

UNIVERSITY OF DUNDEE

UNIVERSITY COURT

A meeting of the University Court was held at 2pm on 12 November 2024 in the Ustinov Room, Bonar Hall, City Campus.

Present: Amanda Millar (Chair);
Glenn Allison;
Alan Bainbridge (online);
Tricia Bey;
Manaswi Budhathoki;
Carolina Castro;
Greg Colgan;
Claire Cunningham;
Professor Kim Dale;
Regius Professor Sir Mike Ferguson;
Marcus Flucker;
Professor Iain Gillespie (Principal & Vice-Chancellor);
Andrew Lothian;
Dr Ian Mair (online);
Claire Martin;
Professor Linda Martindale;
Ron Mobed (online);
Dr Anna Notaro;
Amina Shah;
Karthik Subramanya;
Jay Surti (online);
Professor Garry Taylor (online); and
Sharon Sweeney.

In Attendance: Dr Paul Bennett (items 21-34);
Elise Gallagher (Director of People);
Dr Neale Laker (Deputy University Secretary);
Dr Jim McGeorge (University Secretary & Chief Operating Officer);
Dr Christine Milburn (Director of University Executive & Strategy Office)(Items 21-34);
Professor Shane O'Neill (Deputy Vice-Chancellor & Provost);
Dr Alison Ramsay (Senior Policy Officer (Corporate Governance));
Helen Simpson (Interim Director of Finance);
Susan Young (Head of Financial Accounting) (items 21-34)

Apologies: Carla Rossini.

17. WELCOME AND INTRODUCTION FROM THE CHAIR OF COURT

The Chair welcomed members to the meeting and, in particular, welcomed Claire Martin to their first meeting of the Court.

18. **CONFLICTS OF INTEREST**

The Chair invited members to declare if they had, or could be perceived to have, any conflicts of interest in relation to any items on the agenda. No conflicts were declared.

19. **MINUTES**

The Court decided: to approve the minutes of the meeting on 10 September 2024.

20. **MATTERS ARISING**

Action Log

The Court received the action log of Court business. Members noted that there were no matters arising which were either already on the agenda or not yet due.

The Court decided: to note the update.

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

The Court received a report from the Chair on activities undertaken on behalf of the Court and the University at an institutional and sectoral level. Members were apprised that the Chair continued to hold regular discussions with the Vice-Chancellor, Secretariat officers and UEG colleagues, which had served to keep her up to date with matters both within and outwith the University. Ms Millar had attended an event for University Chairs, welcome events for new students and the launch of the EDI Strategy, amongst other engagements.

Members were apprised of Susan Walker's resignation from the Court and noted that Claire Martin had been elected to fill the vacancy for a member of Staff Council. The Chair expressed their profound thanks to the Deputy Chair of Court for having conducted the review of their effectiveness, both in terms of the volume of one-to-one meetings held with individual members, but also in having coordinated the session on the effectiveness of the Chair at the previous meeting of the Court. Furthermore, the Chair commended Ms Bey for the manner in which she had delivered feedback from the meetings in a constructive and collegial way. The Chair reminded attendees that the Court was an environment in which all should feel able to express themselves freely and encouraged members to raise any concerns, either with herself, with the Deputy Chair or with the Deputy University Secretary.

The Court decided: to note the report.

22. **UNIVERSITY EXECUTIVE GROUP REPORT TO COURT**

The Principal & Vice-Chancellor introduced the University Executive Group report to Court, which provided an update on matters arising since the previous meeting of the Court. Members were advised that Dundee had been named Entrepreneurial University of the Year in the Triple E Awards for Europe, recognizing the University's excellence in supporting

enterprise and innovation.

The University had improved its performance, in both UK domestic and international league tables and members were advised that this would be discussed separately under paragraph 25. The University had implemented the 2024/25 new JNCHES pay award and had agreed with the campus unions that the Real Living Wage increase would be applied with effect from 1 October 2024. The consultation on proposed changes to the University of Dundee Superannuation Scheme (UoDSS) had concluded successfully at the end of September 2024 with unanimous support for the proposed changes.

Court was advised that the University had enjoyed recent success in securing several high-profile grant awards, including a major research programme funded by the Michael J. Fox Foundation. In addition, significant grants had been secured to enhance research within the Wellcome Centre and the School of Medicine.

Having outlined these positive developments, the Principal then turned to the main issue he wanted to highlight and discuss with the Court, which was the current financial environment and the University's fiscal position. Members were reminded that a deficit of £11.7m had been budgeted for 2024/25 but were advised that recent projections showed this would not be attainable and that the University's position had very seriously weakened. Downturns in student numbers and a hostile environment for international recruitment had resulted in a significantly more negative position than had been predicted, particularly for the Scottish HE sector. The announcement in the UK Budget of changes to employer National Insurance contributions, coupled with the Real Living Wage increase would add significantly to the University's costs and updated forecast estimates for Semester 2 student intake were not positive.

The Court was advised that the financial projections presented to the Finance & Policy Committee and the Audit & Risk Committee could not now be considered reliable. The Principal indicated that the current projection was that without immediate further action the University's deficit was likely to reach £30m. In light of the gravity of the situation, the paper on the proposed Full Business Case for the replacement of the Fulton Building Roof had been withdrawn.. The Court noted the utmost seriousness of the issue, was advised that the UEG was working at pace with colleagues across the University and that substantial cost and efficiency savings would require to be made and baselined which would have a significant effect on the institution. In addition, the University had breached two of its three banking covenants.

In the course of a lengthy and involved discussion, Court urged the UEG to take care not to prioritise short term actions to the detriment of the longer term sustainability of the institution. Members were apprised of the potential for income growth in some overseas markets but noted that, overall, the downturn in international student numbers would likely continue for some time. The UK Government's decision to allow Universities in England to raise tuition fee levels would have little effect on Scottish institutions and members noted that University Principals intended to open dialogue with the Scottish Government on the future of the funding model.

The Court was advised that the University would explore all possible avenues to achieve savings but that it would not be unreasonable to assume significant effects on the staff base would be necessary. The Court noted that the University Executive & Strategy Office was working closely with colleagues in Finance to review existing pay and non-pay budgets on a School by School and Directorate by Directorate basis. Forecast figures would receive early

scrutiny and the UEG would work in partnership with the Court and with staff to identify opportunities for the long-term academic and financial sustainability of the University, aligned to its values and Strategy.

The Court noted that the University sector as whole in the UK was facing similar challenges, with many institutions north and south of the border either in, or projecting, significant deficits and that transparency would be required with staff and students for the University to meet the current situation. The University Strategy to 2027 was discussed and the Court was advised that, although the Strategy would require to be flexible, the three pillars of Ensuring Academic Excellence, Growth & Globalisation and the Vibrant Campus remained core to the University's future sustainability.

Members welcomed the candour with which the Principal had apprised the Court of the current position and requested that the University Executive develop a range of scenarios for action in the short, medium and long term. The Court urged the Executive to consider being both disruptive and ambitious and to make staff aware of the University's financial position as soon as possible. Members expressed hope that the University community, including alumni, would come together to act in the best interests of the sustainability of the institution. Court members volunteered their expertise and skill sets in support of the University.

The Court decided: to note the report.

23. **FINANCIAL STATEMENTS FOR THE YEAR ENDING 31 JULY 2024**

(1) Annual Audit & Risk Committee Report

The Convener of the Audit and Risk Committee introduced the Annual Audit & Risk Committee report for 2023/24. The report summarised the Committee's activities, including internal audits during the 2023/24 academic year, external audit and the Committee's consideration of the financial statements for the year ending July 2024.

The Audit & Risk Committee had been satisfied with the work of the internal and external auditors and the reports provided by management and endorsed the annual report to the Court for approval.

The Court decided: to approve the report for onward submission to the Scottish Funding Council.

(2) Letter of Representation

The Court considered the proposed draft letter of representation which was to be provided to the auditors.

The Court decided: noting that the Financial Statements could not be finally approved, to approve in principle, all things being equal, the letter of representation for signature by the Chair and the Principal & Vice-Chancellor.

(3) Financial Statements 2023/24

The Court received the report and draft financial statements for 2023/24. The University Secretary & Chief Operating Officer informed the Court that the external audit work was largely complete but that, in light of the significant worsening of the University's financial position since the year end, the University would require to revisit and review the Statements. In particular, the University Executive would work with the external auditors, EY, on the review of the going concern assessment and the narrative sections accompanying the figures, which were presently overly positive.

In terms of the operational results, members were advised that the expectation was that the consolidated and institution statements of the University's financial position as at 31 July 2024 would remain unchanged.

Given that the going concern assessment would need to be revised, and that this would in itself need to be informed by plans which would set out how the University would address the current projected deficit for 2024/25, the Court was not in a position to fully approve the financial statements for submission to the Scottish Funding Council (SFC). The Interim Director of Finance and her team would continue to work with the auditors and the University's Bank to finalise the going concern assessment, which would require review and sign off by the Audit & Risk Committee, as well as the Finance & Policy Committee, before Court would be in a position to approve the Statements. It was expected that additional meetings of the committees and of Court itself would be likely to be required in order to meet the SFC deadline for submission of 31 December 2024. Officers would work with the conveners of the two committees as well as with the Chair of Court on the mechanisms for formal approval.

- The Court decided:**
- (i) to approve the financial reports in principle only, recognising that, while the audited financial reports (I&E, Balance Sheet, etc) were likely to remain unchanged, the narrative elements of the annual report, including the future outlook, required detailed review and that the going concern assessment needed to be revised and reviewed by the external auditors, Audit & Risk Committee and the Finance & Policy Committee ; and
 - (ii) to ask officers to work with Court colleagues on the mechanisms for final approval of the Statements in due course.

24. **KEY PERFORMANCE INDICATORS**

The Director of the University Executive & Strategy Office introduced the above annual report on progress relative to the University Strategy. The report provided commentary on performance in relation to each Key Performance Indicator (KPI) including, where relevant, an examination of broader indicators in order to deliver a more comprehensive analysis for members. The Court was advised that the University intended to rise to the challenges of the turbulence ahead for the sector in focusing on the delivery of the University Strategy 2022-2027 and, in particular, on the three strategic delivery pillars.

Members were reminded that the Court had approved eight KPIs and targets in April 2022, and that changes to two of these (KPIs 1 and 5) had been required in the intervening period as they could no longer be measured in the form originally approved. In each case, the indicator had been amended to provide a richer evidence base. Members sought assurances that the University remained confident in its ability to deliver against targets and were advised that the University Executive & Strategy Office had established greater control of the management of the data, with specific action groups formed to drive progress.

In discussion, the Court welcomed the report and identified the need for both forward and backward-looking metrics. Members also requested that consideration be given to the use of a balanced scorecard approach, where appropriate.

The Court decided: to note the report.

25. ANNUAL LEAGUE TABLE REPORT

The Deputy Vice-Chancellor introduced the above report, intended to apprise the Court of the University's performance in domestic, international and sustainability League Tables in 2024. Professor O'Neill drew members' attention to the significant improvement in most domestic league tables, having been named Scottish University of the Year 2025 by the Daily Mail and rising 16 places in that University Guide. Additionally, the University had risen by seven places in the Complete University Guide and by 14 places in the Guardian University Guide.

The Court was advised that a key factor behind this positive trajectory was the University's significantly improved results in the National Student Survey (NSS) 2024. The full benefit of this improvement was yet to feed through to those tables compiled before the publication of the NSS results and in those which average results across two years of surveys. Provided the University at least sustained its NSS performance in 2025, the institution could therefore see further improvement in its league table positioning.

The THE World University Ranking had seen a small improvement and, worldwide, the University was above the median across most pillars. Dundee's performance in the 2025 QS World University Rankings had also seen it climb 23 places, a particularly noteworthy improvement in the context of many UK Universities either remaining static or dropping in rank. This notwithstanding, the University still faced challenges in improving its position further with staff:student ratios declining and employment outcome metrics also in decline.

Members were apprised of the University's performance in the two main international sustainability/sustainable development-related league tables, noting that Dundee had held its ground in a highly competitive landscape. The University had benefited from the optimisation of evidence submitted to the QS Sustainability rankings, which had in turn helped to improve the overall QS World University Rankings.

In discussion, the Court sought assurances that the University's approach to resource allocation in a highly challenging financial climate would help build its reputation further. Members were advised that a strategic approach to data submission and the tailoring of evidence provided could boost the University's position.

The Court decided: to note the report.

26. **QUINQENNIAL REVIEW OF THE EFFECTIVENESS OF COURT**

The Chair of Court, as Convener of the Working Group established to lead the Quinquennial Review of the Effectiveness of the Court on behalf of the Governance & Nominations Committee, introduced the above report which summarized the recommendations made by the external reviewer. The Review had concluded that the governance of the Court was effective, with some opportunities for improvement and had been appended to the report for members' information.

The Chair thanked the Secretariat, the Working Group and the external reviewer and invited Court to consider the responses made by the Working Group to the recommendations. In discussion, members were largely supportive of the recommendations and, in particular, welcomed the proposal that the Court should visit other parts of the University in order to enhance the visibility of the governing body. The Court also noted the importance of vigilance in the area of cyber security and was advised that this was a focus for the Audit & Risk Committee.

Members agreed the proposals to review the remit and membership of the Committees of Court and endorsed the recommendations regarding more regular and strategic agenda-planning meetings between conveners and officers. The Chair noted that an action plan would be developed for consideration and monitoring by the Governance & Nominations Committee and invited Court members to send any comments to the University Secretary, the Deputy University Secretary or the Clerk to Court.

The Court decided: to note the report.

27. **OUTCOME AGREEMENT WITH SFC**

The Director of Strategic Planning and Insight introduced the above paper, intended to apprise the Court of the Scottish Funding Council (SFC) new Outcomes Framework and Assurance Model (OF&AM) which had replaced Outcome Agreements. Members were advised that the Framework no longer required SFC to agree bespoke outcomes and activities in advance but that SFC would monitor delivered outcomes retrospectively.

Dr Bennett drew the Court's attention to the principal changes in the arrangements for assuring outcomes previously covered by the Outcome Agreement. Members were advised that the OF&AM would include five outcomes previously covered by SFC outside of the Outcome Agreement and that the new arrangements were intended to be less burdensome inasmuch as they would make greater use of existing data and sources of information, thus reducing the requirement for written commentary from institutions.

The Court decided: to note the report.

28. **RESEARCH DEVELOPMENT CONCORDAT**

The Court received and considered the above Researcher Development Concordat Annual Report for 2023/24. Members were advised that governing body sign-off was required prior to the Report being shared publicly and that, in previous years, the Report had been

reviewed by the People & Organisational Development Committee.

The Court decided: to approve the report.

29. **REPORT FROM THE SENATUS ACADEMICUS**

The Court received and considered the above report of the meeting of the Senate held on 9 October 2024, prepared for the Court's information. Members noted that any actions detailed within the report would be taken forward as indicated in the minutes for the meeting of the Senate.

The Court decided: to note the report.

30. **COMMITTEE REPORTS**

(1) Audit & Risk Committee

The Convener of the Audit & Risk Committee introduced the report from the most recent meeting and drew the Court's attention to the Committee's consideration of the External Audit Annual Report, the Institutional Risk Register and the draft Financial Statements for 2023/24. Members were also advised that the Committee had approved the methodology employed in the production of the TRAC return.

Minutes of the Committee's meeting on 22 October 2024

The Court received the minutes of the meeting.

The Court decided: to approve the minutes

(2) Finance & Policy Committee

The Deputy Chair of Court introduced the report from the most recent meeting of the Finance & Policy Committee.

Minutes of the Committee's meeting on 10 October 2024

The Court received the minutes of the meeting.

The Court decided: to approve the minutes

(3) Governance & Nominations Committee

The Convener of the Governance & Nominations Committee introduced the report from the most recent meeting and noted that the Committee had approved the 2024 update to the University's Modern Slavery Act (2015): Slavery and Human Trafficking Statement. Members were also advised that the Committee had reviewed the Annual Review of Diversity on Court Statement.

Minutes of the Committee's meeting on 15 October 2024

The Court received the minutes of the meeting.

The Court decided: to approve the minutes

(4) People & Organisational Development Committee

The Convener of the People & Organisational Development Committee introduced the report from the most recent meeting and drew the Court's attention to the Committee's consideration of updates on People & Talent Strategy developments and preparations for the 2025 staff engagement survey. Members also noted the Committee's approval of the Close Personal Relationships Policy.

Minutes of the Committee's meeting on 24 October 2024

The Court received the minutes of the meeting.

The Court decided: to approve the minutes

(5) Welfare & Ethical Use of Animals Committee

The Court received the report of the meeting of the Welfare & Ethical Use of Animals Committee held on 4 July 2024.

The Court decided: to approve the minutes.

31. **NARRATIVE FOR THE SENATUS ACADEMICUS**

The Chair of Court recommended, and the Court agreed, to highlight to Senate the Court's lengthy discussion of the University's financial position and its consideration of the report on Key Performance Indicators. It was agreed that the congratulations of the Court on being named Entrepreneurial University of the Year in the Triple E Awards for Europe

The Court decided: to note the areas for inclusion in the report to the Senate.

32. **COMMUNICATIONS FROM THE COURT**

The Court agreed that the post-Court communication to staff and students would focus on the Court's challenging, robust and meaningful discussions on the University's financial position. Members further agreed that the University was not alone in facing a difficult and uncertain time ahead but noted its belief that the University community would unite in meeting the challenges to come.

The Court decided: to note the areas for inclusion in the communication to staff and students.

33. **SENIOR STAFF APPOINTMENTS**

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

Name	Title	New appointment	Internal promotion
Husan Al Waers	Professor, School of Business		
Jacqui Morris	Professor, School of Health Sciences		
Daniel Cook	Professor, School of Humanities, Social Sciences & Law		
Josephine Ross	Professor, School of Humanities, Social Sciences & Law		
Adrian Saurin	Professor, School of Medicine		
Ellie Hothersall	Professor, School of Medicine and Head of Undergraduate Medicine		
Megan O'Neill	Professor, School of Humanities, Social Sciences & Law	Yes	

The Court decided: to note the appointments.

34. **ANY OTHER BUSINESS**

No other business was declared. The Chair thanked members for their contributions.

35. **DATE OF NEXT MEETING**

The date of the next meeting was noted as 25 February 2025.

Amanda Millar
Chair of Court
University of Dundee