with Cardiff University and University of Oxford)	£219,937 (including £109,322 overheads)	Medical Research Council
Prof. J. Rouse	Life Sciences	DNA Interstrand Crosslink Repair and Chromatin Remodelling (ICL CHROM)	£203,261 (including £14,097 overheads)	EC Horizon 2020 - Marie Skłodowska Curie Actions (MSCA)
Prof D. R. Alessi	Life Sciences	MRC Capital Prioritisation Bid 2019 20	£198,000.00	Medical Research Council
Prof D A Cantrell	Life Sciences	Unravelling how Protein Signalling Networks Integrate to Control T Cell Fate (Fellowship Dr Julia Marchingo)	£133,832.00	Walter and Eliza Hall Institute of Medical Research
Dr C Marwick	Medicine	Medical Research Foundation National PhD Training Programme in Antimicrobial Resistance Research (PhD Training Programme) (Joint with University of Bristol and 15 Other Institutions)	£115,800.00	Medical Research Foundation

C. RESEARCH AWARDS >£50,000<£100,000

Name	Discipline	Project Title	Total Value	Funder
Dr. G. B. Schweikert	Life Sciences	Novel Machine Learning Techniques to Elucidate Function and Dynamics of Epigenomic Mechanisms	£99,705.00	Academy of Medical Sciences
Mr. G. M. Pullin	Art & Design	Co-Design and a Sense of Ownership in Rehabilitation Services: Disability-Led Design and Improvement Studies	£98,108.00	Healthcare Improvement Studies Institute
Prof. G. P. Leese	Medicine	Clinical and Genetic Epidemiology of Primary Hyperparathyroidism	£90,043.00	NHS Tayside
Dr. E. Shemilt	Art & Design	Development of the LIVE SGI aPP VERSION 1.0	£75,000.00	Friends of South Georgia Island (FOSGI)

Annex 3: People and Prizes

The 2018/19 Student Led Teaching Awards were held in May, giving Dundee students the opportunity to recognise the best teachers and staff over the past year. Winners were as follows:

Award		Name	School / Directorate
Most Inspirational Teaching		Paul Campbell	School of Science & Engineering
		Hari Hundal	School of Life Sciences
		Robert Muirhead	School of Nursing & Health Sciences
Innovation in Teaching		Jacques Hartmann	School of Social Sciences
Best Assessment and Feedback		Michael Ramsay	School of Nursing & Health Sciences
Best Distance Learning Tutor or Adviser		Tim Lovering	School of Humanities
Best Advisor or Personal Tutor		Carolyn Johnstone	School of Nursing & Health Sciences
Outstanding Enhancement of the Student Experience (non-teaching)		Steven Barclay	School of Nursing & Health Sciences
Best Postgraduate Supervisor		Sarah McKim	School of Life Sciences
Outstanding Commitment to Student Welfare		Jackie Malcolm	Art & Design
Honorary Award	Outstanding Contribution and Services to Distance Learners	Dr Susie Schofield	Medicine
	Outstanding Contribution to Student and the DUSA Executive	Keith Mackle	Student Services
	Outstanding Contribution to Student Representation and Democracy	Stewart Squire	DUSA

We have been ranked top in the United Kingdom for Forensic Science in the 2020 edition of the **Complete University Guide league tables**. Dundee's wider strengths across the life and medical sciences are also recognised with the University in the UK top five for Dentistry (2nd), Anatomy (4th), Biological Sciences (4th) and Medicine (5th).

We have won the United Nation's prestigious **Risk Award** for pioneering floating homes that allow families in developing countries to survive natural disasters while producing food, water, energy and sustainable livelihood options. The RISK Award is organised by the United Nations Office for Disaster Risk Reduction (UNDRR) and sponsored by the Munich Re Foundation. PhD student Nandan Mukherjee accepted the award, and the accompanying €100,000 prize, at the Global Platform 2019 conference in Geneva. The Dundee project beat competition from more than 100 initiatives across 48 countries focused on coastal resilience in the face of climate and environmental changes.

Dr Fiona Kumari Campbell, Senior Lecturer in the School of Education & Social Work, and **Dr Megan O'Neill**, Senior Lecturer in the School of Social Sciences, have been awarded prestigious fellowships to the Royal Society of Arts (RSA), celebrating their outstanding contribution to social progress and development. Dr Kumari Campbell, an expert in Disability Studies and Social Theory has been recognised for her work in ableism and disability studies. Dr Megan O'Neill, a specialist in police research, has been recognised for her research and engagement with Police Scotland which has led them to improve their practices and policies such as Stop and Search.

Professor Andreas Melzer, Professor of Medical Technology, has been elected to join the prestigious Fellowship of the Academy of Medical Sciences. The Academy of Medical Sciences is the independent body in the UK representing the diversity of medical science. Fellows are elected for their outstanding contributions to biomedical and health science, leading research discoveries, and translating developments into benefits for patients and the wider society. Professor Melzer is one of 50 leading biomedical and health sciences figures to have been made new Fellows of the Academy

APPENDIX 2

AUDIT COMMITTEE MINUTES (Minute 84(1)(a))

A meeting of the Committee was held on 21 May 2019.

Present: Karen Reid (Convener);
Karen Bassett;
Dr William Boyd;
Neil Menzies.

<u>In Attendance:</u>	Richard Bint	Convener of Finance & Policy Committee;
	Wendy Alexander	Vice-Principal (International);
	Chris Brown	Scott-Moncrieff;
	Rose Jenkins	Director of Estates & Campus Services (item 6(3));
	Dr Neale Laker	Director of Academic & Corporate Governance;
	Dr Jim McGeorge	University Secretary;
	Olga Potapova	Ernst & Young;
	Carol Prokopyszyn	Director of Finance;
	Pamela Milne	Director of Human Resources & Organisational Development (item 6(4));
	Stephen Reid	Ernst & Young;
	Wesley Rennison	Director of Strategic Planning (item 4);
	Dr Liz Rogers	Assistant Policy Officer (Risk & Audit);
	Matthew Swann	Scott-Moncrieff.

Apologies: Keith Winter.

1. MINUTES

The Committee reviewed the minutes from the meeting on 5 March 2019.

Resolved: to approve the minutes from the meeting of 5 March 2019.

2. MATTERS ARISING

(1) Action Log

The Committee considered a log of ongoing actions. Members noted that the DUSA business plan had been made available to members on BOX.

Resolved: to approve the Audit Committee action log as presented.

3. CONVENER'S REPORT

The Convener informed the Committee that she had spoken with the external and internal auditors since the last meeting and had attended the usual pre-meeting with officers. The Committee noted that discussions had focused on matters raised on the agenda and that the Convener would highlight issues at the relevant points in the meeting.

On the matter of internal audit, the Convener reported that the Chair of Court had asked the Audit Committee to consider whether a review of productivity and performance in terms of learning and teaching might be beneficial. Noting the relative functions of internal audit and the Senate, members agreed that this would be an area for the incoming Vice-Principal (Education) to focus on, and one for the Senate to oversee.

The Convener also raised the matter of mandatory training for staff, in terms of completion rates, but also how the impact and effectiveness of such training could be assessed. Members agreed that the University Executive Group should be asked to consider this.

- Resolved:**
- (i) to ask the Vice-Principal (Education) to consider productivity and performance in learning and teaching in the context of possible future internal audit work;
 - (ii) to ask the University Executive Group to consider how the impact and effectiveness of training could be measured; and
 - (iii) to note the update.

4. UNIVERSITY STRATEGY 2022

The Director of Strategic Planning introduced the performance measures and targets and the implementation plan for the KPI dashboard. The Committee noted that other committees of Court had been updated on the measures for which they would have oversight and that the Director of Strategic Planning and Assistant Policy Officer (Risk & Audit) would be working to ensure that the measures and associated reporting were aligned to risk. Members agreed that the KPIs should inform agenda planning, noting that these would provide a stimulus for dialogue with the Court.

The Director of Strategic Planning agreed to give a presentation at the next meeting on how the approach being taken reflected the Committee's previous discussion about the benefits of a balanced scorecard approach and to demonstrate the dashboard more generally to members.

- Resolved:**
- (i) to invite the Director of Strategic Planning to present the dashboard the next meeting; and
 - (ii) to note the update.

5. EXTERNAL AUDIT PLAN

The External Auditors outlined the approach to be taken in carrying out the external audit for the year ending 31 July 2019, setting out the scope, fee and materiality thresholds for the audit. The external auditors also formally confirmed their independence.

Members noted the general and expected focus areas of significant risk, for example on misstatements due to fraud or error, fraud in revenue recognition and financial sustainability. Discussions focused on financial sustainability, with members noting that the auditors generally considered 'going concern' on a 12-month rolling basis. The auditors confirmed that they would consider this beyond the Companies Act definition of going concern. The Committee noted that Audit Scotland would be commenting in the near future on the sustainability of the Higher Education sector, in a report commissioned by the Auditor General.

On the matter of intangible assets, members noted that the inherent risk of accounting for valuation of intangible assets relating to Business Transformation had been reduced. The Committee noted that fieldwork for the lessons learned review on Business Transformation had commenced and that they could expect this report at the August meeting.

The Committee also considered the approach to accounting for the Universities Superannuation Scheme (USS) pension provision, noting the current position in respect of the 2017/2018 valuations and deficit recovery.

Resolved: to note the update.

6. INTERNAL AUDIT

- (1) Scott-Moncrieff and Campbell Dallas

The Committee noted that Scott-Moncrieff and Campbell Dallas had combined and that it was anticipated that there would be no impact arising from this change on the delivery of the University's internal audit service.

Resolved: to note the update.

(2) DUSA

The internal auditors introduced their report on DUSA, which focused on the controls over the Association's financial sustainability, including medium to long term business and financial planning. The Committee noted that the report contained one grade three (high risk exposure) recommendation, two grade two (moderate risk exposure) recommendations and one grade one (limited risk exposure) recommendation.

The internal auditors stressed the importance of the DUSA business plan aligning with the detailed financial plan, and members were pleased to note that the DUSA business plan was now available. The University Secretary informed the Committee that DUSA was likely to itself experience difficulties with pension costs and emphasised that it was important for the University to continue to maintain a strong working relationship in support of their long-term aspirations and not just their short term goals.

Resolved: to note the report.

(3) Estates Management and Fixed Assets

The internal auditors introduced their report on estates management and fixed assets, which had reviewed controls over capital expenditure and the acquisition, disposal, impairment and depreciation of fixed assets. The Committee noted that the report contained one grade three (high risk exposure) recommendation, two grade two (moderate risk exposure) recommendations and two grade one (limited risk exposure) recommendations.

The Director of Estates & Campus Services attended to respond to the report. The Committee noted the strategic approach to estates and control elements and were pleased to note that the emerging Estates Strategy had a clear alignment to the University Strategy 2022. Members highlighted the importance of the estate in relation to recruiting staff and students and noted that UEG was working to ensure a strong alignment between the Estates Strategy (and its associated funding), financial planning and financial sustainability. They noted that an update on this work would be considered at the forthcoming meeting of the Finance & Policy Committee and reported to the next meeting of Court.

The Committee also discussed risks pertaining to the estate, noting that the University's overarching financial position was likely to be a key factor impacting on residual risk levels.

Resolved: to note the report.

(4) Equality & Diversity

The internal auditors introduced their report on Equality & Diversity, which focused on the arrangements in place to promote equality & diversity throughout the University, in relation to both staff and students. The Committee noted that the report contained one grade two (high risk exposure) recommendation and three grade two (moderate risk exposure) recommendations.

The Director of Human Resources & Organisational Development attended to respond to the review and provided an update on several recommendations outlined in the report. Discussions focused on complaints under the Dignity at Work and Study Policy and how lessons could be learned from these, notwithstanding the fact that they were low in number.

The Committee was pleased to note that EDI training completion rates had significantly improved, that the development of a refresher training module would be considered and that an update on this would be provided to the People & Organisational Development Committee. In respect of a recommendation in relation to timescales, the Committee agreed that one month represented an optimistic period within which to complete complaints investigations and recommended that this be amended, for example to align with that used by the Scottish Public Sector Ombudsman (SPSO).

Resolved: to note the report.

(5) Procurement & Tendering

The internal auditors introduced their report on procurement and tendering, which considered how the new Procurement Strategy and processes were communicated, monitored and how these complied with best practice and the Procurement Reform (Scotland) Act 2014. Members noted that the report contained two grade two (moderate risk exposure) recommendations and two grade one (limited risk exposure) recommendations.

Discussions focused on training provision, value for money (VfM) and efficiency, noting that these areas could be enhanced further. Members noted that a report on procurement had been reviewed by the Finance & Policy Committee, which included best practice case studies.

Resolved: to note the report.

(6) Internal Audit Progress Report

The internal auditor introduced the internal audit progress report summarising the audit activity during the year to date. Members noted that progress remained on track and that the reports on Financial Reporting and Project Management would be provided at the August meeting.

Resolved: to note the update.

(7) Internal Audit Plan 2019/20

The internal auditors introduced the internal audit plan for 2019/20. The Committee noted that reviews would take place on the implementation of the general ledger, information governance, income collection, schools operational planning and the new Human Resources & Payroll system once it had gone live.

Following discussions on academic productivity and organisational resilience, the Committee suggested that, instead of carrying out a review on DUSA, a review could instead be carried out on the implementation of the Workload Allocation Model (WAM).

The Committee discussed information security and asked that an update on progress with achieving Cyber Essentials Accreditation be provided at a future meeting. Members noted that the residual risk score for IT on the institutional risk register would be expected to decrease once this work had been completed.

Members also asked that a consideration of issues of operational resilience be factored into future internal audits.

Resolved: to ask Scott Moncrieff to liaise with officers to update their plan in light of discussions referenced above.

(8) Risk & Internal Audit

The Assistant Policy Officer (Risk & Audit) introduced a report demonstrating the alignment between internal audit work and risks currently on the institutional risk register (<https://uod.app.box.com/v/institutionalriskregister>). The Committee was content with the extent of audit coverage and agreed that the report should be shared with the Court. The Committee agreed that it might be useful to engage the Senate on risk matters, and that this could be carried out in conjunction with work on the University Strategy KPIs that related to academic performance and were the responsibility of Senate. Members also asked that the Risk Management Oversight Group consider if climate change risk should be included on the institutional risk register, or within the Estates & Campus Services risk register.

Resolved: to note the update.

7. **RESERVED BUSINESS: UK VISAS & IMMIGRATION – SPONSOR LICENCE RATING**

[Secretary's note: The University asserts that this paper is exempt from public disclosure and claims exemptions in S.30 and S.38 of the Freedom of information (Scotland) Act 2002].

The Committee reviewed a paper from the Director of Academic & Corporate Governance introducing the UKVI sponsor licence rating letter following the UKVI HEAT team compliance visit in February 2019. The Committee was satisfied that all issues raised in the report had been or were being addressed. Discussions focused on reputational risk and the processes in place to mitigate any risk in that regard. Noting that an update would be provided to the University Executive Group in autumn, it was agreed that this would be shared with the Committee once available.

Resolved: to await a further update.

8. **BUSINESS TRANSFORMATION**

The University Secretary provided the Committee with an update on the Business Transformation Programme. The Committee noted that the Finance go-live remained on track for 1 August 2019, but that there was an emerging risk of delay to the implementation of the Human Resources & Payroll element which had also been raised with the People & Organisational Development Committee.

Ernst & Young informed the Committee that the lessons learned review would be completed for the August meeting.

Resolved: to note the update.

9. **RESERVED BUSINESS: LEGAL RISK**

[Secretary's note: The University asserts that this information is exempt from public disclosure and claims exemptions in S.30(b), 30(c), S.33(1)(b) and 38 of the Freedom of Information (Scotland) Act 2002].

10. **NARRATIVE FOR COURT**

It was agreed that the Convener's report to the Court would include the following: the DUSA business plan and associated financial planning (item 6 (2)); the discussion on the report on estates management and the work to align the emerging estates strategy with the wider financial plan and actions to promote financial sustainability (item 6 (3)); an update on the internal audit plan (item 6 (7)); and the Committee's consideration of risk and internal audit coverage (item 6 (8)). The Committee also agreed that the Court should consider health & safety and which Committee should hold the remit for its oversight.

11. **AUDIT & RISK COMMITTEE**

The Committee agreed to recommend to Court that it be re-named as the Audit & Risk Committee with effect from 1 August 2019.

12. **COMPLIANCE WITH INFORMATION LEGISLATION & DPO'S REPORT**

The Committee noted the report from the Head of Information Governance and was pleased to see the degree of collaboration between information governance and legal.

Resolved: to note the update.

13. **RISK MANAGEMENT OVERSIGHT GROUP MINUTES**

The Committee viewed minutes from the Risk Management Oversight Group meeting on 18 April 2019.

Resolved: to note the minutes.

14. **HEALTH, SAFETY & WELFARE COMMITTEE MINUTES**

The Committee viewed minutes from the Health, Safety & Welfare Committee meeting on 29 April 2019. The Committee noted that currently these minutes were considered by both the Audit Committee and the People & Organisational Development Committee from their own perspectives, but that a review of this arrangements might be merited. The Convener agreed to raise this at the next Conveners' meeting.

Resolved: to note the minutes.

15. **THANKS**

Noting it would be his last meeting, the Committee thanked Neil Menzies for his contributions to the Committee and to the University.

16. **DATE OF NEXT MEETING**

Resolved: Tuesday 20 August 2019.

Karen Reid
Convener

APPENDIX 3

FINANCE & POLICY COMMITTEE MINUTES (Minutes 84 (2)(a))

A meeting of the Committee was held on 28 May 2019.

Present: Richard Bint (Convener);
Principal, Professor Andrew Atherton;
Alan Bainbridge;
Ronald Bowie;
Jane Marshall;
Allan Murray;
Professor Mairi Scott;
Sofia Skevofylaka; and
Sharon Sweeney.

In Attendance:

Josh Connor	(DUSA President elect);
Rose Jenkins	(Director of Estates & Campus Services);
Ian Leith	(Director of Business Transformation) (Item 8);
Carol Prokopyszyn	(Director of Finance);
Stewart Mackinley	(Associate Partner EY Capital & Debt Advisory Ernst & Young)(item 4(2));
Dr Jim McGeorge	(University Secretary);
Dr Christine Milburn	(Policy Officer (Corporate Governance)); and
Wesley Rennison	(Director of Strategic Planning).

Apologies:

Karen Reid	(Chair, Audit Committee).
Professor Nic Beech	(Vice-Principal (Provost));
Dr Neale Laker	(Director of Academic & Corporate Governance);
Professor John Rowan	(Vice-Principal Research, Knowledge Exchange & Wider Impact).

1. MINUTES

Resolved: to approve the minutes of the meeting of 26 March 2019 including reserved minute 8(1).

2. MATTERS ARISING

(1) Action Log

The Committee received the action log for its business. In reviewing the log, the Committee confirmed it was satisfied that matters recorded in the log were in hand.

Resolved: to note the updates and otherwise approve the log.

(2) Tay Cities Deal (Minute 2(2))

The Principal provided a verbal report on developments in relation to the Tay Cities Deal projects since the last meeting. Members noted that an outline business case had been submitted at the start of May for each of the projects, and that a response was expected within a six-to-eight week timeframe. The Principal also outlined the project governance framework in place, and members noted that the University had made suitable preparations to ensure that detailed responses could be provided to any questions which may arise. The Principal advised that he would provide further reports to the Committee on any substantial developments, and members noted that the Director of Finance would otherwise include regular updates in her reports to the Committee.

Resolved: to thank the Principal for his update and await further reports in due course.

3. FINANCE DIRECTOR'S REPORT

The Committee received a report from the Director of Finance which set out a governance timeline for financial sustainability and provided a brief update on the latest Universities Superannuation Scheme (USS) consultation.

Turning to the timeline for the consideration of financial sustainability, the Director outlined the proposed stages set out, ranging from the engagement of the Court with an initial analysis at its June meeting, to the exploration of options at the Court Retreat, and the agreement of actions by the end of the calendar year. In doing-so she consulted the Committee with regard to the proposed governance gateways for each step. Members noted that Ernst Young (EY) had been appointed to provide professional advice on the financing/borrowing strategy aspects of the plan.

The Director outlined three options proposed by USS which were the subject of a Universities UK (UUK) consultation at the time of the meeting. The Committee noted that the University Executive Group (UEG) and Pension Sub-Group had been consulted and had agreed a University response indicating a preference for Option 3. Members were however also advised that the Pension Regulator had subsequently indicated that it did not support Option 3 in communications to the USS Trustees. Members noted that the Director and Pension Sub-Group would continue to monitor the situation and would advise the Committee of any significant developments, but that it was unlikely that there would be an agreement before the end of the academic year, and as such provisions had been included in the budget based upon the 2017 valuation figures.

Resolved: to note the report.

4. BUDGET AND CAPITAL PLAN

(1) Overseas Student Numbers and Related Cost Projections

A paper was provided in response to questions from the Committee relating to overseas student numbers. The paper focussed on the provision of assurance regarding the robustness of the projections, and the suitability of related cost assumptions included in the budget. In considering the paper, the Committee's discussions were focussed on the University's market share and capacity for growth, the achievability of the year-on-year growth projections, and the underlying financial contribution.

Members were satisfied that the University was targeting growth in areas where there was capacity within the existing resource base. In response to questions officers confirmed that a recent space utilisation survey had indicated that existing teaching space was currently underutilised, and that there was capacity to meet the needs of the projected increased student numbers.

The Committee also considered the benchmarking data provided relative to the University's budget projections and was satisfied that the projections were reasonable and achievable. Members noted that despite exceptional growth in overseas student recruitment over the last three years, the number of overseas students as a proportion of the total student population was still below the average for the sector, and that there was still room for growth. While noting the prudence in the budget, members were pleased to note the managed approach to growth, and in particular the attention being given to maintaining the quality of the student experience through this period of growth.

Resolved: to note the assurance provided within the report.

(2) Budget, Capital Plan and Medium-Term Financial Plan

The Director of Finance presented the proposed budget for 2019/20 and three-year plans for submission to the SFC covering the period from 2019/20 to 2021/22. The paper also set out a five-year planning horizon, and in doing-so outlined relevant risks and opportunities.

The Committee noted the proposed plans showed reducing deficit levels, reaching a breakeven position at the end of the five-year period, which were underpinned by substantial growth in unregulated income plus a major initiative to generate a further £15m net contribution by year five ('the £15m challenge'). The Director also highlighted the £122m capital expenditure programme for this period, which recognised the need to

invest in infrastructure for growth and efficiency, and was proposed to be funded by £60m new external debt, supplemented by cash reserves and operating cash flow. Members noted the capital plan investments would need to be carefully managed on an ongoing basis according to financial performance.

Through discussion the Committee agreed that despite the University's strong reputation, flat or falling SFC settlements, alongside cost pressures, especially relating to rising pension costs, meant that the University was not generating sufficient income to support essential investment.

Members explored the risks associated with the budget, including those relating to the potential for further reductions in Scottish Funding Council (SFC) funding, the impact of non-achievement of unregulated growth or elements of the £15m challenge, risks relating to league table and REF outcomes, and challenges relating to financing and rising costs.

Through discussion members highlighted the important role of cost control in achieving financial sustainability and asked that consideration be given to the schedule for delivering the savings elements of the proposed approach. The Director drew members' attention to the timeline for the exploration of options set out within the Director's Report (item 3). Members agreed it would take time to address the structural deficit through a combination of increased income and productivity, strategic projects, and sensible cost reduction if the University's student experience and academic reputation were to be maintained.

Turning to financing, Stewart Mackinley (Associate Partner Capital & Debt Advisory, Ernst & Young) who had been appointed by the University to provide professional advice regarding the approach developing a financing strategy, joined the meeting. He provided an overview of market trends, examples of recent Private Placement funding to the UK HE Sector, and outlined expectations from investors. Members noted that the University's reputation, league table position and TEF Gold were positive factors, but that a firm financial sustainability plan would be required as part of the development of its 'credit story' for investors.

In summarising discussions, the Convener highlighted the importance of ensuring that the student experience was protected and the University's academic reputation maintained while the UEG took forward its work to develop the financing strategy and financial sustainability plan within the timeline outlined and recognised the role of both cost savings and deliverable income projections. Members noted that the UEG would also look at alternative scenarios so that there was a 'Plan B' in the event that the positive actions outlined in the paper were not achieved. Finally, members noted that the UEG would continue to develop and review the risks and mitigations outlined in the paper.

- Resolved:**
- (i) to recommend that the Court approve the budget for 2019/20;
 - (ii) to recommend that the Court approve the three-year plan for submission to the SFC as prudent and achievable;
 - (iii) to recommend to the Court that it approve the five-year plan as a work in progress; and
 - (iv) to note the further work to be carried out by the UEG over the summer.

5. REPORT FROM THE DIRECTOR OF ESTATES & CAMPUS SERVICES

The Committee considered a report from the Director of Estates & Campus Services. The Director highlighted the proposed reduction in the capital projects budget from £15m to £12m per annum and a reduction in the scale of strategic investment projects in line with the latest budget projections and borrowing proposals. In doing-so, members noted that it would be important for the University to work towards the development of a ten-year timeframe for capital spend. Emphasising the possibility of including more projects of a business development nature in the back-5-years.

The Director drew members' attention to work underway to enhance project management processes, including oversight of projects, to ensure the levels of efficiency and effectiveness necessary to meet targets within the lower budget envelope. Members noted in particular that there was a reduction in funding available to support projects in schools and directorates, but that the Director was confident that through careful communication with users, a better planned and prioritised approach to expenditure would minimise its impact.

The Committee explored the impact of the current financial situations on the Strategic Capital Plan, and members noted that the anticipated level of borrowing was unlikely to be sufficient to address both the proposal for a new-build School of Business and the long-term issues associated with the Crawford Building. In this respect, members noted that the Director was exploring a range of options for both projects and that these would be explored further with UEG before proposals were prepared for consideration by the Committee. The Director provided a flavour of the potential solutions being explored, and in doing-so highlighted the risks associated with each. The Committee noted that the Director was taking this work forward alongside the development of the longer-term Estates Strategy and campus masterplan.

- Resolved:**
- (i) to support the implementation of a coordinated capital framework to govern a centralised planning process;
 - (ii) to note the Capital Projects outline;
 - (iii) to note that the Committee would be consulted on the draft Estates Strategy at its meeting in August; and
 - (iv) otherwise to note the report and support the direction of travel.

6. UNIVERSITY STRATEGY TO 2022 – PERFORMANCE MEASURES

The Director of Strategic Planning presented a paper which set out a RAG assessment of the composite KPIs, along with performance ratings for each of the individual measures assigned to the Committee for oversight, and members were directed to the online dashboard where further detailed information was available. The Committee discussed a number of the measures, noting that where appropriate targets had been derived from the budget. In response to questions regarding Research Postgraduate recruitment, members were pleased to note that the University Executive Group (UEG) had recently approved the development of a Doctoral Academy as a means to enhance academic and financial sustainability.

Resolved: to note the report.

7. MANAGEMENT ACCOUNTS – QUARTER 3

The Committee received the 2018/19 Quarter 3 Management Accounts. In her report the Director of Finance highlighted the forecast for the full year which was a deficit of £53.9m, and included £47.9m unbudgeted USS pensions costs. Members however noted that, excluding the pension adjustment, the forecast was a deficit of £6.0m relative to a budgeted deficit of £7.3m, with the favourable variance attributed to the successful student recruitment rounds and savings on core staff costs, offset by increased scholarship expenditure and depreciation. Members were advised that the cash forecast was £16.7m ahead of budget at £29.3m

Resolved: to note the accounts.

8. BUSINESS TRANSFORMATION

(1) RESERVED BUSINESS: Business Transformation Efficiencies

[Secretary's note: The University asserts that this information is exempt from public disclosure and claims exemptions in S.30(b), 30(c) and S.33(1)(b) of the Freedom of Information (Scotland) Act 2002. At the point at which the exemptions are deemed to no longer apply the Court will be asked to note the release of this minute which will then be included as an appendix to the minute of that Court meeting.]

(2) RESERVED BUSINESS: Business Transformation Steering Group Minutes

[Secretary's note: The Committee considered the item as reserved business. The University asserts that the paper is exempt from public disclosure and claims exemptions in S.30(b), 30(c) and 33(1)(b) of the Freedom of Information (Scotland) Act 2002.]

The Committee received the minutes from the meeting of the Business Transformation Steering Group on 25 February and 29 March 2019.

Resolved: to note the minutes.

9. **RESERVED BUSINESS: STUDENT RECRUITMENT**

[Secretary's note: The Committee considered the item as reserved business. The University asserts that the paper was exempt from public disclosure and claims exemptions in S. 33(1)(b) of the Freedom of Information (Scotland) Act 2002.]

The Committee received reports detailing application trends for 2019/20, focussed on undergraduate (UG) and Taught Post-graduate (TPG) cohorts. The Committee noted that UG and TPG applications had increased relative to the same point in the previous cycle, with early indications suggesting an increase in overseas matriculations and a decline or limited growth in RUK matriculations (UCAS Clearing dependent). The Director of Strategic Planning confirmed that based on these early figures the University expected to meet its budget targets.

Resolved: to note the update.

10. **GRANT APPROVALS OVER £3m**

The Committee received a report from the Head of Research Finance Services which set out approvals given by the Committee since the last meeting.

Resolved:

- (i) to homologate the approval of the submission of a grant application on 1 May 2019 to the BBSRC for a Doctoral Training Partnership by Dr Edgar Huitema (School of Life Sciences); and
- (ii) to homologate the approval of the submission of a grant application on 22 May 2019 to the Wellcome Trust by Professor Ian Gilbert.

11. **NARRATIVE FOR COURT**

The Committee agreed to highlight to the Court discussions relating to the Budget and Financial Plan, and the Estates Strategy.

Resolved: to highlight the items listed above to the Court for noting.

12. **ENDOWMENTS SUB-COMMITTEE MINUTES**

The Committee received the minutes from the meeting of the meeting of the Endowments Sub-Committee on 24 April 2019. Members noted that the Sub-Committee recommended that the Committee approve the new Ethical Investment Policy.

Resolved: to approve the report and the Ethical Investment Policy.

13. **SCOTTISH FUNDING COUNCIL GRANTS**

The Committee received a paper setting out confirmed allocations from the SFC for 2019/20 and outlined the movements from 2018/19 to 2019/20 and from the assumptions made in the draft budget. Overall, budget assumptions for the Main Teaching Grant were in line with the final letter, and members noted that the main Research and Knowledge Exchange Grants were unchanged from the indicative letter in March and therefore matched the draft budget.

The Director of Strategic Planning advised that the largest part of the capital grant was yet to be announced but that the SFC maintenance grant had reduced from £1,191k to £1,097k (a negative variance of £94k). The Committee noted that the University Executive Group (UEG) would take a risk-based view on the unannounced funding streams.

Resolved: to note the confirmed allocations.

14. **DATE OF NEXT MEETING**

Resolved: to note that the next meeting of the Committee would be held at 2.00 pm on 13 August 2019.

15. **COMMITTEE MEMBERSHIP**

The Committee noted that Sofia Skevofylaka was attending her last meeting as President of the Dundee University Students' Association, and the Convener thanked her for her contributions to the work of the Committee - in particular in relation to the changing student base, input to estates matters with regard to student views, and the DUSA Business Plan. Members also noted that the President Elect, Josh Connor, had attended the meeting in a shadow capacity and looked forward to working with him over the coming year.

Richard S Bint
(Convener)

APPENDIX 4 GOVERNANCE & NOMINATIONS COMMITTEE MINUTES

(Minute 84 (3))

A meeting of the Committee was held on 28 May 2019

Present: Ronald Bowie (Convener);
Janice Aitken;
Principal, Professor Andrew Atherton;
Lady Lynda Clark of Calton;
Bernadette Malone;
Jane Marshall; and
Professor Mairi Scott.

<u>In Attendance:</u>	Professor Lynn Kilbride	(Interim Vice-Principal (Education));
	Dr Neale Laker	(Director of Academic & Corporate Governance);
	Dr Jim McGeorge	(University Secretary);
	Dr Christine Milburn	(Policy Officer (Corporate Governance)); and
	Wesley Rennison	(Director of Strategic Planning) (Item 12).

Apologies: Rumana Kapadia

1. MINUTES

Resolved: to approve the minutes of the meeting of 26 March 2019.

2. MATTERS ARISING

(1) Action Log

The Committee received an action log summarising progress in relation to outstanding actions from previous meetings. The Committee agreed that the wider review of the election process for Chair of Court should be delayed until the last meeting of 2019, by which time there would be feedback available from the equivalent processes run at a number of other Scottish HEIs.

Resolved: to note the log.

(2) Update on the Quinquennial Review of Effectiveness

The University Secretary updated members on the process for the externally facilitated quinquennial review of the effectiveness of the Court. Members noted that the Working Group had met for the first time on 21 May 2019. Discussions focussed on the role of the external facilitator and the process by which he would seek input from Court members, with members recommending the use of focus groups where possible. The Committee noted that Mr Eddie Frizzell, former Chair of Court at the University of Abertay Dundee, had been appointed following recommendations from the sector. Members noted the value of the facilitator being experienced in Scottish HE governance but also highlighted the importance of learning from other sectors and agreed that Mr Frizzell's experience as a civil servant and in governance roles in other sectors was highly relevant in that regard.

Resolved: to note the update.

(3) Completion of Mandatory Training Modules by Members of the Court

The Convener informed the Committee of his continued monitoring of the completion of mandatory training modules by members of the Court. Members were satisfied to note the on-going dialogue with the small number of members who were yet to complete these modules but also expressed the importance of ensuring 100% compliance as soon as possible.

Resolved: to note the update.

(4) Internal Search Committee

The Convener reminded members that they had given approval by email for the membership of the Internal Search Committee formed at the last meeting to oversee the process for the appointment to the lay vacancies arising on the Court and the Audit Committee. Members noted that the Committee would meet for the first time on 5 June 2019.

Resolved: to homologate the decision taken by email to approve the membership of the Internal Search Committee as follows:

- Mr Ronnie Bowie (Chair);
- Rumana Kapadia;
- Professor Mairi Scott;
- Bernadette Malone;
- Jane Marshall.

The Principal, University Secretary, and Director of Academic & Corporate Governance are to be in attendance, and the Committee will be supported by the Policy Officer (Corporate Governance).

3. **CONVENER'S UPDATE**

The Convener updated the Committee on his activities and interactions at a sectoral level which were of relevance to its business. In doing so he focussed on CSC discussions with the new minister for Further Education, Higher Education and Science, Richard Lochhead, and in particular on those relating to the role of Universities in internationalisation and contributing to the success of the Scottish economy. Members also noted the positive engagement between the University and the Scottish Government on a number of recent matters, and that solution-based approach taken had been positively received.

Resolved: to note the update.

4. **SECTORAL UPDATE**

The Director of Academic & Corporate Governance highlighted the anticipated publication of the Augar review of post-18 education and funding later in the week. The Committee noted that the outcomes of the review would be discussed at meetings of Universities Scotland, and members highlighted the importance of a sectoral stance on areas which would impact on the Scottish HE Sector.

The Director also drew attention to the publication of the 'Statement of Intent on Degree Classification' by the UK Standing Committee for Quality Assessment (UKSCQA) and members agreed that this should be discussed further under item 11 (below).

The Director went on to inform the Committee of the appointment of a new Chief Executive for the University & College Union (UCU), Dr Jo Grady, and members noted that pension matters had featured prominently in her election campaign.

Finally, members noted that there was increased pressure for a sector-wide response to the outcome of the Robert Gordon University Governance Review through the US Secretaries' Group, CSC and SFC and the University Secretary undertook to keep members informed of developments and emerging expectations in this respect.

Members were satisfied that the University had already taken appropriate steps to implement learning from the review as appropriate.

Resolved: to note the report.

5. RESILIENCE PLAN

The Director of Academic & Corporate Governance presented a first draft of the University's Court Resilience Plan, which had been developed in response to the discussion of the Robert Gordon University Governance Review at the last meeting of the Committee. Members commended the plan and identified a number of areas for consideration and potential enhancement including referencing to relevant policies, additional direction in terms of delegations, and the inclusion of guidance on issues such as collusion for personal benefit.

Resolved: to thank the Director and await a further iteration of the plan at the next meeting of the Committee on 13 August 2019.

6. COURT AND COMMITTEE MEMBERSHIP

The Committee received a paper (**appendix 1**) which set out the membership of the Court for 2019/20 and proposed membership for the committees of the Court for the same period. Members noted that at the time of the meeting the process to appoint a lay member following the resignation of Dr Jean Robson, and the election of two members of Senate to the Court had not concluded, and that the outcomes of these processes would influence the final membership of the committees. Members also noted that there was significant bias from amongst members towards serving on the Finance & Policy Committee, which could not be accommodated given the need to populate other committees.

Following consideration, the Committee suggested that it might be useful for the Deputy Chair of Court to be in attendance of meetings of the Finance & Policy Committee, and the Convener agreed to discuss this with that Committee's Convener. Otherwise, members agreed to delegate to the Chair of Court the authority to finalise committee membership proposals within the parameters and combinations outlined and discussed.

Resolved: to note the membership of the Court for 2019/20 and delegate authority to the Chair of Court to finalise the proposed committee memberships for the approval of the Court.

7. STANDING ORDERS

The Committee reviewed proposed changes to the Standing Orders for the Court (**appendix 2**) which incorporated changes previously identified when reviewing current practice relative to the new UK Corporate Governance Code.

Resolved: to endorse to the Court changes to the Standing Orders for the Court (**appendix 2**).

8. SCOTTISH CODE OF GOOD HE GOVERNANCE: SECTION 80

The Convener of the Remuneration Committee updated members on the decisions of the Remuneration Committee on 20 May 2019 with regard to Section 80 of the Scottish Code of Good HE Governance (2017). The Committee noted that in addition to the amendments made to the membership of the Remuneration Committee in August 2018, the Remuneration Committee had recommended that the Chair of Court and Deputy Chair of Court discuss senior staff remuneration during their programme of regular meetings with stakeholders, including the annual public meeting of the Court, and that additionally the Convener of the Remuneration Committee also meet annually with the Campus Unions to discuss the topic.

Resolved: to endorse the proposals and recommend that the Court consider the University to be compliant with the requirements of Section 80 of the Scottish Code of Good HE Governance (2017).

9. REVIEW OF TRAINING AND INDUCTION FOR COURT MEMBERS

The Committee received a paper from the Chair of Court detailing training requirements emerging from the Chair and Deputy Chair's annual discussions with members regarding their personal effectiveness, attendance, contribution and development needs. The Committee noted that relatively few training requests had been made, and that the discussions had largely focussed on the effectiveness of the Court as a whole rather than of individual members; and agreed that this should be addressed in the next round of meetings. Nevertheless, the information gathered from members in relation to the effectiveness of Court was useful and so the Committee agreed this should be provided to the Quinquennial Review of the Effectiveness of the Court Working Group for consideration.

The Committee also noted that the 6-month review with new members of the Court had proved to be valuable and was pleased to learn of the resulting enhancements proposed for the induction of new members in 2019.

Resolved: to note the report and recommend that aspects relating to the effectiveness of the Court be provided to the Quinquennial Review of the Effectiveness of the Court Working Group for consideration.

10. EARLY STAGE COURT BUSINESS

The Committee noted the proposed agenda for the meeting of the Court on 24 June 2019. Discussions largely focussed on the format for the pre-meeting session at which posters from the Annual Internal Planning Conference would be presented by school and directorate representatives.

The Committee also considered a paper from the Chair of Court which outlined a financial sustainability road map, and in doing so members provided input to the Chair on the proposed timeline for discussions and aspects of governance of the process. The Committee agreed with the proposal that following the raising of awareness of the issue of financial sustainability at the April meeting of the Court, the June meeting should focus on the provision of analysis to support members' understanding of the issue, with the evidence base and consideration of options being raised at the September Court Retreat, and the course of action being agreed by the meeting in February 2020.

Resolved: to note the feedback provided.

11. QUALITY ASSURANCE AND ACADEMIC STANDARDS

The Director of Quality & Academic Standards attended the meeting to answer questions on the annual report to the Committee which provided a summary of the activities of the Quality & Academic Standards Committee (QASC) during the previous 12 months.

Members praised the report as a means of ensuring that the Committee was in a position to provide assurance to the Court regarding arrangements for the management of academic standards when the Annual Statement of Assurance on Quality was reviewed by the Court for submission to the Scottish Funding Council (SFC) later in the year. The Committee commented positively on the iterative improvements made to the format and content of the report and provided further guidance on the level of detail required for future reports.

Discussions focussed on the exploration of the periodic programme review process, with members noting the process and purpose of such reviews, as well as the outcomes and consequences in the examples provided.

Turning to the Statement of Intent on Degree Classification noted in item 4 (above), the Committee discussed the public interest in areas covered by the publication such as grade inflation, powers granted south of the border to the Office for Students (OfS) through the proposals and the possible consequences for Scottish Institutions. Noting that the matter would be discussed by Universities Scotland Learning & Teaching Committee in the near future, the Committee recommended that the Principal seek guidance from the Court and the Senate with regard to their appetite for an institutional response to the publication.

Resolved: to thank the Director and her team for the comprehensive report and to provide the Court with assurance regarding arrangements for the management of academic standards prior to the Court being asked to approve the annual Statement of Assurance on Quality.

12. **KPI REPORT**

The Director of Strategic Planning attended the meeting for this item. The Director outlined the approach to the monitoring and reporting of performance against targets and invited comments from members with regard to the approach. Members noted that no measures had been specifically assigned to the Governance & Nominations Committee but agreed to provide feedback to the Convener with regard to the more general distribution of measures.

The Committee discussed how the Court would receive appropriate assurance with regard to measures assigned to the Senate and its committees and the University Executive Group (UEG) and noted that the Court would receive an annual report across all the measures.

Resolved: to note the update and provide further feedback directly to the Director.

13. **MATTERS RELATING TO THE CHAIR OF COURT**(1) Objectives

The Committee received a report from the Chair of Court outlining his personal assessment of his progress relative to objectives agreed with the Court at the start of the academic year. Members noted that the report had been provided to Court members as part of the annual review of the effectiveness of the Court which would be concluded following the meeting of the Court on 24 June 2019.

Resolved: to note the summary.

(2) Remuneration of the Chair of Court

[Secretary's note: The Chair of Court, Ronnie Bowie, left the meeting for this duration of discussions in relation to this item.]

The Committee noted that, in accordance with provisions set out in the Higher Education Governance (Scotland) Act (2016), the newly elected Chair of Court would be remunerated from the beginning of the new term of office on 1 August 2019. As previously agreed, the remuneration would be set at a gross *per diem* rate equivalent to the Band 1 minimum for chairs set by the Scottish Government in its Technical Guide for the Remuneration of Chairs of Non-Departmental Public Bodies. The Committee discussed the process for oversight of payments and agreed that responsibility for its development on the basis discussed should be delegated to the University Secretary and Deputy Chair of Court, and that it should ensure transparency in operation and reporting, without being overly burdensome administratively.

Resolved: to delegate responsibility for the development of a process to the University Secretary and Deputy Chair of Court.

14. **NARRATIVE FROM THE COMMITTEE TO THE COURT**

The Committee agreed to highlight to the Court: initial work on the development of a Resilience Plan; Committee memberships as outlined in **annex 1**; the low number of Continuing Professional Development training requests from members of the Court, and the intention that aspects of discussions between members and the Chair/Deputy Chair of Court relating to Court effectiveness be fed into the Quinquennial Review Working Group; the evolution of the Quality Assurance & Academic Standards annual report; the Committee's satisfaction with the proposals for the reporting of KPI measures to the Court; and the recommendation that the Principal seek guidance from the Court in relation to matters raised within the Statement on Degree Classifications.

Resolved: to highlight the matters outlined above to the Court.

15. **GIFTS & HOSPITALITY POLICY: DECLARATIONS FROM COURT MEMBERS IN 2018/19**

Resolved: to note no declarations had been received from members of the Court in the previous 12-month period.

16. **ELECTION OUTCOMES**

The Committee received a report confirming the outcome of elections to the Court which had taken place since the report provided at the last meeting. Members noted the election of Josh Connor as the DUSA President, and Professor Lynn Kilbride as the member of academic staff elected to the Court by the Staff Council.

[Secretary's note: Following the meeting of the Committee, Professor Mairi Scott (Medicine) was re-elected to serve as a Senate-elected member of the University Court and Dr David Martin (Life Sciences) was elected to serve as a Senate-elected member on Court. Both will serve for four years from 1 August 2019.]

Resolved: to note the report.

17. **DATE OF NEXT MEETING**

Resolved: to note that the next meeting would be held on 13 August 2019.

Ronald Bowie
Convener

APPENDIX 4 ANNEX 1
COURT AND COMMITTEE MEMBERSHIP

(Minute 84 (3) (a))

COURT MEMBERSHIP 2019/20

(ranked ascending by end of current term)

Name	Category	Contin. Start Date on Court	Start Date in this Category	End of Current Term	Max End Date
Atherton, Andrew	Principal	01/01/2019	01/01/2019	<i>ex officio</i>	<i>ex officio</i>
Borthwick, Ian	Lord Provost or nominee	May 2017	May 2017	<i>ex officio</i>	<i>ex officio</i>
Connor, Josh	President, DUSA	01/07/2019	01/07/2019	<i>ex officio</i>	<i>ex officio</i>
Campbell, Shirley	Co-option	01/03/2012	01/03/2012	31/07/2020	29/02/2020
Murray, Allan	Co-option	01/08/2016	01/08/2016	31/07/2020	31/07/2024*
Kapadia, Rumana	Matriculated Student	01/08/2018	01/08/2018	31/07/2020	31/07/2020
Aitken, Janice	Senate	16/10/2014	16/10/2014	31/07/2021	31/07/2022*
Boyd, William	Graduates' Association Member of Court	01/08/2013	01/08/2013	31/07/2021	31/07/2021
Malone, Bernadette	Deputy Chair	25/02/2013	01/08/2017	31/07/2021	31/07/2021
Sweeney, Sharon	Member nominated by the unions	01/08/2017	01/08/2017	31/07/2021	31/07/2025*
Bint, Richard	Co-option	22/04/2014	22/04/2014	31/07/2022	31/07/2022
Bowie, Ronald	Co-option. Chair	01/08/2013	01/08/2016	31/07/2022	31/07/2022
Bainbridge, Alan	Co-option	01/08/2018	01/08/2018	31/07/2022	31/07/2026*
Cavanagh, Catherine	Member nominated by the unions	01/08/2018	01/08/2018	31/07/2022	31/07/2026*
Leiper, Rebecca	Staff Council	01/08/2018	01/08/2018	31/07/2022	31/07/2026*
Clark, Lynda	Co-option	01/08/2018	01/08/2018	31/07/2022	31/07/2026*
Surti, Jay	Co-option	01/08/2018	01/08/2018	31/07/2022	31/07/2026*
Marshall, Jane	Graduates' Association Member of Court	01/08/2015	01/08/2015	31/07/2023	31/07/2023
Reid, Karen	Co-option	01/08/2015	01/08/2015	31/07/2023	31/07/2023
Winter, Keith	Rector's Assessor	01/08/2018	01/08/2018	Subject to the Rector's Term of Office. ¹	31/07/24 in this category, otherwise 31/07/2026
Kilbride, Lynn	Staff Council	01/08/2019	01/08/2019	31/07/2023	31/07/2027
vacancy	Co-option	01/08/2019	01/08/2019		
Scott, Mairi	Senate	01/08/2015	01/08/2015	31/07/2023	31/07/2023
Martin, David	Senate	01/08/2019	01/08/2019	31/07/2023	31/07/2027*

* Subject to re-election, or renewed co-option, nomination or appointment. ¹ See Statute 9(2)(f).

COMMITTEE MEMBERSHIP 2019/20**Finance & Policy Committee:****Members:**

- Richard Bint (C)
- Ronnie Bowie
- Principal
- Alan Bainbridge
- Allan Murray
- Mairi Scott
- Sharon Sweeney
- Josh Connor (DUSA President)
- William Boyd
- New Lay Member (TBC)

In Attendance:

- Karen Reid (Convener Audit Committee)
- Bernadette Malone (Deputy Chair of Court)
- University Secretary
- Director of Finance
- VP (Provost)
- VP (Research)
- Deputy Director of Finance
- Director of Estates & Campus Services
- Director of Strategic Planning
- Policy Officer (Corporate Governance) (Secretary)

Governance & Nominations Committee:**Members:**

- Ronnie Bowie (C)
- Principal
- Janice Aitken
- Rumana Kapadia
- Bernadette Malone
- Jane Marshall
- Mairi Scott
- New Lay Member (TBC)

In Attendance:

- University Secretary
- Director of ACG
- VP(L&T)
- Policy Officer (Corporate Governance) (Secretary)

Remuneration Committee:**Members:**

- Bernadette Malone (C)
- Ronnie Bowie
- Richard Bint
- Shirley Campbell
- Rumana Kapadia
- Sharon Sweeney

In Attendance:

- Principal (by invitation)
- University Secretary
- Director of HR & OD

People & Organisational Development Committee:**Members:**

- Shirley Campbell (C)
- Catherine Cavanagh
- Dr William Boyd
- Bernadette Malone
- Jay Surti
- Rebecca Leiper
- Lynn Kilbride
- Jane Marshall
- David Martin

In Attendance:

- University Secretary
- VP (Provost)
- Director of HR & OD
- Deputy Director of HR & OD
- Assistant Policy Officer (Risk & Audit) (Secretary)

Audit Committee:**Members:**

- Karen Reid (C)
- Karen Bassett (External)
- Keith Winter
- New external member
- Lady Lynda Clark

In Attendance:

- Richard Bint (F&PC Convener)
- University Secretary
- VP (International)
- Richard Bint (F&PC Convener)
- University Secretary
- VP (International)
- Director of ACG
- Director of Finance
- Assistant Policy Officer (Risk & Audit) (Secretary)

Endowments Sub-Committee:**Members:**

- Richard Bint (C)
- DUSA President
- Ronnie Bowie

In Attendance:

- Director of Finance

- Policy Officer (Corporate Governance) (Secretary)

Pensions:

Members:

- Ronnie Bowie (c)
- Richard Bint
- Jane Marshall

Welfare and Ethical Use of Animals:

Members:

- William Boyd

In Attendance:

- University Secretary
- Director of HR & OD
- Director of Finance
- Policy Officer (Corporate Governance) (Secretary)

BT Steering Group:

Members:

- Keith Winter

APPENDIX 4 ANNEX 2 STANDING ORDERS

(Minute 84 (3) (ii))

(Note: These Standing Orders are derived in part from the provisions of Statute 9 – The Court.)

1. Powers and Functions

- (1) The powers and functions of the Court are set out in paragraph (6) of Statute 9, and the Primary responsibilities of the Court are detailed in the Statement of Primary Responsibilities.
- (2) The powers and functions of the Senate are set out in paragraph (4) of Statute 10. Where a matter for discussion is relevant to both the Court and the Senate the cover sheet accompanying the paper under consideration will set out the relative responsibilities of the two bodies.
- (3) The Schedule of Delegation & Decision-Making Powers sets out matters delegated to Court Committees, the Senate, senior officers, and other committees and bodies.
- (4) The Court may delegate to any committee the power to deal on the Court's behalf with any matter within that committee's terms of reference.

2. Membership of the Court

- (1) The composition of the Court, the period of office of its members, the manner of election of elected members and the procedure for filling casual vacancies are all set out in detail in paragraphs (1) and (2) of Statute 9 as well as in Ordinances 18, 20 and 66.
- (2) All governing body members shall be considered full members of the Court and different categories of member shall exist only in that there are distinct routes to their appointment to the Court. Once appointed/elected/nominated, all members shall assume the same responsibilities, obligations and rights and are expected to participate fully in all Court business, unless a conflict of interest is identified and declared. The roles of the Chair, Deputy Chair, and Principal however are associated with additional responsibilities, which are prescribed in legislation, Charter, Statutes and Ordinances and the Scottish Code of Good HE Governance.
- (3) The Governance & Nominations Committee shall recommend to the Court individuals to be co-opted onto the Court as independent (lay) members. The Committee shall promote equality, diversity and inclusion considerations in its recruitment activities for Court and its committees, and will be mindful of the Court Statement on Diversity.

3. Member's Conduct

- (1) All members shall be expected to adhere to the standards outlined in the Code of Conduct for Court Members (annex 1).
- (2) Members shall, both individually and collectively, be expected to act at all times in accordance with the Nine Principles of Public Life in Scotland, which shall be the foundation for Court's behaviour and processes for decision-making. Furthermore, the Court is also expected to show leadership in eliminating unlawful discrimination, promoting and facilitating equality, and fostering good relations across all protected characteristics.
- (3) With the exception of the position of Chair of Court, which is remunerated, lay members may not undertake paid engagements or work within the University. Any member wishing to share their knowledge and expertise with Schools or Directorates in an unpaid capacity should consult the University Secretary and Chairperson of the Court before agreeing to undertake such activities. In the event that such engagement forms part of a member's training and development, the activity shall be discussed and agreed in advance and recorded in the individual's development record. If a member is in doubt about the need for the recording of an engagement, they should the University Secretary for guidance.

4. Resilience

- (1) The Court has established a resilience plan that sits alongside these Standing Orders and that may be implemented in the event of discontinuity in the leadership of the University.

5. Committees of Court

- (1) On the recommendation of the Governance & Nominations Committee, membership of the committees of the Court for the following year shall normally be approved at the final meeting of the Court in the preceding academic year. Members shall hold office on that committee for 1 year from 1 August and membership shall be subject to annual review thereafter. A casual vacancy on a committee may be filled at any time by Court on the recommendation of the Governance & Nominations Committee, with the member holding office for the remainder of that academic year.
- (2) In considering membership of the committees, the primary consideration shall be the skills, experience and time required to contribute effectively to the committee and, with the exception of the Audit Committee, all members of the Court shall be eligible for consideration for membership of any committee. A conflict of interest may however prevent a governing body member from taking up membership of a particular committee.
- (3) The Court may appoint an *ad hoc* committee or working group to consider any matter arising and may delegate to such a committee powers to deal with the matter on the Court's behalf, except in the case of those matters defined in the Schedule of Matters Reserved for the Court (link)¹.
- (4) The Court may appoint members to joint committees responsible to both the Senate and the Court.
- (5) If a committee establishes a working group, it should clearly define its remit, purpose and terms of reference and the timescale within which it should operate.

6. Attendance of meetings by Non-Court Members

- (1) The following officers shall normally be in attendance at meetings of the Court:
 - University Secretary
 - The Vice-Principals
 - Director of Academic & Corporate Governance
 - Director of External Relations
 - Director of Finance
 - Director of Human Resources & Organisational Development
 - Director of Strategic Planning
 - Policy Officer (Corporate Governance) (as Clerk to the Court)
- (2) The Chair of the Court shall remain cognisant of any professional or personal connections between officers and members of the Court, and shall take appropriate action to ensure that all members are able to raise issues relating to institutional management and the work of the executive, notwithstanding the presence of officers.
- (3) Key officers of the executive should attend meetings to support effective decision-making, but must not unduly influence the business of the governing body. The Chair must ensure that the distinct roles for executive officers and members of the governing body are maintained and respected. Officers in attendance do not have voting rights and must take great care to ensure they do not act as if they are members of the Court.
- (4) The Chairperson shall have discretion to invite any person to attend for either the whole or part of any meeting of the Court in order to give evidence, deliver a presentation, answer questions or take part in discussion. Persons so invited will not be accorded voting rights.

7. Delegated Authority

- (1) Delegated authorities are defined in the Schedule of Delegation and Decision-Making Powers, which the Court shall review on an annual basis.

8. Chairperson

- (1) The Chairperson of Court is the senior lay member as defined in the Higher Education Governance (Scotland) Act 2016. The Chairperson is elected through arrangements set down in Statute 9 and Ordinance 65, consistent with the terms of the Higher Education Governance (Scotland) Act 2016
- (2) The Chairperson presides over all meetings of the Court except when his or her performance, remuneration or the appointment of their successor are being discussed, in which case the Deputy Chairperson will preside.
- (3) In the absence of the Chairperson from any meeting, the Deputy Chairperson will preside. If both are absent, the Court will elect from among its members someone to preside over that meeting.
- (4) The Chair shall undergo an annual appraisal led by the Deputy Chairperson and involving consultation with all members of the Court.

¹ The schedule of matters reserved for the Court will be developed for consideration by the Governance & Nominations Committee on 15 May 2018 and the section will be implemented following its approval.

- (5) The Chair or Deputy Chair shall also review with each member individually, at least every two years (and every year in the case of student members), their contributions and development needs. The outcome of this process shall be formally documented.

9. Deputy Chairperson

- (1) A Deputy Chairperson of Court shall be appointed by the Court in accordance with Statute 9(4)(a-b).
- (2) The Deputy Chairperson shall preside over any meeting of the Court in the absence of the Chairperson or in the event of the business of the Court making it inappropriate for the Chairperson to preside over any meeting or part thereof.
- (3) As the senior independent member of Court, the Deputy Chair shall act as intermediary for members of Court who might wish to raise concerns about the conduct of the Court or of its Chairperson.
- (4) The Deputy Chairperson shall, at least annually, chair a meeting of the Court to discuss the performance of the Chairperson in the Chairperson's absence.

10. Dismissal of Chairperson or any Member of Court

- (1) Following due investigation, the Court has the power to remove the Chairperson or any other member on the grounds of serious personal or professional misconduct, abuse of the rights and privileges of membership of Court, bringing the University into disrepute, persistent absenteeism, medical incapacity or legal impediment or, in the case of the Chairperson, in the event that s/he no longer commands the confidence of the Court as detailed in Section 6 of the Scottish Code of Good HE Governance. The arrangements for this process are set out in Statute 9. If any member believes that there is a *prima facie* case for consideration of dismissal of any other member, s/he should raise the issue with the University Secretary who will consult with the Chairperson or Deputy Chairperson as appropriate before making a recommendation to Court for investigation of the case for dismissal/removal from office.

11. Schedule of Meetings

- (1) There shall normally be not less than five meetings of the Court in each academic session, including an annual Court Retreat. A schedule of meeting dates for each academic session shall be approved by the Court and published by no later than the penultimate meeting in the preceding academic session. This schedule shall also include meeting dates in semester 1 of the following session.
- (2) There shall be an annual public stakeholder meeting, at which representatives of the Court, including the Chairperson, Principal and President of DUSA, will give an account of the University's performance and activities.
- (3) Additional meetings outside the published schedule may be called upon notice being given in writing to each member of Court not less than seven days before the date of such a meeting.
- (4) Any ordinary or additional meeting may be adjourned by the Court until a date and time agreed by the Court.

12. Business

- (1) All matters and papers for the attention of the Court shall be submitted to the Clerk to Court who, in consultation as appropriate with the University Secretary, the Chairperson, and the Director of Academic & Corporate Governance, will draw up and distribute the agenda and supporting papers for each meeting of the Court.
- (2) The agenda and supporting papers for each meeting of the Court shall be distributed to members and made available electronically normally not less than six days before the date of the meeting. The agenda for the meeting shall be made publicly available at this time through the Court website.
- (3) Papers considered at meetings of the Court shall normally be made available to staff and students on request following the meeting unless the University Secretary deems that this would result in a breach in confidentiality or would not be in the interests of the institution for some other reason consistent with the terms of the Freedom of Information (Scotland) Act 2012. Reserved items may include those containing personal or commercially sensitive information.
- (4) No business shall be transacted at any meeting of Court other than that specified on the agenda. Court may however consider additional non-contentious or urgent business with the consent of the Chairperson (or other individual presiding at the meeting) and the majority of members present. A request to include an additional item should be raised prior to the start of any meeting to enable the required agreement to be sought.
- (5) No member shall be entitled to propose a motion, other than one directly arising from the discussion of a subject before the Court, except with the consent of the majority of the members present.

- (6) All papers and reports for the attention of Court shall be accompanied by a cover sheet setting out a brief summary of the content as well as information relating to the importance and provenance of the paper.
- (7) Items considered to be reserved business shall be clearly marked on the agenda and cover sheet, with an accompanying statement indicating the basis for the exemption which would be claimed in terms of the Freedom of Information Act Scotland (2012). When a minute of a meeting of the Court or a Committee of the Court is to be considered as reserved business it will be included as a separate paper on the agenda, with the minute indicating the basis for its redaction. Once the exemption is deemed to no longer apply the Court shall be informed of the release of the minute and it shall be published as an appendix to the minute of the meeting of the Court at which it was released.
- (8) All actions resulting from the decisions of the Court shall be maintained in a log to be provided to Court at each meeting.
- (9) After a decision of the Court has been recorded as a resolution it shall not be withdrawn, or altered in substance, except by resolution of the Court.
- (10) The Court shall commission a review of its effectiveness every 5 years, with the support of an external facilitator.

13. Conduct of Meetings

- (1) The agenda for meetings shall include Preliminary Matters (labelled as Part A), Strategic Matters and Core Business (labelled as Part B and C respectively) on which discussion is expected, and more routine Matters for Report and Approval which are not anticipated to require consideration (labelled as Part D). The Chair will, at the start of meetings, invite members to 'star' any items under part D that they wish to have discussed. Items not identified through this process will be understood to have been considered and approved without discussion.
- (2) Members of the Court shall be required to disclose any pecuniary or other material interest they may have in any matter which is to be discussed at a meeting of the Court. Such interest should normally be intimated at the beginning of a meeting, or during the course of a meeting if it becomes appropriate to do so.
- (3) Seven members of the Court shall constitute a quorum. In the absence of a quorum, no business shall be transacted other than the adjournment of the meeting. When the adjourned meeting is reconvened, the business for which the original meeting was called may be completed in the absence of a quorum. Notice of the reconvened meeting shall be given in writing to each member of the Court not less than seven days before the date of such meeting.
- (4) The Chairperson shall have discretion to require any member or person attending to absent themselves from any part of the meeting in the event that that person has a conflict of interest or may be the subject of discussion. The Chairperson shall have discretion to exclude non-Court members from the whole meeting or any part thereof, provided that the University Secretary and the Clerk to Court shall normally remain at all times unless either is the subject of the discussion.
- (5) The University Secretary will draw to members' attention any conflict of interest, actual or potential, between his/her administrative and executive management responsibilities within the University and his/her responsibilities as Secretary to the Court. If the Court believes that it has identified such a conflict of interest itself, the Chair should seek advice from the Principal, but must offer the Secretary an opportunity to respond.
- (6) The University Secretary is responsible for advising the Chair in respect of any matters where conflict, potential or real, may occur between the Court and the Principal. The Secretary will also keep the Principal fully informed on any matter relating to Court business (other than in relation to the Principal's own performance and reward). The Court shall safeguard the Secretary's ability to carry out these responsibilities.
- (7) Decisions should be taken collectively by all members acting as a body. Members are expected to ensure that discussions are held and decisions taken in an honest, open and objective manner and to avoid taking sectional positions.
- (8) Voting on any issue, if necessary, shall be by simple majority, normally on a show of hands. Only members of Court may vote (i.e. to the exclusion of officers of the University who attend meetings). The Court may decide at its discretion approve the use of a more elaborate or secret voting procedure in particular circumstances. The University Secretary shall be responsible for ensuring the proper conduct of such a vote.
- (9) The person presiding over any meeting of the Court shall have a deliberative vote and also a casting vote in case of equality.
- (10) If a member votes against a motion which is carried by the majority of those present, he/she should subsequently support the decision consistent with the principle of collective responsibility. Exceptionally a member may ask that his/her dissent is recorded formally in the minutes. No member who has not participated in a vote on a matter under discussion shall be entitled to request that their dissent be recorded in a resolution of the Court.
- (11) Should any member have a concern about the way the Court is operating, they should in the first instance raise it with the Chairperson, or with the Deputy Chairperson where they do not wish to raise the matter directly with the Chairperson or feel unable to do so.

14. Professional Advice

- (1) From time to time, Court may decide to seek professional external advice to assist it in carrying out its primary responsibilities. Under such circumstances, a request should be made to the Secretary, who will commission the relevant advice and convey it to the Court. This is also the procedure to be followed in the event that, having obtained advice, a 'second opinion' is felt to be desirable or useful.
- (2) Very rarely, individual Court members may feel conflicted or constrained in being able to carry out fully their duties on Court and may, as a result, feel they need to seek personal professional advice relating to the circumstances of their membership and/or their abilities to fulfil the role. A Court member in such a situation should, in the first instance, discuss their concerns with one of the Chairperson of Court, the Deputy Chairperson of Court or the University Secretary. Thereafter, if it is felt that personal professional advice is required, the member may obtain such advice, with the University agreeing to meet the cost of that advice up to a limit of £5,000. This limit may subsequently be increased if deemed appropriate by the Court.

15. Minutes

- (1) The production of minutes of meetings of the Court shall be the responsibility of the Director of Academic & Corporate Governance. The minutes of each meeting shall be approved by the Court at its subsequent meeting.
- (2) The minutes of the meetings of the Court shall be made publicly available as soon as a draft has been approved by the Chairperson for submission to Court.

16. Suspension, amendment or revocation of Standing Orders

- (1) Standing orders may be suspended, amended, or dispensed with at any meeting by consent of a minimum of a two thirds majority of the members present.

APPENDIX 5 PEOPLE & ORGANISATIONAL DEVELOPMENT COMMITTEE MINUTES

(Minute 84 (4))

A meeting of the Committee was held on 20 May 2019.

Present: Shirley Campbell (Convener);
Dr William Boyd;
Professor Tim Kelly;
Rebecca Leiper;
Bernadette Malone;
Dr Alison Reeves;
Dr Jean Robson; and
Jay Surti.

<u>In Attendance:</u>	Professor Nic Beech Dr Jim McGeorge Pamela Milne Wesley Rennison Dr Liz Rogers Linda Ronaldson Julie Strachan	Vice-Principal (Provost); University Secretary; Director of Human Resources & Organisational Development; Director of Strategic Planning (items 3 & 4); Assistant Policy Officer (Risk & Audit); Human Resources Manager (Strategic Projects); Deputy Director of Human Resources & Organisational Development.
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Apologies: Catherine Cavanagh.

1. MINUTES

The Committee reviewed the minutes from the meeting on 21 March 2019.

Resolved: to approve the minutes from the meeting on 21 March 2019.

2. MATTERS ARISING

(1) Action Log

The Committee considered a log of ongoing actions and noted the progress updates and target completion dates provided. Members noted that the University Secretary had discussed OSaR completion rates in UoD IT with the Director, and that the low completion rates had been due to several team members having their OSaRs later in the year. Members were pleased to note that the OSaR completion rates would demonstrate high completion rates in the 2018/19 reporting.

The Director of Human Resources & Organisational Development informed the Committee that the University Executive Group would discuss several of the actions marked as 'ongoing' at its away day in June, which was focused on 'people' issues. The outputs from this day would then be discussed with the Conveners of the People & Organisational Development Committee and Remuneration Committee.

Resolved: to note the updates provided.

(2) Equality, Diversity & Inclusion

The Director of Human Resources & Organisational Development provided the Committee with an update on the completion of Equality & Diversity training, citing an significant increase in completion rates across academic and

professional services staff. The Committee noted that the School of Medicine had lower completion rates than other Directorates and Schools at 60%, and discussed whether this might be due to individuals in this School having already completed this kind of training under the NHS. The Vice-Principal (Provost) informed the members that consideration would be given to sharing training with the NHS in order to mitigate this and avoid duplication, with members commenting that they felt the University's training was more comprehensive than that offered by the NHS. The Committee was pleased to note that staff on academic probation could not pass without completing this training and that staff would not be considered for merit awards if they had not completed it.

Resolved: to note the update.

(3) Pay Gap Analysis in Relation to Grade 10

The Director of Human Resources & Organisational Development introduced analysis on the gender pay gap in Grade 10. She confirmed that the pay gap related to proportionality in similar roles and was due to the fact that there were fewer women in senior roles at the University. Members were pleased to note that this would be a priority area for the University Executive Group to consider, and stressed the importance of widening this analysis out to all protected characteristics.

Resolved: to note the update.

(4) Severance

The Director of Human Resources & Organisational Development provided the Committee with further information on severance, providing members with data on the gender breakdown for this, as they had requested.

Resolved: to note the update.

3. **UNIVERSITY STRATEGY: PEOPLE KPIS**

The Director of Strategic Planning attended to outline the assigned measures for which the Committee would have oversight, and introduced members to the dashboard through which they would be able to explore the data in more detail. Discussions focused on the set of measures, with members questioning whether 'total staff cost as proportion of income' should be assigned to the Finance & Policy Committee. Noting that the Finance & Policy Committee maintained oversight of staff costs through regular financial reports and that the Court would have oversight of all measures, the Committee agreed to keep this measure.

The Committee also discussed the way in which the measures would be used to provide assurance that the University Strategy remained on-track. It was agreed that reports on the measures to the Committee would include an executive summary and refer to the relevant action plans (such as the staff absence action plan). The Director of Strategic Planning informed members that he would be working on reporting with the Assistant Policy Officer (Risk & Audit) to ensure that it also aligned to the institutional risk register. Members noted that a new staff survey would be launched in 2019 and that, given many of the people measures were linked to staff survey outcomes this would provide the Committee with further information on progress towards achieving the University's strategic objectives within its area of responsibility.

Resolved: to note the update and await further reports on the measures.

4. **PEOPLE RISK**

The Assistant Policy Officer (Risk & Audit) introduced a paper on people-related risks to the Committee. Members noted which risks on the institutional strategic risk register they should maintain oversight of and the controls in place to mitigate these risks. The Committee asked that the Risk Management Oversight Group consider whether health & safety should be included on the institutional risk register noting, that as an operational risk, it currently sat on individual School/Directorate risk registers and that the Human Resources & Organisational Development Directorate had ownership of this risk. The Committee agreed that the risk paper and KPI paper had both been helpful in terms of providing members with assurance and evidence on the effectiveness of controls.

Resolved: to ask the Risk Management Oversight Group to consider health & safety risk.

5. **RESERVED BUSINESS: BUSINESS TRANSFORMATION**

[Secretary's note: The University asserts that this information is exempt from public disclosure and claims exemptions in S.30(b), 30(c) and S.33(1)(b) of the Freedom of Information (Scotland) Act 2002. At the point at which the exemptions are deemed to no longer apply the Court will be asked to note the release of this minute which will then be included as an appendix to the minute of that Court meeting.]

6. **COURT NARRATIVE**

The Committee agreed that the Convener should highlight the following matters to the Court via her report to Court: the Committee's continued oversight of the gender pay gap analysis (item 2(3)); the Committee's consideration of the proposed measures (item 3); the discussion on people-related risk (item 4); and the Committee's views on the implementation of the Business Transformation Programme (item 5).

7. **COMMITTEE REPORTS**

(1) Equality, Diversity & Inclusion Committee

The Committee received the minutes from the meeting of the Equality, Diversity & Inclusion Committee on 23 April 2019.

Resolved: to note the minutes.

(2) Local Joint Committee

The Committee received the minutes from the meeting of the Local Joint Committee on 25 April 2019. Members were pleased to note that work had commenced on the procurement of an emergency notification system to enhance the University's duty of care to its staff and students.

Resolved: to note the minutes.

(3) Health, Safety & Welfare Sub-Committee

The Committee received the minutes from the meeting of the Health, Safety & Welfare Sub-Committee on 29 April 2019. Members queried the training completion rates for health & safety, and were pleased to note that these had improved and that the University Secretary and Vice-Principal (Provost) would be discussing training completion with the Deans and Directors.

Resolved: to note the minutes.

8. **EMPLOYMENT TRIBUNAL**

The Director of Human Resources & Organisational Development provided the Committee with an update on potential and ongoing employment tribunals. Members noted that one had resulted in a new risk on the legal risk register.

Resolved: to note the update.

9. **REF CODE OF PRACTICE**

The Committee noted the draft REF Code of Practice, noting that it would be subject to approval by the University Executive Group. The Director of Human Resources & Organisational Development outlined the University's approach to REF 2021, highlighting differences from previous years, and invited members to feedback any comments.

Resolved: to note the update.

10. THANKS

The Committee and officers in attendance thanked Professor Tim Kelly, Dr Alison Reeves and Dr Jean Robson for their contributions to the Committee.

11. DATE OF NEXT MEETING

Resolved: 31 October 2019.

Shirley Campbell
Convener

APPENDIX 6 REMUNERATION COMMITTEE MINUTES

(Minute 84 (5))

A meeting of the Committee was held on 20 May 2019.

- Present: Bernadette Malone (Convener);
Richard Bint;
Ronald Bowie;
Shirley Campbell; and
Sharon Sweeney.
- In Attendance: Principal, Professor Andrew Atherton, by invitation of the Convener;
Dr Jim McGeorge (University Secretary), by invitation of the Convener;
Pam Milne (Director of Human Resources & Organisational Development), by invitation of the Convener;
Dr Christine Milburn (Policy Officer (Corporate Governance)); and
Wesley Rennison (Director of Strategic Planning), by invitation of the Convener, (Item 9).
- Apologies: Rumana Kapadia.

1. MINUTES

Resolved: to approve the minutes of the meetings of the Committee on 21 March 2019.

2. MATTERS ARISING

(1) Action Log

Members received the action log for the last meeting of the Committee and noted the updates provided.

Resolved: to note the updates.

3. SECTORAL UPDATE

The Director of Human Resources & Organisational Development outlined topics of discussion at recent meetings of the Universities Scotland Group of HR Directors. She also updated members on the UUK Universities Superannuation Scheme (USS) trustee consultation in relation to the 2018 valuation, and members noted the potential implications for the University in terms of financial sustainability and for individual staff members in terms of higher contributions. The Director also drew members' attention to the national pay negotiations which were on-going at the time of the meeting.

Resolved: to note the updates.

4. EXTERNAL CHALLENGE AND SELF EVALUATION

The Committee noted that the Director of Human Resources & Organisational Development (HR&OD) had reviewed practice across the HE sector in relation to the attendance of meetings of remuneration committees by an external advisor. Members noted that this was not common practice, and after discussion agreed that this was not an area which warranted further consideration at this time. However, the Committee also noted that the introduction of a Continuing Professional Development (CPD) training session for the Remuneration Committee led by an external expert represented an example of best practice, and members agreed that this should be made an annual event.

The Committee went on to review the themes identified following the externally facilitated training session which took place at its previous meeting. Members were satisfied that the themes listed in the minutes, which focused around decision-making, governance, and shared working with the People & Organisational Development Committee (PODCo), captured the areas which they wished to take forward within their schedule of business for 2019/20, but suggested that 'recognition of leadership' also be considered in the context of the University's Remuneration Policy. In this respect, members noted that the next University Executive Group (UEG) away day in June would focus on people related matters, including leadership, and that the Director would bring forward emerging thinking in this area to a future meeting of the Committee. The Committee agreed that the conveners of the Remuneration Committee and the People & Organisational Development Committee should meet with senior officers, including the Principal, University Secretary, and Director of Human Resources & Organisational Development, with a view to developing a strategic programme for the two committees for the year ahead, taking account of emerging matters identified by the UEG and ensuring their work was aligned.

The Committee agreed that it would be useful for the next annual training session to include reference to best practice in sectors other than HE. One member also highlighted the opportunity to purchase additional benchmarking data beyond that already provided by UCEA to inform the thinking of the Committee, and the Convener agreed to discuss the cost and value of this with the Director ahead of the next meeting of the Committee.

- Resolved:**
- (i) to recommend that the training session be repeated on an annual basis;
 - (ii) to endorse the areas identified for inclusion within the 2019/20 schedule of business, subject to the inclusion of leadership as an additional theme; and
 - (iii) to note that the Convener and Director of Human Resources & Organisational Development would consider the value of purchasing additional benchmarking information.

5. REMUNERATION FOR GRADE 10 STAFF: IN-YEAR APPROVALS

The Director of Human Resources & Organisational Development presented a paper which highlighted and clarified all routes by which additional remuneration could be approved for senior (grade 10) staff, be it through the annual remuneration round, consultancy or one-off in-year retention related.

Following discussion, members agreed that the approach taken in relation to consultancy and retention should be consistent with that associated with the annual remuneration round, where the approval of remuneration applications, other than those from University Executive Group (UEG), was delegated to the UEG and the Committee's role was one of oversight and assurance. The Committee suggested that the relevant policies, delegations and processes relating to retention and consultancy should be updated to reflect such an approach, highlighting the importance of transparency, consistent application of decision making, and of the Remuneration Committee receiving an annual report on this activity.

With regard to consultancy, the Committee agreed that the UEG should be invited to develop a framework for consultancy-based remuneration decisions which was consistent in its approach for all staff. The Committee suggested that authority should be delegated to the UEG to approve requests from Grade 10 staff (other than members of UEG itself), with approval only being sought from the Remuneration Committee on an exceptional basis – for example where the Principal (on behalf of UEG) requested guidance due to a potential conflict of interest on the part of the member of staff/where the associated payment to the individual was particularly high/where there might be reputational implications. Consistent with the existing annual remuneration round processes, approvals would be subsequently reported to the Committee on an annual basis and would be taken into account when considering any annual remuneration applications. The Committee agreed that this process should be reviewed after 12 months of operation.

With regard to in-year decisions to make an increased salary offer to retain a member of staff holding a job offer from another institution, the Committee agreed that it should be made clear to the Court that the remuneration spend agreed at its December meeting did not include a sum for such awards. It was further agreed that the Committee would expect that, in keeping with the annual remuneration round, authority would be delegated to the UEG, on the advice of the individual's line manager, to approve retention decisions for Grade 10 staff (with the

exception of UEG members), and that the same rigorous process of review and benchmarking would take place, with the justification and outcome being documented and reported to the Committee on an annual basis before the consideration of the annual remuneration round. In this respect, it was agreed that the UEG through the Principal would retain the ability to bring to the Remuneration Committee's attention, via the Convener of the Remuneration Committee, any exceptional cases. With regard to retention matters relating to members of the UEG, it was suggested that these be considered by the Remuneration Committee on the advice of the Principal.

Turning to new appointments, the Committee also agreed that it would be useful to develop guidelines for the agreement of salaries at grade 10, making reference in particular to the approval of an envelope for negotiation, and the process to be followed when the level exceeds that of the current incumbent.

- Resolved:**
- (i) to ask that the UEG develop a framework for consultancy-based remuneration decisions;
 - (ii) to agree that changes should be made to the Schedule of Delegation and relevant policies to bring the process for the approval of retention-related remuneration decisions in line with the process for the annual remuneration round; and
 - (iii) to recommend that guidelines be developed setting out issues that should be considered when agreeing remuneration at the time of appointments.

6. SCOTTISH CODE OF GOOD HE GOVERNANCE: SECTION 80

The Committee noted the requirements of the Scottish Code of Good HE Governance (2017) Section 80: *'The remuneration committee is expected to seek the views of representatives of students and staff of the Institution, including representatives of recognised trade unions, in relation to the remuneration package of the Principal and the senior executive team. This requirement may be implemented in part through relevant members of the governing body serving as members of the remuneration committee or attending its meetings, or may be achieved through separate consultation with representatives of the student and staff communities. The relevant process should form part of the policies and processes approved by the whole governing body, as outlined above.'*

The Committee agreed that in addition to the revised membership already in place, the Chair of Court should raise remuneration matters, including the package of the Principal and members of the UEG as part of his regular meetings with stakeholders, and that the Convener of the Remuneration Committee should similarly meet annually with the Unions and the Dundee University Student Executive/Student Representative Council. The Chair of Court also agreed to make reference to the work of the Committee in his presentation at the Annual Public Stakeholder Meeting of the Court.

The Committee highlighted its ongoing commitment to transparency, and ensuring that stakeholders had the opportunity to understand the process.

- Resolved:** to note the proposals and confirm to the Governance & Nominations Committee that this action had now been completed.

7. GOVERNANCE REVIEWS: ROBERT GORDON UNIVERSITY/NHS TAYSIDE

The Director of Human Resources & Organisational Development introduced a paper which outlined areas of relevance to the Remuneration Committee where enhancements could be made in light of recent governance reviews into Robert Gordon University and NHS Tayside. The paper focused on the use of settlement agreements and proposed a number of enhancements to the University's Severance Policy. Members suggested a few additional amendments but were supportive of the approach taken.

- Resolved:** to approve revisions to the University's Severance Policy (**annex 1**), subject to further minor update.

8. GRADE 10 PAY GAP ANALYSIS 2018

The Committee received a copy of the Grade 10 Pay Gap Analysis (2018) which would be discussed by the People & Organisational Development Committee (PODCo). Members noted that a plan would be developed following

discussion at the upcoming PODCo meeting and at the University Executive Group (UEG) away day, and suggested that this also be discussed at the meeting noted in Minute 3 (above).

Resolved: to agree that this issue should be discussed at the meeting between the conveners of the Remuneration Committee, People & Organisational Development Committee, Principal, University Secretary, and Director of Human Resources & Organisational Development.

9. **UNIVERSITY STRATEGY: PERFORMANCE MEASURE TARGETS**

The Director of Strategic Planning attended the meeting for this item. The Director outlined the approach to the monitoring and reporting of performance against targets. Members noted that no measures had been specifically assigned to the Remuneration Committee, but asked that the measures for review by the People & Organisational Development Committee be circulated for consideration. Members highlighted the importance of analysing any pay gaps identified across all protected characteristics and asked the Director to consider how this would be monitored through existing measures.

Resolved: to ask officers to circulate the reports for the Remuneration and People & Organisational Development Committees, and to consider and identify any measures that the Committee felt should also be considered by the Remuneration Committee.

10. **NARRATIVE FOR THE COURT**

The Committee agreed that the Convener should highlight the governance matters raised in item 5 with regard to the remuneration of Grade 10 staff and the remit of the Committee, the proposed meeting between the Conveners of the Remuneration Committee and the People & Organisational Development Committee with senior officers to discuss the strategic alignment of the business for these Committees, and the agreement of the framework for engagement with stakeholders (section 6) which would be reported to the Governance & Nominations Committee in the context of compliance with the Scottish Code of Good HE Governance (2017).

Resolved: to highlight these matters to the Court for noting and consideration.

Bernadette Malone
Convener

APPENDIX 6 ANNEX 1 SEVERANCE POLICY

(Minute 84 (5))

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1. Background

The University is required to comply with the Scottish Funding Council's Financial Memorandum with Higher Education (2014) which states that the University must have a Severance Policy. This policy is produced in response to that requirement.

2. Introduction

Severance can describe a variety of termination arrangements related to the contract and relationship between an employer and an employee.

For the purposes of this policy, the focus will be on:

- **Voluntary Severance (VS)**
- **Mutually agreed severance**
 - **In the case of dispute**
 - **Instigated by Protected Conversation where there is no dispute.**

3. Severance Policy

The University of Dundee is committed to maintaining, as far as possible, security of employment for its employees.

However, there may be occasions when external or internal factors impact on the type or number of employees required and the University may have recourse to VS.

There may also be cases where both the University and the individual employee are in mutual agreement that it would be beneficial for the employment relationship to be ended.

4. Aims of the Severance Policy

The Severance Policy aims to ensure that all employees will be treated fairly and the process applied is transparent, objective, rational and fully understood.

The policy provides an operating framework, which will ensure that the University does not use its funds (which includes public funds) wastefully by making over-generous severance arrangements.

It aims to set out the University's approach to the use of severance, which is appropriate, good practice, transparent, fair, defensible and represents value for money when balanced against alternative courses of action.

5. Scope

This policy applies to all employees of the University. It should be noted, however, that there may be financial, resource and/or other imperatives at any particular time, which means that VS and/or mutually agreed severance may require to be varied. Nevertheless, the University's aims and principles set out in this policy will apply as far as is practical and appropriate.

6. The Principles of Fairness, Equity, Consistency and Transparency

Fairness of treatment amongst employees is central to the University's core values of Integrity and Valuing People and is an essential requirement when considering severance for individuals.

The principle of equity will be applied to ensure that no employee will be disadvantaged due to any protected characteristic: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex or sexual orientation.

Particular attention should be paid to ensuring that no additional benefits or enhancements (financially or otherwise) are extended to employees who have either meritorious records or employees where the University is eager to terminate the employment relationship.

Such circumstances can result in unintended bias and could result in, for example, direct or indirect age discrimination. Any departure from this framework for severance payments/benefits must be shown to be *objectively justified* by demonstrating that the action taken is a *proportionate means of achieving a legitimate aim* for the University.

This policy recognises the entitlement of the employee to exercise their statutory rights.

7. Voluntary Severance (VS)

From time to time, the University may seek expressions of interest in VS in order to reduce employee numbers and/or to reshape the workforce either across the University or in specific areas of the University for the purpose of corporate development, efficiencies and financial sustainability.

The University will utilise VS when it considers it appropriate, for a specified period. It does not operate an open-ended VS scheme for which employees may ask to be considered. On each occasion where there is a need for employee reductions and/or to reshape resources, the University will consult with the campus unions and consider VS as an option. The financial position of the University will determine whether or not VS is viable.

No eligibility restrictions will apply on the basis of length of service.

The right will be reserved to decline applications for VS where they are not in the University's interest or where a severance date cannot be mutually agreed.

The cost saving that must accrue to the University and the recovery period of the cost of VS payments for the Scheme will be determined in advance of VS being launched. A maximum period of 2 years is allowed to recoup the cost of VS but the duration may be shorter.

Whilst the VS payment offered may be considerably lower, the total VS payment should not exceed one year's salary/with a maximum ceiling of £100,000 (see section 13 – Governance). Salary will be calculated only on contractual salary

components, awarded by the University. Due to the circumstances of the severance, the employee will benefit from the first £30,000 being tax-free. This is subject to change in employment legislation and HMRC guidelines.

VS will be executed by means of a legally binding Settlement Agreement,

The University will offer a contribution to the individual's solicitor's fees to ensure the employee obtains independent legal advice. The contribution will be reviewed periodically and announced when launching a VS scheme.

There is no general right of appeal against any refusal to grant a VS application. Where an employee considers that their request has not followed policy or has been dealt with unfairly, they will be entitled to follow the Grievance Procedure.

8. Mutually agreed severance

Situations can arise where both parties (employer and employee) agree that to continue the employment relationship would be unproductive. In such circumstances, a formal Settlement Agreement may be negotiated.

The University's offer should be reasonable, bearing in mind the responsibility the University negotiator has for the University's (including public) funds and should not exceed any maximum settlement amount outlined in the Policy or agreed by the Remuneration Committee.

The Settlement Agreement will specify the negotiated sum of money paid to the employee by the University, normally based on the notice period payment, but will take account of circumstances and risk.

Salary will be calculated only on contractual salary components, awarded by the University and generally, the practice is to agree a global figure. Due to the circumstances of the severance, under current legislation, the employee will benefit from the first £30,000 being tax-free. This is subject to change in employment legislation and HMRC guidelines.

Mutually agreed severance will be executed by means of a legally binding Settlement Agreement.

The University will offer a contribution to the individual's solicitor's fees to ensure the employee obtains independent legal advice. The contribution will be reviewed periodically and the amount detailed in the Settlement Agreement.

9. Replacement of Posts

Typically, no replacement will be made and the post will be deleted from the School's or Directorate's establishment and budget. If a replacement or reconfigured role is required this must be requested at the time of the application for approval of the settlement agreement.

10. Pension

Any pension to which the employee is entitled will not be augmented by the University. It will only be enhanced if the individual elects to direct part of their Settlement Agreement payment to supplementing their pension. This is matter between the individual and their pension scheme.

11. Re-employment or Re-engagement with the University

The Settlement Agreement states that individuals in receipt of a settlement payment will not be considered for re-employment or re-engagement, including on a consultancy basis, for a period of 12 months from the Termination Date otherwise they must immediately reimburse 75% of the settlement payment.

It is acknowledged, however, that there may be circumstances where it is in the University's interest, having made a settlement payment in order to reduce high recurring salary costs, to re-engage the individual on a very part-time basis, and at a considerably lower rate in order to take advantage of an aspect of their specialist knowledge.

Should such exceptional circumstances arise approval will be required from UEG.

12. Approval Process

In considering cases of VS and mutually agreed settlements for approval, the University Executive Group (UEG) must have regard to legal and regulatory compliance, propriety and value for money as well as employee relations. All cases must be approved in advance by UEG and for grade 10 roles, UEG and the Chair of the Remuneration Committee. All decisions must be recorded (Appendix 1 - Application for Approval of Settlement Agreements Form).

Justification, including financial justification, will be provided to UEG and when required the Chair of the Remuneration Committee by the following:

Application for Approval of Settlement Agreements Form

The form will contain:

1. An explanation of the circumstances of the case including any alternative proposals or options considered.
2. An assessment of the risk of litigation and likely outcome.
3. Confirmation that the relevant compliance, management and Human Resources procedures have been followed to date.
4. Proposed settlement including a breakdown of the constituent parts of the proposal, if relevant and proposed termination date.
5. An assessment of value for money offered by the proposal.
6. Any non-financial considerations.
7. Clarification in relation to the need or otherwise to replace the post-holder.

Settlements Relating to Members of UEG – Including the Principal

1. For members of UEG, excluding the Principal, the Application for Approval of Settlement Agreements Form must be completed by the Principal.
2. Any settlement relating to the Principal, the Application for Approval of Settlement Agreements Form must be completed by the Chair of Court.
3. Any such applications relating to UEG members will be considered and approved by the Remuneration Committee.

Divergence from the Policy

Any divergence from the framework this policy represents must be approved, in advance, by the Remuneration Committee.

13. Governance

The Role of the Remuneration Committee and Court

The Remuneration Committee's role is to ensure the existence of a University Severance Policy, which must be approved by Court.

From time-to-time, the Remuneration Committee will review the Severance Policy to ensure fitness for purpose.

The Remuneration Committee must approve, in advance, any severance payment which:

- Exceeds a threshold sum, as defined by Court (£100,000).
- Deviates from the standard severance terms approved by Court
- Applies to a member of UEG.
- Where the severance package exceeds the maximum threshold agreed by Court, consultation with the SFC's Accountable Officer and external auditor requires to have taken place prior to the approval of the proposed severance package.

In considering these matters, the Remuneration Committee must represent the public interest to avoid any inappropriate use of public funds. Care should be taken not to approve a severance package which employees, students and the public might reasonably deem excessive.

14. Reporting

Equality Impact Assessment (EIA)

For the severance arrangements covered by this policy, the Director of Human Resources & Organisational Development (HR & OD) will produce an EIA analysis of the following statistical data:

Throughout the lifecycle of a VS scheme:

- the number of potential employees eligible to apply for VS.
- the number of VS applicants.
- those VS applications which have been accepted and declined.

Annually, the Director of HR & OD will also produce:

- the number and categories of employees who have received mutually agreed severance.

Particular attention will be paid to inconsistencies relating to protected characteristics in either groups.

In addition the Director of Human Resources & Organisational Development will produce a final analysis and report detailing the outcomes of VS and mutually agreed severance together with any learning points that can be used to review and revise this policy as necessary.

Remuneration Committee Reporting

The Director of HR & OD will produce a report, annually in October/November, for the Remuneration Committee.

For the previous 12 months, the report will provide a synopsis of (if applicable):

- The number of VS cases granted and declined; cost savings
- Details regarding those cases approved by UEG and those approved by UEG and the Chair of Court
- Anonymised circumstances and rationale for extending mutually agreed severance agreements including:
 - The total amount of the severance (including all emoluments and benefits) in each case.
 - Details of the risk assessment undertaken, together with the risk of potential litigation.
 - Benchmarking data used.
 - Confirmation of compliance with governance, management and HR processes.

The Remuneration Committee will make its annual report to Court in December.

15. Confidentiality

Any undertakings in relation to confidentiality should allow the transactions to be open to proper public scrutiny and in line with the University's Public Interest Disclosure (Whistleblowing) Policy.

16. Poor performance

VS or a mutually agreed settlement must not be used as a means of removing poor performers from the workforce. Poor performance should be addressed through use of the Capability Procedure and there should be no perception that poor performance is being rewarded.

17. Personal Considerations

The University's ethic of Valuing People must be explicitly demonstrated when an individual's employment is being terminated.

It is essential that the communication flow between the manager/official dealing with VS or a mutually agreed severance arrangement is excellent at each stage of the process.

The employee's contribution and service should be recognised and honoured within the School or Directorate and more widely in the University where appropriate. It is acknowledged that in cases of mutually agreed severance, the relationship may be tense or difficult which makes this challenging.

In all cases, any announcement should be discussed and the content agreed with the individual.

Prior to the leaving date, it may also be appropriate to discuss the gist or text of a reference that will be given in the event of a request from a prospective employer.

18. Delegated Authority

Court has delegated authority to the Remuneration Committee for recommending a policy to Court on senior employee severance that sets out general principles regarding all severance packages.

**Approved by the University Court,
June 2019**

Other related information can be found at:

<http://www.dundee.ac.uk/hr/policiesprocedures/redundancyavoidanceagreement/>

<http://www.dundee.ac.uk/hr/policiesprocedures/redundancypolicy/>

APPENDIX 7

CONVENER REPORT: WELFARE & ETHICAL USE OF ANIMALS COMMITTEE

(Minute 84 (6))

A meeting of the Committee was held on 18th April 2019.

Present: The Convener;
the Director of Biological Services (DBS);
the University Veterinary Surgeon (UVS);
the Training Coordinator (TC);
three NACWOs;
three holders of Home Office licences and four other members;
A member of Life Sciences staff who provides administrative support to Biological Services was in attendance.

1. MINUTES OF LAST MEETING

These were approved.

2. MATTERS ARISING

2.1. Project to be Carried Out Under the Authority of a Service Project Licence

The DBS reported that the mouse line concerned had been cryopreserved and that there were no live mice extant. The project would not be restarted without clear instruction from the Dean of the relevant School and the future approval of the Committee.

2.2. Breeding practices

The UVS reported that work was on-going on a report on breeding practices in the University, to be considered by the Committee at a later meeting and then sent to the Home Office inspector. There would be a workshop later in April with colony managers, whose observations would help inform the report.

2.3. Functions of an AWERB

The UVS reported that she had circulated guidance from the Home Office and that training materials were being placed on the Committee's shared file storage area, for members to consult.

3. NUMBERS OF ANIMALS USED IN 2018

The Committee considered a report from the DBS. It noted that the figures were broadly in line with those from previous years. The DBS reported that the "severe" events in breeding programmes were of genetically altered animals having been found dead. Following Home Office guidance, the project licence-holders had assigned this actual severity, giving the animals the benefit of the doubt that the events were related to the genetic alteration. However, there was no particular pattern to them, so the likelihood was that some had been over-reported (i.e. the events would have happened at similar frequencies in colonies of wild-type mice). The remaining "severe" events related to animals in experimental contexts. All had been investigated at the time and reported as required to the Home Office. A number had occurred in one scientific project which had now been completed, and therefore were not expected to recur. A member of the Committee pointed out that the incidence of severe events in the University of 0.5% of all regulated procedures was well below the national average of about 6% and the EU-wide average of 6-10%. Nevertheless, every effort had to be made to investigate these when they occurred and to take all reasonable steps to reduce their number in the future.

Resolved: The DBS to provide a paragraph to summarise these data, for the information of the University Court.

4. REPORT FROM THE UNIVERSITY VETERINARY SURGEON

Standing agenda item.

4.1. Cup-and-tunnel mouse capture

No recent objections to the adoption of these methods had been raised. One research group preferred to scruff animals direct from their cages, but no-one was insisting on capturing mice by their tails.

4.2. Arthritis studies

A study had been terminated early, but with the collection of useful scientific data. Traditional scoring systems were being adjusted to match perceived animal suffering more closely (moving away from measurement of joint thicknesses, for example, to scores of general condition and behaviour).

4.3. Fight injuries

These had been noticed in one mouse study where mice had been re-grouped immediately beforehand. The UVS had re-iterated her advice that animals should be assigned to experimental groups as soon as possible after weaning and their subsequent social interactions monitored carefully.

4.4. Leg injuries

These had been reported in mice belonging to one research group. While the particular strain is known to be more challenging to handle than some others, a rushed approach to handling appeared to be responsible. Further training would be provided to members of the group, along with advice on possible alternative handling methods and equipment for blood sampling.

4.5. Other events

There had been one event of toxicity from a compound being administered in the diet and another in which a sub-cutaneous mini pump had been lost. Both appeared to be isolated events. There had been a very recent case of blood being found in a cage after the animals had been blood-sampled; this was under current investigation.

4.6. Ventilation

There had been, to date, no clinical issues from the ventilation problems in one of the resource units, but there was some concern that, if these persisted, there could be compromise to scientific integrity and to animal welfare.

5. **TRAINING**

Standing agenda item. The TC reported as follows:

5.1. Directly Observed Practical Skills (DOPS)

Assessment was being targeted at personal licence-holders named on study plans. At total of 330 assessments had been carried out to date. Foot-fall surveys were also in progress to identify and assess frequent visitors to the resource units. In three cases, assessments had revealed the need for further training and this had been implemented immediately.

5.2. Schedule 1 Register

This had been pared down to 119 individuals. Re-assessments were being targeted at frequent visitors in the first instance.

5.3. Online training

The FLAIRE module on humane killing had been completed by 80 individuals. Sixty had completed the module on the recognition and prevention of animal pain, suffering, distress and lasting harm. This is due to become a requirement for anyone wishing to hold a personal licence from April 2020. Twenty-seven people had completed the module on small animal anaesthesia.

5.4. Local workshops and courses

Five project licence-holders had attended a workshop on 27th February 2019 and a further one had received some one-to-one training. A workshop for colony managers would be held on 24th April. There would be a ScotPIL course in Dundee on 17th/18th June 2019.

6 **COMMERCIAL AGREEMENT**

The Committee noted that the DBS, UVS and the relevant facility manager were in discussion with a local biotechnology company about the possible renewal of an agreement to provide facilities and expertise. The work would continue to be under the Establishment Licence and with the normal review and approval by the Committee.

7 **BIOLOGICAL SERVICES SCIENTIFIC STEERING GROUP**

The Committee noted that this group had been set up, convened by the Vice-Principal (Research, Knowledge Exchange and Wider Impact). The DBS and another member who was present reported on the first meeting of the group.

8 **REPORT FROM THE DIRECTOR OF BIOLOGICAL SERVICES**

Standing agenda item. The Committee endorsed a written report prepared by the DBS on licensing activity since its last meeting.

9 **ANY OTHER COMPETENT BUSINESS**

The UVS reported that she had relinquished an interim project licence granted to her to authorise the use of sheep at another Licensed Establishment for the purpose of raising polyclonal antisera. A longer-term licence has now been issued to a member of staff of the University, though the work will continue to take place at the other Establishment. While entirely the responsibility of the Establishment Licence-Holder and AWERB at that site to control the work, the licence-holder will submit study plans to the UVS, as if it were being performed in Dundee. The Committee agreed not to include these animals amongst its own statistics, as they will be returned by the second Establishment and there would otherwise be a risk of double counting.

10 **DATE OF NEXT MEETING**

18th July 2019.

APPENDIX 8

REPORT FROM THE SENATUS ACADEMICUS (Minute 85)

COMMUNICATION FROM THE SENATUS ACADEMICUS (Meeting of 22 May 2019)

1. REPORTING TO UNIVERSITY COURT

The following items were selected by Senate to highlight to Court:

- Senate's approval of the REF 2021 Code of Practice
- Senate's consideration of School of Business and School of Social Sciences academic visions
- Senate's discussion on honours classification methodology and grade deflation issues

2. TABLED QUESTIONS

73.1 Can the centralisation and standardisation of the University's procedures (e.g. travel services and hospitality for visiting academics) be reconciled with the diverse needs of the academic community?

The Principal explained that although the question was not directly related to the remit of Senate he would address it nonetheless.

The Principal agreed that subject disciplines were the essential building blocks of a vibrant academic community. He explained that the University, through its central support functions needed to ensure appropriate allocation of resources while also respecting academic freedom and autonomy at subject level.

He explained that any centrally mandated policy should be seen as a tool to promote consistency of practice with common systems rather than to constrain the academic endeavour. He noted that the questioner had raised concerns about the way that revised travel and hospitality policies had been introduced and acknowledged that communication and consultation with staff groups could have been clearer. He agreed that feedback from staff in this respect will help inform any lessons learned.

The Principal explained that the two main drivers for the revised policies were to have a better understanding of expenditure and to help ensure consistency and efficiency. He noted that it was not unreasonable for the University to promote a tighter control on expenditure just as long as it gave clearer guidance to staff on the best use of limited funds.

The Principal agreed that the policies should be kept under review to ensure that they were having the intended outcomes and that the relevant officers should consider improving the signposting of policies to ensure that staff could access information about the correct procedures more easily.

The Principal acknowledged that academic staff concerns on the importance of fully engaging with external networks and expertise, of participating in a range of external academic opportunities were legitimate and that travel and hospitality policies needed to support such activity in a fair and consistent way.

The Senatus decided: To ask Officers to review the signposting of and communication of centrally maintained policies to ensure that staff were able to access these in a straightforward way.

3. PRINCIPAL'S REPORT

The Senatus received a verbal update Report from the Principal.

Research Excellence Framework

The Principal reflected on the discussions on REF 2021 and academic excellence that took place at the Senate Away Day and noted that these were a useful starting point for the development of a common framework to share and celebrate research excellence in preparation for REF 2021.

THE University Impact Rankings 2019

The Principal welcomed the University Impact Rankings 2019 that had placed the University of Dundee in 20th place globally and 4th in the UK. The Principal explained that the rankings were calculated with reference to the United Nations' Sustainable Development Goals and the University's performance represented a huge achievement that reflected well on its values and ethos.

The Principal also welcomed the University's success in the International Student Barometer (ISB), where it had placed 6th overall globally in a survey that ranked a limited number of participating institutions, but with a combined student population of 2.3 million.

Senior Appointments

The Principal looked forward to welcoming Professor Blair Grubb as the new Vice-Principal Education at the start of the next academic year. He also noted that the recruitment of Deans in the Schools of Business, Art & Design and Medicine, from a very strong range of applicants would soon be completed.

Brexit

The Principal noted that although there was still a lot of uncertainty about Brexit, it was becoming clear that funding for EU students at current levels could be at risk in the future. He advised that the University needed to be prepared for this while at the same time doing all it could to reassure and support affected staff and students.

National Student Survey

The Principal thanked staff for their efforts to ensure that the NSS response rate finished above the 75% target and looked forward to the survey results in July 2019.

The Senatus decided: to note the Report.

4. UNIVERSITY COURT

Senate received a Report from the meeting of University Court held on 30th April 2019. The Principal explained that the Chair of Court had provided a brief executive summary to highlight aspects of Court's discussions of particular relevance for Senate.

The Secretary noted Court's discussions on the University's financial position, its support for the University of Dundee Business School development and the partnership with DUSA to help continue to enhance the student experience at the University.

Members of Senate welcomed the Chair of Court's Summary Report and noted the Chair's intention to attend a future meeting of Senate to help facilitate further discussion on shared strategic concerns and issues.

The Senatus decided: to note the Report.

5. RESEARCH EXCELLENCE FRAMEWORK REF 2021

Pamela Milne (Director of Human Resources) and Professor John Rowan (Vice-Principal Research, Knowledge Exchange & Wider Impact) introduced the REF 2021 Code of Practice. Senate noted that all institutions hoping to participate in REF 2021 had an obligation to submit a Code of Practice to the Scottish Funding Council for approval. The Director explained that the Code needed to set out the University's approach to identifying eligible staff, the selection of research outputs for submission and associated appeals procedures, in the broader context of institutional values and strategy.

Senate noted that a Working Group had overseen the production of the Code with the aim of demonstrating that the University's approach to REF 2021 was accountable, inclusive and fair.

The Director noted that the draft Code had been widely circulated for consultation and feedback, including to the campus unions and EDI staff networks and that open staff consultation meetings had been held at Ninewells and the City Campus.

The Vice-Principal explained that the REF 2021 submission arrangements were significantly different from those in place for REF 2014 and that all staff on Teaching & Research contracts and others classified as independent researchers would contribute to the University's REF 2021 submission. He noted that individual circumstances of staff could be considered on a voluntary disclosure basis, which if accepted would remove the minimum research output requirement.

The Principal observed that the University's approach was well-aligned to the approach adopted across the sector, had been the focus of a wide and inclusive consultation exercise and invited Senate to approve the Code in order to facilitate sign-off by the University Executive Group and submission to the Scottish Funding Council by the 7th June 2019 deadline.

The Senatus decided: for its part, to approve the REF 2021 Code of Practice.

6. UNIVERSITY OF DUNDEE SCHOOL OF BUSINESS

The Senatus received a Report from the University of Dundee - School of Business Working Group.

Senate noted the progress made towards the establishment of the School of Business and the comprehensive Report that had been submitted to the most recent meeting of the University Court and been well-received.

Wendy Alexander (Vice-Principal International) explained that further consideration of staffing and estates issues would follow, along with plans to establish a new School Executive Group in June 2019.

Professor Bruce Burton (Interim Lead UDSB) and Professor Nick Fyfe (Dean, School of Business) were invited to share the academic visions for their respective Schools.

University of Dundee School of Business

Professor Burton reflected on the considerable efforts made by the Working Group and others to ensure that the new School was established by the start of the next academic year. He noted that interviews for a new Dean had been scheduled and that long-term financial plans had been developed. He explained that the new School would be established in the context of an extra-ordinary increase in the number of taught postgraduate students that, while welcome, presents both challenges and opportunities.

Professor Burton explained that the new School's academic vision would be outward looking with a strong focus on globalisation, impact and innovation. He also explained that achieving the necessary international business school accreditation would be a key objective and when met, would offer considerable competitive advantage.

Senate noted that UDSB would continue to plan for focussed growth, capacity building and investment in digital literacy ambitions. Senate also noted the intention to consider investment in purpose-built premises on the City Campus in due course.

Senate welcomed the ambition and focus of the new School's approach and observed that it would be vital for the School to manage the scale of growth already achieved without compromising the quality of the academic offer or the student experience.

Members discussed the possibility of greater levels of collaboration between the business-focussed disciplines and other parts of the University.

Professor Burton explained that Business school accreditation required a high degree of integration and collaboration within the University and agreed that mechanisms to allow this would be welcome but would need to be refined. He noted that improving links with the Centre of Entrepreneurship would also be a priority.

The Vice-Principal (International) advised that the integration of business modules within other programmes could be facilitated through new programme and product development initiatives, led by the University Lead for New Programmes Professor Bill Russell.

Members of Senate advised that the new School should also consider its approach to building links with business locally and internationally, the needs of the University's graduates and its plans to expand its research capacity and intensity. Members also noted that provision of teaching and research in the English language was also a significant asset in the international business context.

School of Social Sciences

Professor Nick Fyfe (Dean, School of Social Sciences) commended the Working Group's Report to Senate and noted that the process followed had been smooth and effective. He confirmed that the School of Social Sciences looked forward to continuing to work very closely with the new School of Business in the future.

Professor Fyfe explained that the School reaffirms its commitment to interdisciplinarity and to research with global relevance and impact. He noted the rebranding of the social sciences research institute alongside the focus on meeting global challenges.

Senate was asked to note the School's commitment to improving training and support for doctoral students within the School and its focus on nurturing all of its students in terms of professionalism, global actors and engaged citizenship.

He outlined the School's intention to continue with its work on alignment with the expectations of employers and civic society in terms of graduate attributes and the translation of world class research into practical solutions to the complex problems faced by contemporary society.

Members of Senate agreed that many aspects of the School's vision as outlined would ring true with other Schools, that students were increasingly committed to developing interdisciplinary viewpoints and that there was strong support for continuing the School's existing highly collaborative approach.

Members noted that investment in student support in the new School of Business would need to be replicated in other Schools and that good pastoral support system would need to be encouraged across the University. The Vice-Principal International noted the work of the Student Experience Oversight Group in response to the ISB Survey results, to help improve international student arrival, induction and English language tuition opportunities.

The Principal concluded the discussion by asking the relevant project leads to monitor and mitigate risks associated with exceptional growth in student numbers. He explained the need to ensure that capacity issues were dealt with in order to maintain a very high-quality student experience across the University.

The Senatus decided: to ask that the Dean of Social Science's Presentation is circulated to members; and
For its part, to endorse the Working Group's Report and the School Academic Visions.

7. PERFORMANCE MEASUREMENT FRAMEWORK

The Senatus received a Paper on the University Strategy to 2022 Performance Measurement Framework.

The Principal explained that progress against the Key Performance Indicators would be monitored by the relevant Committees and overview reports would be submitted to Senate for consideration.

The Senatus decided: to note the Report.

8. ORDINANCES 40 and 57

The Senatus received a Paper (**Annex 1**) from the Director of Academic & Corporate Governance that proposed amendments to Ordinance 40 (Student Discipline) and Ordinance 57 (Schools).

The Senatus decided: for its part, to approve the amendments to Ordinances 40 and 57.

9. CONVENER REPORTS

The Senatus received Reports from the Senate Committee Conveners.

Learning & Teaching Committee

Senate discussed the revised method for calculating honours classification contained in the University's Assessment Policy.

Members noted that due to incomplete implementation of the revised method by certain Schools Exam Boards had been advised to use the previous method and the revised method in parallel and to apply the method that produced the most appropriate outcome for the student in each case.

The Principal explained the importance of maintaining high academic standards and appropriately recognising student achievement. He cited the clear gap between entry standards and degree outcomes revealed in recent Complete University Guide, where standards valued much higher.

On the question of grade deflation/inflation Senate agreed that the views of the University's External Examiners should be sought and that the Planning Office should be asked to produce and publish detailed tracking data.

Senate also agreed with the approach taken in relation to classification decisions in the current academic year i.e. that students must not be disadvantaged by the incomplete implementation of the revised Assessment Policy.

The Senatus decided: to ask the Vice-Principal Education and Director of Quality & Academic Standards to monitor and report back on the implementation of the Revised Assessment Policy.

10. STUDENTS' ASSESSORS ON SENATE

The Senatus received a Paper from the Director of Academic & Corporate Governance on the procedure for appointing the Students' Assessors on Senate.

The Senatus decided: to note the Report.

11. DUSA ELECTIONS

The Senatus received a Report that confirmed the outcome of DUSA Executive elections that took place during Semester Two.

The Senatus decided: to note the Report.

12. PROFESSOR EMERITUS

Subject to the concurrence of Court, to confer the title of Professor Emeritus upon the following:

Professor Irwin McLean (effective 1st 2019)

13. QUALITY & ACADEMIC STANDARDS COMMITTEE

The Senatus received a Report from the Quality & Academic Standards Committee meeting held on 25th March 2019.

The Senatus decided: to approve the Report.

14. RESEARCH & KNOWLEDGE EXCHANGE COMMITTEE

The Senatus received a Report from the Research & Knowledge Exchange Committee meeting held on 2nd May 2019.

The Senatus decided: to approve the Report.

15. INTERNATIONAL COMMITTEE

The Senatus received a Report from the Research & Knowledge Exchange Committee meeting held on 7th May 2019.

The Senatus decided: to approve the Report.

16. LEARNING & TEACHING COMMITTEE

The Senatus received a Report from the Learning & Teaching Committee meeting held on 7th May 2019.

The Senatus decided: to approve the Report.

17. SUMMARY REPORTS OF SCHOOL BOARDS

The Senatus received Summary Reports from each of the School Boards.

The Senatus decided: to approve the Reports.

18. MONITORING & ADVISORY GROUP

The Senatus received a Report from the Monitoring & Advisory Group meeting held on 9th May 2019, for information.

19. OTHER BUSINESS**Statute 10 (1)(i)**

The Senatus decided: to formally recommend to Court the appointment of a Reader from the School of Education & Social Work to the Senate in accordance with Statute 10(1)(i) for a period of one academic year in the first instance.

Professor Rami Abboud

Senate noted that Professor Rami Abboud would be stepping down from Senate after a total of 22 years' service. Senate expressed its appreciation for Professor Abboud's contributions and noted that a Staff Council to Senate by-election would take place in Semester One 2019-20.

APPENDIX 8 ANNEX 1

REPORT FROM THE MEETING OF THE SENATE (Minute 85 (i))

Changes to Ordinances

Introduction
<ol style="list-style-type: none"> 1. This paper sets out two changes to Ordinances as follows: Ordinance 40 – Student Discipline Ordinance 57 – Schools of Study 2. The first arises as a result of work to revise the Student Disciplinary Procedure and the second as a result of proposals to establish a School of Business as a tenth constituent School of the University.
Ordinance 40 – Student Discipline
<ol style="list-style-type: none"> 3. The University has developed a new Student Discipline Procedure (SDP), which has been considered and endorsed by the Learning & Teaching Committee for approval by the Senate at today's meeting. The SDP is included as an appendix to the minutes of the Learning & Teaching Committee. Each of the Deans has separately conveyed their School's endorsement of the new procedure. 4. The existing procedure is set out in full in the existing Ordinance 40. The University proposes that a new Ordinance replace the existing procedure and that the new procedure be established outside the Ordinances. The replacement Ordinance 40 would thereby become an 'enabling' Ordinance, with procedures and guidance sitting beneath it. Any future changes to the SDP would remain for the Senate to approve, as made clear in the new Ordinance. 5. The Court is therefore invited to approve the replacement of the current Ordinance 40 with the following new Ordinance: <ol style="list-style-type: none"> Ordinance 40 – Student Discipline <ol style="list-style-type: none"> 1. The University may develop criteria, committees, regulations and procedures in relation to student discipline which shall be subject to approval by the Senate prior to implementation. Any reference to "Ordinance 40" in the University's procedures and policies shall be deemed to incorporate the approved Student Discipline Procedure in its entirety by reference. 2. The Student Discipline Procedure shall incorporate, where relevant, the spirit and rule of Statutes 5 (4) (The Principal) and 18 (Discipline). 3. For the avoidance of doubt, notwithstanding the Student Discipline Procedure, Statutes 5 and 18 shall continue to apply in relation to issues concerning student discipline. Where there is a conflict between the terms of the Student Discipline Procedure and the relevant Statutes, the relevant Statutes shall prevail.
<ol style="list-style-type: none"> 6. For clarification, Statute 5(4) refers to the authority of the Principal to exclude or suspend any student, and Statute 18 is an overarching statute which sets out that the University shall make provision for regulating student discipline. 7. It is proposed that the new Ordinance and the new Student Discipline Procedure take effect from 1 August 2019.

Ordinance 57 – Schools of Study

8. Proposals for the establishment of a School of Business as a separate constituent School of the University have been made elsewhere, receiving in principle approval at earlier meetings of the Senate and Court on 30 January and 26 February 2019 respectively. The Court will be invited to give its formal approval to the proposal at its meeting on 24 June 2019.
9. Ordinance 57 regulates the Schools of Study and, assuming the Court gives approval to the establishment of the School of Business, it will need to be changed to include the School of Business.
10. The Court is therefore invited to approve for its part the inclusion of the School of Business in its rightful alphabetical place in the list of Schools set out at paragraph 1 of Ordinance 57:

There shall be ten Schools as follows:

- (a) The School of Art & Design
 - (b) The School of Business
 - (c) The School of Dentistry
 - (d) The School of Education & Social Work
 - (e) The School of Humanities
 - (f) The School of Life Sciences
 - (g) The School of Medicine
 - (h) The School of Nursing & Health Sciences
 - (i) The School of Science & Engineering
 - (j) The School of Social Sciences
11. It is proposed that the revised Ordinance take effect from 1 August 2019.

Dr Neale Laker

Director of Academic & Corporate Governance