

Approved



UNIVERSITY COURT

MINUTES

of the meeting of the University Court held in the Boardroom on **Wednesday 14 June 2023** from 14:00

Chair: Mr D Brew

Ms N Ahmed	Ms H Dunk	Mr J MacGregor
Professor L Bacon	Professor R Falconer	Mr A Marks
Ms L Baldie	Professor A Irons	Mr I McDonald
Mr J Barnett	Mr F Keir	Dr H Mehrpouya*
Ms R Donoghue	Ms V Lynch	Ms O Robertson
Ms A Duffy	Ms C MacEachen	Professor E Sim

Secretary to Court: Ms C Summers

Minute Secretary: Dr D Peden

In attendance: Dr H Coutts (minute 107); Ms E Fraser, Ms J McKenzie, Ms O Morgan (Observer); Mr M Skinner, Mr C Warnock (minute 109); Mr G Weir; Professor N White* (minute 108)

**attended via MS Teams*

NON-RESERVED BUSINESS

Preliminary Matters

101. Welcome and Apologies for Absence

Oral Report

The Chair welcomed members to his first Court meeting as Chair. The Chair extended a special welcome to Professor Falconer, who was attending her first meeting as the newly elected Academic Staff Member and the Abertay Students' Association Vice-President Elect, Ms Morgan, who was joining as an Observer.

The Chair noted that the Head of Planning & Insight, Dr Coutts would join the meeting for agenda item 6, the Dean of Research and the Graduate School, Professor White for agenda item 7 and the Head of Estates, Mr Warnock for agenda item 8.

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Apologies for absence were received from Mr A Bailey and from Ms L Hamilton, who was currently on leave of absence.

102. Declaration of Potential Conflicts of Interest **Oral Report**

The Chair reminded members of their responsibility to indicate if they had, or could be perceived to have, a conflict of interest in relation to the non-reserved items for discussion.

Ms Dunk declared an interest in agenda item 11.

103. Feedback on Pre-Court Session **Oral Report**

Court noted its thanks for the pre-Court session where members had met with the Lead Voices network and had the opportunity to attend the poster session as part of the Postgraduate Research Student Summer Conference. Court welcomed the opportunity to meet with students and staff across the University and the Chair noted that similar opportunities would be organised as frequently as possible.

Court and Governance Matters

104. Minutes of the meeting of Court held on 26 April 2023

(non-reserved)

CT/0623/71

The Chair noted one amendment to the draft minutes to add Ms Donoghue to the list of attendees.

Action: Head of Governance and Deputy Secretary to make the required amendment to the minutes of the meeting of Court held on 26 April prior to their publication.

Court received and considered the minutes, submitted as enclosure 71 and approved (subject to the amendment noted above) them as an accurate record.

105. Matters arising from these minutes **Oral Report**

The Chair noted that there were no matters arising from these minutes.

**106. Minutes of the meeting of the Chair's Committee held
on 29 May 2023 (non-reserved)**

CT/0623/72

Court noted the unapproved minutes (agreed with the Chair) of the non-reserved part of the meeting of the Chair's Committee held on 29 April 2023, submitted as enclosure 72.

The Chair highlighted that Annex A included an updated copy of the Court and Committee schedule for 2023-24, with changes annotated in red.

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Matters for Discussion/Approval

Dr Coutts joined the meeting

107. Operational and Financial Planning 2023-24 to 2025-26 CT/0623/73

The Chair noted that University's updated operational and financial plans for 2023-24 to 2025-26 were submitted as enclosure 73 and provided:

- an update on the planning process and the context in which the University was operating;
- the university-level financial plan and capital plan for 2023-24 to 2025-26;
- the detailed planning assumptions underpinning these plans and risks associated with these; and
- the operational planning priorities.

Current Planning Assumptions

The Vice-Principal (Strategy & Governance) and University Secretary, Ms Summers, introduced the paper. Court noted that the paper reflected the position agreed with the Executive Group and the Senior Management Team (SMT) and that an earlier version of the paper had been considered at the meeting of the Finance and Corporate Performance Committee (FCPC) on 1 June 2023. Ms Summers highlighted that detailed plans for the Schools and Services underpinned the university-level plans and acknowledged the work undertaken by Dr Coutts in supporting the planning process.

Court noted that the external environment remained challenging, with a further real-terms reduction in Scottish Funding Council (SFC) funding for 2023-24. Ms Summers noted that the budget was based on the SFC indicative funding announcement discussed by Court in April, but that final funding allocations had been published in May, with the impact on the University being an increase of £27k. The final funding position would be incorporated into the next version of the budgets and into the Strategic Financial Forecasts to be returned to SFC at the end of June.

Court noted that the University had not filled its SFC funded places in 2022-23 and that the current projections indicated that the position would worsen in 2023-24 and subsequent years, leading to a risk of clawback of funding from SFC. Ms Summers noted that this was consistent with the sector position and that SFC had reported an overall shortfall in the number of students in 2022-23, leading to an increasingly competitive recruitment environment. Court noted that the University could now recruit more international students to study in Dundee and that this has been built into the budget. Court noted that detailed information on student number assumptions was provided in sections 4.2 and 4.3.

Ms Summers noted that in 2023-24 there would be modest investment in activities which could generate income in the medium term, or which would transform the way we do business or improve facilities to keep attracting students and staff. Ms Summers noted that the Executive Group recognised that the current position for Years 2 and 3 was not satisfactory and that the Executive Group were actively discussing mitigating action to improve the position.

Financial and Capital Investment Plans

The Director of Finance, Infrastructure and Corporate Services, Mr Weir, introduced the overview of the financial position detailed in section 6 and Annex C. Court noted

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that the EBITDA (Earnings Before Interest, Tax, Depreciation and Amortisation), target for 2022-23 was set at 8 to 10% with the forecast outturn for the current year expected to be c.10.5%. Court discussed the proposed revision to the EBITDA target range as outlined in section 6.2 and the forward projections for 2023-24 to 2025-26.

Court noted that the financial models outlined in section 6 are based on a set of assumptions that bring a level of risk to the projections, with further information on the risk factors/scenario planning provided in section 6.6. Court noted FCPC had received further details at its meeting in December. Court discussed the potential impact of the shortfall in recruitment in 2022-23 which would impact the 2024/25 budget and that an assumption for clawback had been incorporated. It was agreed that this should be kept under review.

Mr Weir provided an overview of the Capital Investment plan as at May 2023 and highlighted projects funded by EBITDA, those funded by the Tay Cities Deal and those agreed as part of the current planning round. Court noted that a funding proposal for the Scottish Government's Heat Network fund had been submitted and that a fallback position to replace gas boilers had been built into the budget. Court noted an additional element of the capital programme funded by the sale of residences and noted that there are SFC conditions attached to the use of the proceeds as the residences had been publicly funded. Court noted that the proposed list of projects had been developed based on extensive consultation with staff and student representatives.

Court noted the potential remedial works to the Kydd Building roof and that specialist surveyors had been instructed to undertake a full inspection.

Court noted the detailed planning assumptions on which the plans were based.

Court agreed that the target EBITDA for 2023-24 should be in the range 6% to 8%.

Court approved the financial plan set out in section 6 and Annex C: Court noted that this will form the basis of the strategic financial plan submission to the SFC, which will be submitted at the end of June 2023.

Court approved the capital plan assumptions [section 6.4] and noted the requirement for business case development and approval of any major projects.

Dr Coutts left the meeting

Professor White joined the meeting

108. Sustainable Development Strategy

CT/0623/74

The Chair welcomed Professor White, who introduced the Sustainable Development Strategy, developed in consultation with the Abertay community. It was noted that it had been discussed by FCPC and Senate at their meetings in June 2023.

The Chair noted that FCPC had queried the net-zero target date of 2038 and that Professor White had provided further information to the committee, noting that the target date conveyed our ambitions and was intended to accelerate our progress towards net zero. The target date was in line with others in the sector and prior to the target of 2040-45 or before set by the Scottish Funding Council for all Scottish Colleges and Universities. Court noted that the Scottish Government had also set

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increasingly ambitious targets as part of their programme for government, bringing forward the date to achieve zero emissions by 2038 for public sector buildings.

Court noted that a copy of the completed Equality Impact Assessment (EIA) had been included as Annex A.

Court formally approved the Sustainable Development Strategy for publication.

Professor White left the meeting

Ms Lynch and Dr Mehrpouya left the meeting

Mr Warnock joined the meeting

109. Estates Strategy

CT/0623/75

The Chair welcomed Mr Warnock, who introduced the Estates Strategy, developed in consultation with the Abertay community. It was noted that it had been discussed by FCPC and Senate at their meetings in June 2023.

Court noted that a copy of the completed EIA had been included as Annex A. Mr Warnock noted his thanks to Ms Fraser for her support in finalising the EIA.

Court formally approved the Estates Strategy for publication.

Mr Warnock left the meeting.

Committee Matters

110. Audit and Risk Committee (ARC)

110.1 Minutes of the meeting held on 23 May 2023 (unapproved) CT/0623/76

Mr Barnett, as the Chair of ARC, introduced the minutes and noted that they were largely for information. Mr Barnett noted that the Chair and the Principal & Vice-Chancellor, Professor Bacon, had attended the meeting.

Mr Barnett highlighted that the current external members of the committee had now completed their terms of office and that new members were yet to be appointed. Court noted that a recruitment process would be undertaken and that if any members had any proposals for potential new external members to discuss them with the Secretary to Court, Ms Summers.

Court noted the minutes of the meeting of ARC held on 23 May 2023.

111. Finance and Corporate Performance Committee (FCPC)

111.1 Minutes of the meeting held on 1 June 2023 (unapproved) CT/06/23/77

Mr Marks, as Chair of FCPC, introduced the minutes and noted that the Committee had not been quorate. The minutes were largely for information although there was one item (Item 60 - Information and Records Management Policy) to consider for approval. Mr Marks also noted that several of the items considered by the Committee at its June meeting had already been discussed and approved by Court earlier in the meeting.

Approved

Court approved the revised Information and Records Management Policy and noted the minutes of FCPC held on 1 June 2023.

112. Governance and Nominations Committee (GNC)

112.1 Minutes of the meeting held on 15 May 2023 (unapproved) CT/0623/78

In the absence of the Committee Chair, Ms Summers introduced the minutes and noted that they were largely for information although there were several items to consider for approval.

Ms Dunk left the meeting

Minute 39 – Appointment of the Vice-Chair of Court

Court approved the appointment of Ms Dunk as the Vice-Chair of Court.

Ms Dunk rejoined the meeting

Minute 40 – Review of Rules for Election and Nominations to Court

Court approved the revised Rules for the Nominations of Vice-Principals to University Court (Annex A).

Court approved the revised Rules for the Nomination of Abertay Students' Association Members to University Court (Annex B).

Court approved the revised Rules for the Election of Trade Union Members to University Court (Annex C).

Court approved the revised Rules for the Senate Nomination to University Court (Annex D).

Secretary's note – correction of the minute – Annex C was entitled Rules for the Nomination of Trade Union Members to University Court

Minute 41 – Recruitment of new Lay Members to Court

Ms Summers noted that following the interviews for new lay members in late May, the Committee recommended the appointment of three individuals for an initial term of 3 years from 1 August 2023.

Court approved the appointment of Ms Liz Blackburn, Ms Pamela Herries and Mr Steven Traynor to Court.

Court noted that the allocation to committees would be discussed with Committee Chairs in due course. The Chair noted that an additional recruitment round would be undertaken in the autumn.

Minute 42 – Feedback on Committee Terms of Reference

Court noted that Chair's Committee, GNC, People, Health, & Equality Committee (PHEC) and the Remuneration Committee were content with their revised ToRs and had not proposed further changes.

Approved

Court approved the revised ARC Terms of Reference (Annex F).

Court approved the revised FCPC Terms of Reference (Annex G).

Finally, Court noted the minutes of the meeting of GNC held on 15 May 2023.

113. People, Health and Equality Committee

113.1 Minutes of the meeting held 31 May 2023 (unapproved) CT/0623/79

Ms Dunk, as Chair of PHEC, introduced the minutes and noted that they were largely for information although there were three items to consider for approval. Ms Dunk noted that the Chair had joined the meeting and that other members were welcome to observe future meetings. Court noted that the EIAs had been submitted for each of the policies under consideration.

Court approved the Alcohol, Drug and Substance Misuse Policy (Annex A)

Court approved the Visa Reimbursement Policy (Annex C)

Court approved the Market Supplements Policy (Annex E).

Finally, Court noted the minutes of the meeting of PHEC held on 31 May 2023.

114. Remuneration Committee

114.1 Report from the meeting held 15 May 2023 CT/0623/80

Mr Marks, as Chair of the Remuneration Committee, introduced the report which was largely for information. Court noted the following items:

Minute 20: Annual report on severance arrangements 2021-22.

Court noted that the Committee had received and noted the annual report on severance arrangements. Court noted that the Committee had also approved minor amendments to the Severance Statement to reflect changes in job titles.

Minute 22: Update of the 'Ceasing pension contributions due to tax allowances' policy.

Court noted that the Committee had discussed and noted a paper outlining the effect of recent changes to pension tax allowances on the University's policy and that the position would be kept under review.

Minute 21: Pay award for senior staff not on the national pay scale.

Court noted that the Committee had also considered pay awards for senior staff who were not on the national pay scale. Court noted that more detailed decisions would be reported under Reserved Business, agenda item 23.

Finally, Court noted the report of the meeting of the Remuneration Committee held on 15 May 2023.

Approved

Ms Ahmed left the meeting.

Senate Matters

115. Minutes of the meeting of Senate held on

7 June 2023 (unapproved)

CT/0623/81

Professor Bacon, as Chair of Senate, introduced the minutes that were largely for information. Professor Bacon also noted that several of the items considered by the Committee at its June meeting had already been discussed and approved by Court earlier in the meeting.

Court noted the following items:

Item 51 Process for the nomination of a Senate member to Court.

Court noted that Senate had agreed that the nomination process would be conducted by circulation with an online election, if required, to ensure that the successful candidate would be elected in time to attend the first Court meeting of 2023-24 on 20 September.

Item 52 Draft Annual Report to the Scottish Funding Council on Quality 2022-23.

Court noted that Senate had reviewed the draft report and that the final draft would be submitted to Court for approval at its meeting on 20 September, which was prior to the deadline for the submission to SFC on 30 September.

Finally, Court noted the minutes of the meeting of Senate held on 7 June 2023.

116. Academic Matters Report

CT/0623/82

Professor Irons introduced the report and provided a brief overview on the wide range of activities across the University and noted the commitment of colleagues to engage with the wider community (locally, nationally, and internationally) as well as the commitment to support and work with students to shape the student experience.

Professor Irons highlighted that the European First Year Experience (EFYE) Conference hosted by Abertay would take place 27-29 June with over 300 delegates registered.

Professor Irons noted that it had been announced earlier that day that the University was the preferred bidder to lead a new research and development facility in Dundee. The lab will be one of four for the UK and is part of UKRI's Convergent Screen Technologies and Performance in Realtime (CoSTAR) programme, supported by £75.6 million of UK government funding and £63 million of new industry investment, forming the largest virtual production research and development network in Europe.

Court noted its congratulations on the breadth of research and engagement highlighted in the report and noted the academic matters report.

Approved

Matters for Information

117. Students' Association Report to Court

CT/0623/83

Ms Robertson as the Students' Association President and Ms Baldie as the Students' Association Vice-President introduced the report, which provided a brief overview of the Students' Association's recent activities.

Ms Robertson highlighted the success of the wellbeing week, organised as part of the mental health awareness week, which was to aid healthy study sessions. Court noted that Ms Robertson has been part of the LifeHacks panel organised by BBC Radio 1.

Court noted that the report also provided a recap of the Students' Association events during 2022-23. Court noted that the attendance of the President and Vice-President at internal and external meetings was highlighted in the report and acknowledged the importance of the student voice being heard at these key meetings. Court also noted that as Ms Robertson had been re-elected the report also provided an insight into the plans for 2023-24.

Court noted the update from Ms Baldie, her last as Vice-President, and recognised the work she had undertaken on the housing survey and the importance of the issues for students, particularly in the current climate.

Court noted the report from the Students' Association.

118. Executive Group Report to Court

CT/0623/84

Court noted the update on the continuing national dispute in relation to the 2022-23 National Negotiations by UCU, which was now taking the form of action short of a strike, including a marking and assessment boycott since 20 April 2023. Court noted that to date there had been no impact from this.

Court noted the update on Trusted research status and that it would be asked to consider a draft policy in the autumn, following discussion with relevant committees and appropriate consultation. Court discussed whether there was an impact on patents and intellectual property. Court noted that the risk register would be reviewed and updated accordingly and that protocols for considering trusted research were being embedded into research applications.

Court noted the report from the Executive Group.

119. Departure of Members

Oral Report

The Chair noted that this was Ms MacEachen's last meeting as her term of office as Senate nominated member of Court comes to an end on 31 August. Court wished Ms MacEachen well in her new role as Dean of International and UK Partnerships and thanked her for her contribution, noting that Court had benefited greatly from her insights.

The Chair noted that this was Ms Baldie's last meeting as her term of office as Abertay Students' Association Vice-President comes to an end on 30 June 2023. Court thanked Ms Baldie for her contribution to Court and the work of the Students' Association over the last year.

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120. Any Other Competent Business

Oral Report

The Chair noted that the Governance Office would be in touch with Court members over the summer with regards to communications and IT, including the potential for members to have an alert sent to a separate external email address when new mail is available for them to review in their Abertay account.

Professor Bacon, Ms Fraser, Professor Irons, Ms MacEachen, Ms McKenzie, Ms Morgan and Mr Weir left the meeting.

Date of the next meeting of Court: Wednesday 20 September 2023

**Mr D Brew
Chair**