

## Annual review of the effectiveness of Court: Session 2015/16

### 1. Introduction

All Boards and Governing bodies should regularly review their effectiveness, and the Scottish Code of Good HE Governance requires the Courts of universities to do so annually, and, in that context, both to measure compliance with the Code and performance against Court's Statement of Primary Responsibilities (see appendix). At its meeting in June 2015, Court agreed that it should consider an evaluative annual report on quantitative and qualitative aspects relating to the conduct of Court and its committees in the preceding academic year, as set out in the diagram below, and that a summary should be included in the Annual Report & Financial Statements.

This is the second such report, which has been prepared by the Secretary with contributions from the Chair of Court. Members of Court are invited to agree that it is an accurate evaluation of Court's effectiveness in 2015/2016.

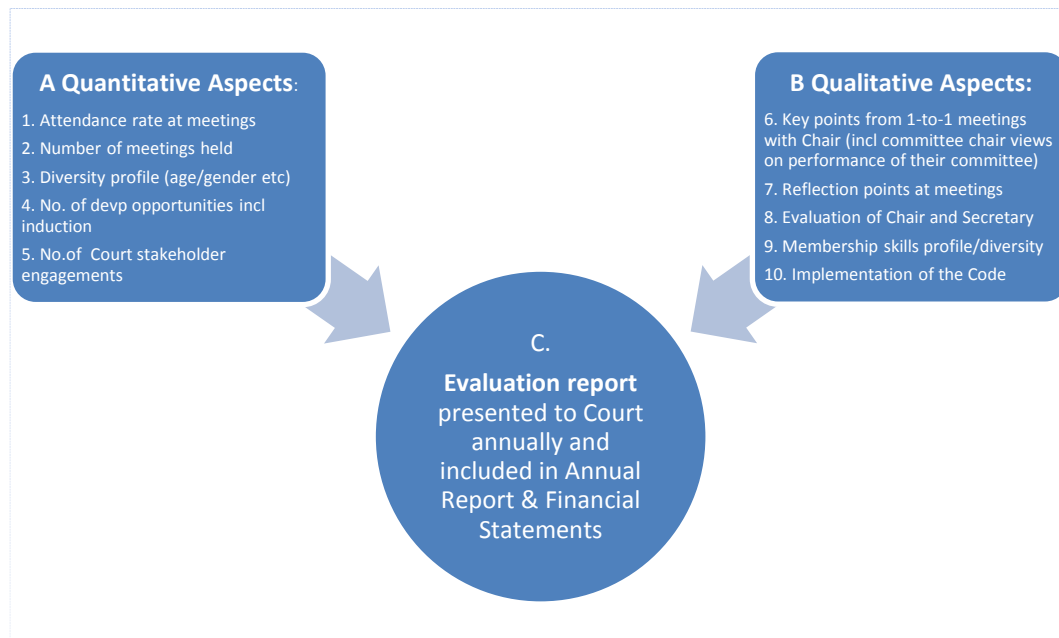


Fig 1: Approach to Annual Court Effectiveness Evaluation at Abertay

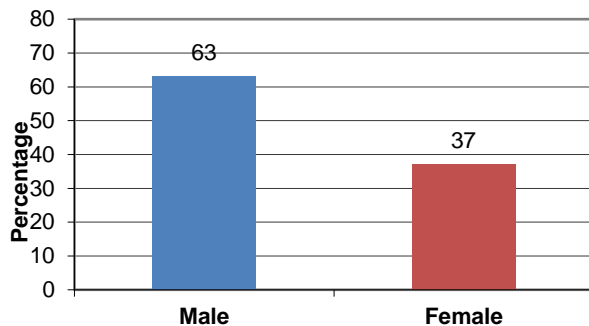
## 2. QUANTITATIVE MEASURES

### A. Meetings and attendance

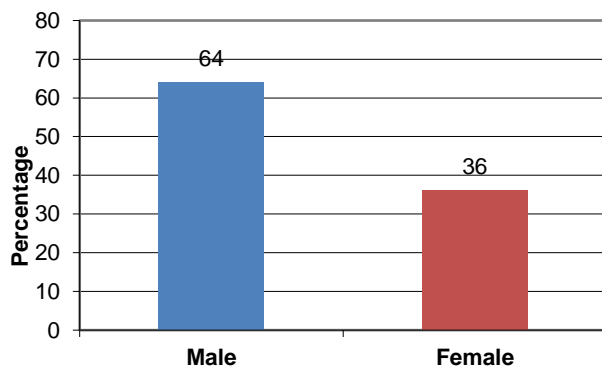
Court met on five scheduled occasions in the academic session 2015/16. There were no special meetings requested or required. Five of the six committees of Court also met five times each, in advance of the Court meetings; and the Remuneration Committee met on two occasions. Compared with session 2014/15, attendance at Court and its committees improved from 77% attendance rate to 82%.

### B. Membership profile

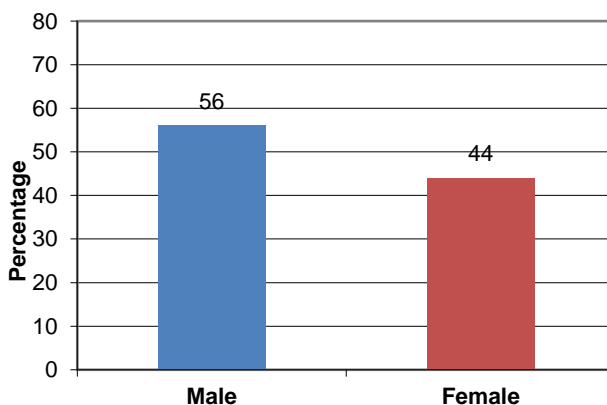
#### Gender Balance



**Fig 2 above:** Gender balance among *all members in post* during the year [2014/15 was 68% male/32% female]



**Fig 3 above:** Gender balance among *all members of Court* as at 1 August 2016 [same as 2014/15]



**Fig 4 above:** Gender balance amongst *independent members of Court* as at 1 August 2016 [2014/15 was 61% male/ 39% female]

Age profile of independent members:

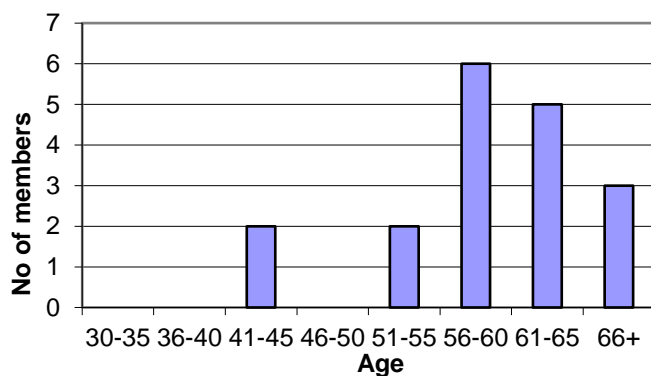


Fig 5 above: Ages of independent members of Court as at 1 August 2016.

Background of independent members:

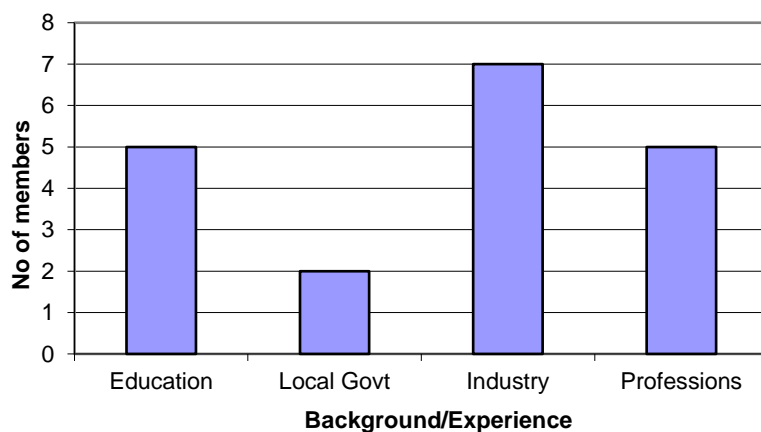


Fig 6: Main background/experience of independent members of Court

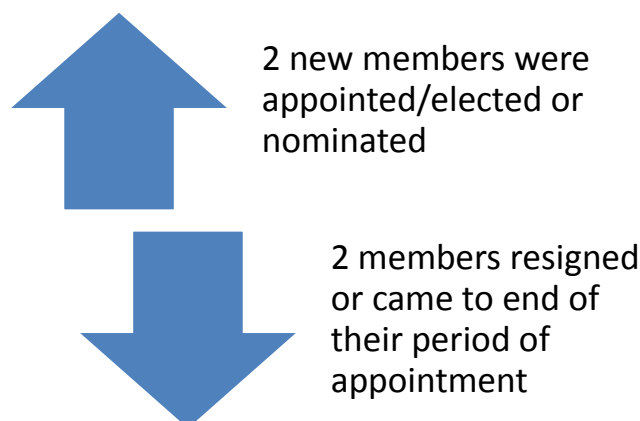
**New appointments:**

During the session (31 July 2015 to 1 August 2016), there was some change in membership, although less change than in the previous session, as follows:

- 1 independent member came to the end of his period of appointment and was replaced by a previously-accepted independent member;
- 1 elected staff member came to the end of her period of appointment.

A staff election was conducted and the elected staff member vacancy was filled. The Student President came to the end of his period of appointment, but has been re-elected as President and therefore remains as a member of Court in 2016/17.

In summary:



#### **Development opportunities:**

- 2 new members attended a formal induction briefing provided by the University Secretary and Corporate Governance Manager.
- 4 members attended external development events run by the Leadership Foundation for Higher Education
- Visits to parts of the University also contributed to individual members' development (see below) by giving them first-hand insight into activities.

#### **Engagement with stakeholders:**

During the session, a number of members of Court participated in some or all of the following formal engagements with a range of stakeholders:

- Visit to the new Abertay Students' Association offices to meet staff and see facilities
- Visit to the Teaching and Learning Enhancement unit to meet staff
- Visit to laboratory areas in the School of Science and Engineering Technology to view the facilities ahead of taking a decision on investing significant costs in reconfiguring and refurbishing these area
- Visit to the Registry and Secretariat units to meet staff
- Attendance at 2 prize-giving events and participation in 3 graduation ceremonies (in November and July)
- Honorary Fellows event
- Public events at the University such as professorial lectures, exhibitions, staff summer party etc

### **3. QUALITATIVE MEASURES**

#### **Diversity:**

There was improvement during the year in terms of gender balance amongst the lay members of Court, with the percentage of female lay members gradually increasing to 44% from 39% thus meeting Court's target of Court comprising at least 40% women among independent members. The overall gender split has improved slightly, but women still form less than 40% of the total membership.

On age profile amongst lay members, the skewed picture of a few years ago (where most members were over 60) has improved such that there is more of spread of age range, albeit with no younger members (in their 30s).

### **Feedback from members at meetings of Court and with Chair**

At the end of each Court meeting, the Chair invites members to reflect on the conduct of business to ensure that views are captured as close to the meeting as possible. During the year, there were no concerns expressed and it was felt that the volume of business and the papers presented, were appropriate.

Reflecting on the conference that preceded the April meeting, most members commended the calibre of the presentations given at the Court Conference. One member raised concerns that the presentations had not accurately represented the views of staff. In discussion, members noted that a lack of consultation with staff had emerged as an area for improvement and were assured that work was underway to address and ameliorate the responses to the staff engagement survey. Court also considered the ways in which staff could have greater dialogue with the governing body and noted the importance of engagement in the tours of schools and services, to which staff would be invited in future.

### **Chair's discussions with members**

The Chair seeks, so far as practicable given the pressures on diaries, face to face discussions with individual Court members each year. In 2015-16 he held such meetings with most Court members. No issues of concern were raised by any party, and all those involved were positive both about their involvement with the University and their role in ensuring effective governance. Those who chaired or were members of Court committees enjoyed their involvement, and members were generally content that the business presented to Court and its committees was appropriate, that the information provided to them enabled them effectively to discharge their responsibilities for good governance, and were well satisfied with the support provided to them by the University Secretary and her colleagues.

### **Evaluation of effectiveness of Chair and Secretary**

Following the designation of one independent member as the Court 'Intermediary' and in line with the agreed procedure, there was an opportunity at the meeting of Court in December for the Intermediary to lead a discussion on the effectiveness of the Chair without the Chair present. The context for this discussion was the Court-approved 'Chair of Court: Role and Responsibilities' paper. Members of Court confirmed that they felt that the Chair was very effective in his role.

The Chair of Court with the Secretary agreed a Pathways objective for 2015/16 that related to her role as Secretary to Court. This was discussed at the end of the year between the Chair and the Secretary and achievement of the objective confirmed.

### **Engagement with stake-holders**

All Court members, especially independent members, had a range of opportunities to meet informally with staff and students of the University and other interested parties such as Honorary Fellows (see above). Members particularly valued opportunities to meet students and staff whom they might not encounter at regular Court or Committee meetings. Further opportunities will be sought for engagement of this kind, to enhance the visibility of Court and assist the development of Court members.

New methods were adopted in 2015/16 to increase the engagement with stakeholders. Specifically, Court members (especially lay members) were invited to attend meeting of Senate as observers and similarly Senate members were invited to observe Court meetings. During the session, three Professorial members of Senate attended Court meetings and five lay members of Court attended meetings of Senate. This included the Chair of Court who gave a presentation on the role of Court. Steps are already in place to increase the number of observers at Court meetings by inviting all staff (there will be two 'places' for Senate members and two for other staff).

### **Meeting the principles of the Scottish Code of Good HE Governance**

The Code was published in July 2013 and an action plan was approved by Court shortly thereafter. Such action as was required was largely implemented in 2013-14 and fully implemented by February 2015.

A new University website was introduced in January 2016 and this contains a section on governance containing items suggested by the Code for publication. During 2015/16, the internal auditors were invited to audit compliance with the Code and the report concluded that only two minor areas required to be addressed. One related to the inclusion of two new points within the Court 'Statement of Primary Responsibilities' document, which has been completed and the other recommendation was for the names of Court committee members to be included on the website. This has now been implemented.

### **Meeting the primary responsibilities**

The primary responsibilities of Court are set out in the Appendix. Court fulfilled those responsibilities during the year.

Court considered and discussed agreed Key Performance Indicators.

The responsibility to delegate authority to the Principal and to keep this under regular review was discharged through the new Scheme of Delegation on which a second annual report was received and accepted.

Court also supported non-discriminatory systems ensuring equality and diversity of opportunity for staff and students through the work of its People, Health & Equality Committee.

## **4. Summary evaluation**

On the basis of the above, there can be confidence that Court continues to be effective.

There are significant areas of focus for session 2016/17 are:

- Implementing the Scottish Government legislation on HE governance;
- Overseeing the completion of an externally-facilitated effectiveness review;

- Participating in the review of the Scottish Code of Good HE Governance
- Further enhancing the governance section on the University's website; and
- Continuing to identify opportunities for formal and informal engagement with key stakeholders.

August 2016  
University Secretary with contributions from Chair

The primary responsibilities of Court, as the governing body of the University, are

1. To approve the mission and strategic vision of the University, long-term academic and business plans and key performance indicators (KPIs); to ensure that these meet the interests of stakeholders; and to ensure that there are opportunities for Court to provide strategic input in the development of key strategies and long-term plans such that their approval can be considered by Court without conflict of interest.
2. To appoint a Principal and Vice-Chancellor as chief executive, and to put in place suitable arrangements for monitoring his/her performance.
3. To appoint a secretary to Court and to ensure that, if the person appointed has managerial responsibilities in the University, there is an appropriate separation in the lines of accountability.
4. To delegate authority to the Principal and Vice-Chancellor of the University, as chief executive, for the academic, corporate, financial, estate and personnel management of the University; and to establish and keep under regular review the policies, procedures and limits within such management functions as shall be undertaken by and under the authority of the Principal.
5. To ensure the quality of Institutional education provision.
6. To ensure adherence to the funding requirements specified by the Scottish Funding Council in its Financial Memorandum and other funding documents.
7. To ensure the establishment and monitoring of systems of control and accountability, including financial and operational controls and risk assessment, and procedures for handling internal grievances and 'whistle-blowing' complaints and for managing conflicts of interest.
8. To ensure that processes are in place to monitor and evaluate the performance and effectiveness of the University against the plans and approved key performance indicators, which should be – where possible and appropriate – benchmarked against other comparable institutions.
9. To establish processes to monitor and evaluate the performance and effectiveness of Court itself.
10. To conduct its business in accordance with best practice in higher education corporate governance and with the principles of public life drawn up by the Committee on Standards in Public Life.
11. To safeguard the good name and values of the University.
12. To be the employing authority for all staff in the University and to approve a human resources strategy.
13. To ensure that non-discriminatory systems are in place to provide equality and diversity of opportunity for staff and students.
14. To be the principal financial and business authority of the University, to ensure that proper books of account are kept, to approve the annual budget and financial statements, and to have overall responsibility for the University's assets, property and estate.
15. To be the University's legal authority and, as such, to ensure that systems are in place for meeting all the University's legal obligations, including those arising from contracts and other legal commitments made in the University's name.
16. To make such provision as it thinks fit for the general welfare of students, in consultation with Senate.
17. To act as trustee for any property, legacy, endowment, bequest or gift in support of the work and welfare of the University.
18. To ensure that the University's constitution is followed at all times and that appropriate advice is available to enable this to happen.