

MINUTE OF A MEETING of the University Court of the University of Edinburgh held in the Mary Kinross Room, QMRI, Little France on Monday, 21 June 2010.

- Present:**
- Dr J Markland, Vice-Convener (in chair)
 - The Principal
 - The Rt Hon Lord Cameron of Lochbroom
 - Professor A M Smyth
 - Mrs M Tait
 - Dr M Aliotta
 - Professor J Ansell
 - Professor D Finnegan
 - Professor L Yellowlees
 - The Rt Hon G Grubb, Lord Provost of the City of Edinburgh
 - Professor J Barbour
 - Mr P Budd
 - Professor S Monro
 - Mr M Murray
 - Ms A Richards
 - Ms G Stewart
 - Mr D Brook
 - Ms S Wise, Vice-President Students' Representative Council
- In attendance:**
- Ms S Beattie-Smith, Rector's Assessor
 - Vice-Principal Professor Fergusson
 - Vice-Principal Professor J Haywood
 - Vice-Principal Professor A McMahon
 - Vice-Principal Professor Miell
 - Vice-Principal Professor Sir John Savill
 - Mr M D Cornish, University Secretary
 - Mr N Paul, Director of Corporate Services
 - Mr I Conn, Director of Communications and Marketing
 - Dr A Cornish, Deputy University Secretary and Director of Planning
 - Mr A Currie, Director of Estates and Buildings
 - Mr J Gorringe, Director of Finance
 - Ms S Gupta, Director of HR
 - Ms F Boyd, Principal's Policy and Executive Officer
 - Ms L Welch, Assistant Director of Finance (for item C5 only)
 - Dr K J Novosel, Head of Court Services
- Apologies:**
- The Rector
 - Mr D A Connell
 - Ms L Rawlings, President Students' Representative Council
 - Mr D Workman

The Court received a presentation from Vice-Principal Professor Sir John Savill and Professor Edwin van Beek entitled 'Clinical Research Imaging'.

A FORMAL BUSINESS

1 MINUTE OF THE MEETING HELD ON 24 MAY 2010 **Paper A1**

The Minute of the meeting held on the 24 May 2010 was approved as a correct record.

Court welcomed Ms Stevie Wise EUSA Vice-President Academic Affairs to this her first

meeting of Court as a member; she had been in attendance at the last Court meeting.

B PRINCIPAL'S BUSINESS

1 PRINCIPAL'S COMMUNICATIONS

Paper B1

Court noted the items within the Principal's report and the additional information on: the very successful General Council meeting held in Hong Kong attended by members of Court and by alumni from across China and the various events organised including in particular the economics of climate change conference and the lecture on the historical connections between China and Scotland; the seminar on cancer which had been led by Professor John Smyth; the tabled letter from the Scottish Cabinet Secretary for Education and Lifelong Learning on guidance on public spending; the recent closure of Becta (formerly known as the British Educational Communications & Technology Agency); the University's first class award in this year's People and Planet Green League; and the success of area studies within the College of Humanities and Social Science and the opportunities to extend programmes of study into Japan, Latin America, Russia and USA. The Court welcomed the proposal to consider a paper at a future meeting on developments within area studies.

C SUBSTANTIVE ITEMS

1 REPORT OF THE FINANCE AND GENERAL PURPOSES COMMITTEE

Dr Markland presented the papers previously circulated.

Report from Central Management Group meeting of 19 May 2010

Paper C1.1

Court noted the report.

Report on Other Items

Paper C1.2

The report from ERI on research applications, awards and commercialisation activities was noted and the satisfactory position given the current challenging financial situation. The Court welcomed the progress in taking forward EUCLID and the robust monitoring which had been undertaken by the Finance and General Purposes Committee and CMG. Court noted with significant concern the lack of progress in reaching a decision on reform of the USS scheme and fully endorsed the proposal that a formal letter be sent to the Chairman of USS Trustees on behalf of Court supporting the employers' position in current negotiations. Court further homologated the approach as set out in the paper regarding the signing of relevant documents in respect of the Edinburgh BioQuarter.

2 ESTATE STRATEGY 2010-2020

Paper C2

Court welcomed and approved this final version of the Estate Strategy 2010/2020 and noted the changes from previous versions particularly the expansion of the chapter on financial issues. The work to improve the efficiency of the use of space was also noted including the current curriculum project and the activities of the Space Management Group. It was confirmed that the IT Strategy was being revised to ensure inclusion of infrastructure requirements and close liaison with estates and buildings on new builds and development of existing buildings.

Post meeting note: Court should note that following the meeting there were some minor changes to the financial information presented in Chapter 6. An additional line, to show the current approved spend was added to the graphs in Appendix 8 to illustrate the gap in the funding position. A copy of the published Estate Strategy will be sent to Court members as soon as it becomes available.

The work of the Group was commended by Court and the recommendations and suggestions welcomed and approved as an appropriate way forward. In particular the revised Statement of Court's Primary Responsibilities with its improved structure and stronger focus on the Court's responsibilities in the areas of staff and student issues and fundraising was approved subject to the addition of 'effective corporate governance' in the third of the opening paragraphs. The proposals to strengthen the current appointment and election processes of Court members were also welcomed and the move towards a more transparent, skill-based approach. It was agreed that the Nominations Committee was best placed to consider matters related to appointment processes and to look at the overall membership of Committees. It was confirmed that there would be detailed discussion with those bodies electing or appointing Court members to ascertain a mutually appropriate way forward within their procedures.

4 **COMMISSIONERS' ORDINANCE**

Court noted the discussions with unions and the combined Joint Negotiating and Consultative Committee (CJCNC) including the letters from the Convener of the Joint Unions Liaison Committee (JULC) and the unions' update paper regarding the repeal of the Commissioners' Ordinance. The Ordinance approval process was further noted and that Ordinance 209 (now renumber 207) would require Privy Council approval prior to Ordinance 210 (now to be renumbered as 208) being approved. It was confirmed that Ordinance 209, now renumbered as 207, had been formally submitted to the Privy Council following the last meeting of Court.

Having taken full cognisance of the information presented including the verbal update on the meeting held with unions prior to this Court meeting and noting the changes now included in the Ordinance to address the issues raised by unions, Court expressed itself content with Ordinance 210 (to be renumbered as 208) and agreed that it should be submitted to the Privy Council at the appropriate time. Court further approved the content of the draft Resolution relating to appeals procedures and asked that it be transmitted to the Senatus Academicus and the General Council for observations; a final version would be presented for formal adoption at a subsequent Court meeting.

5 **REPORT FROM PENSIONS' WORKING PARTY**

Lord Cameron, the Principal and the Director of Finance all declared an interest as Trustees of the Staff Benefit Scheme (SBS).

Court thanked members of the Working Party for their sterling work in taking forward this complex task and in presenting this final report and recommendations on the way forward in respect of the SBS scheme. The assistance provide to the Working Party was also commended particularly that provided by Ms Welch, Assistant Director of Finance.

It was noted that following agreement by Court by correspondence to accept the initial recommendations of the Working Party in March 2010 on how best to secure a sustainable scheme and after discussions with SBS Trustees, a 60 day consultation on the proposed changes had been initiated with active SBS members. Court noted the extensive campaign undertaken and the feedback received from SBS members prior to closure of the consultation period on the 17 June 2010.

Noting that existing members' past service would not be affected, Court approved the final recommendations of the Working Party as set out in the paper which had been drafted following consideration of the outcome of the consultation and asked that these recommendations be intimated to the SBS Trustees. This included approval of the recommendation to increase the cap on the annual pension increase for inflation to 5% in light of the high level of concern from SBS members on the originally proposed 2.5%

cap. The SBS Trustees had intimated the wish to maintain the agreed 15 year period for the recovery plan for the pension scheme based on the original proposals and had asked for clarification on whether the University would be minded to increase the level of contributions to allow the cap to be increased while still maintaining the preferred recovery period. Court noted that approval of the 5% cap would extend the recovery period to 16 years and 7 months and Court confirmed that given the current financial climate it would not be appropriate to agree to increases in contributions from either employers or employees and asked that this be relayed to the SBS Trustees. It was noted that should the SBS Trustees accept these recommendations then it would be possible for the SBS recovery plan to be submitted to the Pensions Regulator for approval by 30 June 2010.

Court further confirmed approval that a standard security be granted on assets up to the value of the SBS deficit as at March 2009 (£100m) and that all seven proprieties as set out in the paper, included that assigned in 2008/2009, be assigned to the SBS Trustees as contingent assets of the fund. It was noted that this included an additional two properties to those previously identified which was as a result of an interim valuation of the assets that had identified a shortfall due to the current property market; approval was also given to the Director of Finance to vary the list of assets if required in order to meet the value of the deficit as at March 2009. The restrictions placed on the University as a result of approval to assign these assets as a standard security were noted and agreed as acceptable.

6 REPORT FROM ESTATES COMMITTEE

Paper C6

Court noted the updated financial scenarios now being taken forward and approved the approach, the programme spend and the speculative priority programme as set out in the paper. The actions to improve the involvement of D&A in cases where securing external resources through fundraising was a critical element of a capital project were welcomed and the proposed approach was approved. The current proposals to take forward the KB Library and Learning Resources Centre project were approved, noting the strong desire for this project to be delivered within the original time frame and that various options were being considered to achieve this outcome. Court further approved the recommendations as set out in the covering sheet.

7 REPORT FROM AUDIT COMMITTEE

Paper C7

The Strategic and Annual Internal Audit Plans were approved noting the methodology adopted and the continuing satisfactory Internal Audit's assessment of the University's risk maturity as 'risk defined' which had been used to develop the Plans. Court further approved the External Audit fees for the 2009/2010 audit and noted the content of the draft minute particularly the assessment of the performance of External Audit which was now undertaken on an annual basis; the assessment of Internal Audit would be undertaken at the beginning of the next academic session and thereafter reported to Court.

8 REPORT FROM NOMINATIONS COMMITTEE

Paper C8

On the recommendations of the Nominations Committee, Court approved the following appointments:

Audit Committee

Mr Budd to be appointed from the start of the 2010/2011 academic session for an initial period of two years.

Committee on University Benefactors

Professor Ansell to be appointed from the start of the 2010/2011 academic session for two years.

Finance and General Purposes Committee

Dr Aliotta to be appointed from the start of the 2010/2011 academic session for two years.

Nominations Committee

Professor Yellowlees to be re-appointed for a further three years until the end of the 2012/2013 academic session.

Staff Committee

Professor Yellowlees to be re-appointed for a further three years until the end of the 2012/2013 academic session.

Library Committee

Professor Finnegan to be re-appointed for a further three years until the end of the 2012/2013 academic session.

External Committee Members

Recruitment processes to be initiated to appoint new external members to the Audit and Staff Committees.

9 KNOWLEDGE STRATEGY COMMITTEE – TERMS OF REFERENCE Paper C9

Court welcomed and approved the proposal that the Knowledge Strategy Committee should be considered a Committee of Court. It further approved the terms of reference for the Committee as set out in the paper and that the Library Committee and the University Collections Advisory Committee should both report through the Knowledge Strategy Committee to Court. There was discussion on whether there might be merit in appointing an external member to the Committee and it was agreed that this matter would be considered further by the Committee. It was confirmed that all of these proposals would be with effect from the start of the 2010/2011 academic year.

10 UNIVERSITY RISK REGISTER Paper C10

The updated University Risk Register was approved by Court. The removal of the previous risk in respect of health and safety issues and the inclusion of a new risk associated with the Enhancement Led Institutional Review (EIR) were noted and endorsed.

11 ACADEMIC AND FINANCIAL PLANNING ISSUES FOR THE SCHOOL OF EDUCATION Paper C11

Court noted the progress to date and on the recommendation of the Central Management Group, Court agreed that the Redundancy Committee it had established in respect of academic staff in the School of Education could now be stood down as the threat of redundancy had been lifted from all staff in this academic pool. Court further noted the position in respect of support staff and the anticipation that the threat of redundancy would soon be lifted for this pool of staff as all those at risk were expected to be redeployed to vacant positions within the revised School structure. Court recorded its gratitude to those who had secured recurring changes without resort to compulsory redundancy.

The report on the current position in respect of discussions and due diligence work on the proposed merger with the Edinburgh College of Art was noted. Court welcomed the positive response to the consultation with staff and students on the proposed merger and the emerging academic vision which had been discussed and well received by Senate at its meeting on 16 June 2010. The benefits of closer working with the College in the areas of teaching, research and widening the student experience were recognised. However it was noted that a significant number of challenges had been identified through due diligence work, particularly in the estate, finance and governance areas which would require careful consideration and full discussion with the Scottish Funding Council. Meetings with relevant SFC Officers were scheduled over the summer.

Court discussed in some detail the issues raised by these significant challenges; it endorsed the Finance and General Purposes Committee's conclusions and supported the Principal's position in discussions with the SFC. Court commented on the need for clarity of purpose and implementation planning, and awareness of cultural differences. It was for the SFC to ensure that present difficulties within the College were resolved prior to merger. A clear commitment from SFC in regard to funding in support of the merger would be required before Court could be asked to agree to proceed.

It was also noted that the tight timetable to take forward the proposed merger created some difficulties. The Finance and General Purposes Committee would continue to provide Court with considered advice on the proposed merger and it was anticipated that an additional meeting of the Committee would need to be convened prior to the scheduled September meetings of the Committee and Court.

13 REVISED DELEGATED AUTHORISATION SCHEDULE

Court approved the revised Delegated Authorisation Schedule subject to further consideration of the proposed level at section 6.8 and clarification on the rationale for the levels proposed in sections 2 and 5. Court further noted and confirmed that the powers previously delegated to the Principal and the Principal's authority to commit to transactions with a value of up to £500k remained in place.

The revised Delegated Authorisation Schedule would come into effect on 1 October 2010 and the previous Schedule and any sub-delegation schemes supporting this previous Schedule would no longer be valid from that date. It was further noted that the revised Schedule contained a suggested template for a formal scheme of sub-delegation which formed an integral part of the revised Schedule.

Post meeting note: following further consideration, the level above which Court approval is required to undertake foreign exchange dealings has now been lowered to £10m at 6.8; and following clarification of the rationale for the levels in sections 2 and 5, all other levels remain as presented in the paper.

D ITEMS FOR FORMAL APPROVAL OR NOTE

1 ACADEMIC REPORT

Court noted the report from the Senatus Academicus of its meeting held on 16 June 2010, in particular the very productive discussion on employability and graduate attributes, and the observations on the proposed merger with the Edinburgh College of Art.

Court approved the following Resolutions:

- Resolution No. 18/2010: Degree of Master of Mathematics
- Resolution No. 19/2010: Foundation of a Personal Chair of Mammalian Molecular
- Resolution No. 20/2010: Foundation of a Personal Chair of Molecular Parasitology
- Resolution No. 21/2010: Foundation of a Personal Chair of Theoretical Physics
- Resolution No. 22/2010: Foundation of a Personal Chair of Pluripotent Stem Cell
- Resolution No. 23/2010: Foundation of a Personal Chair of Neuronal Cell Biology
- Resolution No. 24/2010: Foundation of a Personal Chair of Theoretical High-Energy
- Resolution No. 25/2010: Foundation of a Personal Chair of Skeletal Biology
- Resolution No. 26/2010: Foundation of a Personal Chair of Mobile Communications
- Resolution No. 27/2010: Foundation of a Personal Chair of Molecular Neurobiology
- Resolution No. 28/2010: Foundation of a Personal Chair of History of Science
- Resolution No. 29/2010: Foundation of a Personal Chair of Baroque Art
- Resolution No. 30/2010: Foundation of a Personal Chair of Speech Processing
- Resolution No. 31/2010: Foundation of a Personal Chair of Semantics
- Resolution No. 32/2010: Foundation of a Personal Chair of Digital Media
- Resolution No. 33/2010: Foundation of a Personal Chair of Organisational Behaviour
- Resolution No. 34/2010: Foundation of a Personal Chair of Quantitative Criminology
- Resolution No. 35/2010: Foundation of a Personal Chair of Ecosystem Science
- Resolution No. 36/2010: Foundation of a Personal Chair of European Union Law
- Resolution No. 37/2010: Foundation of a Personal Chair of Surgical Sciences
- Resolution No. 38/2010: Foundation of a Personal Chair of Molecular Evolution
- Resolution No. 39/2010: Foundation of a Personal Chair of Proteomics
- Resolution No. 40/2010: Foundation of a Personal Chair of Farm Animal Practice
- Resolution No. 41/2010: Foundation of a Personal Chair of Computational Legal Theory
- Resolution No. 42/2010: Foundation of a Personal Chair of Foundations of
Computer Science
- Resolution No. 43/2010: Foundation of a Personal Chair of African and Development
Studies
- Resolution No. 44/2010: Foundation of a Personal Chair of Comparative Genetics
- Resolution No. 45/2010: Foundation of a Personal Chair of Forensic Psychiatry
- Resolution No. 46/2010: Foundation of a Personal Chair of Robotics
- Resolution No. 47/2010: Foundation of a Personal Chair of Biorobotics
- Resolution No. 48/2010: Foundation of a Personal Chair of Animal Biotechnology
- Resolution No. 49/2010: Foundation of a Personal Chair of Contemporary Visual
Cultures
- Resolution No. 50/2010: Foundation of a Personal Chair of Global Change Ecology
- Resolution No. 51/2010: Degree of Doctor of Psychotherapy and Counselling
- Resolution No. 52/2010: Postgraduate Degree Programme Regulations
- Resolution No. 53/2010: Undergraduate Degree Programme Regulations

3

USE OF THE SEAL

A record was made available of all the documents executed on behalf of the Court since its last meeting and sealed with its common seal.

4

VACATION COURT

In accordance with normal practice Court appointed a Vacation Court, comprising the Rector failing whom the Vice-Convener of Court, the Principal and the University Secretary, to deal with urgent formal business.

