



UNIVERSITY COURT

28 September 2020 (Videoconference)

Web Version

Minute

- Members Present:** Ann Henderson, Rector (in Chair)
Janet Legrand, Senior Lay Member
Peter Mathieson, Principal & Vice-Chancellor
Alastair Dunlop, Chancellor's Assessor
Doreen Davidson, General Council Assessor
Jock Millican, General Council Assessor
Sarah Wolffe, General Council Assessor
Sarah Cooper, Senatus Assessor
Fiona Mackay, Senatus Assessor & Academic Staff Member
Claire Phillips, Senatus Assessor
Kathryn Nash, Trade Union Academic Staff Member
Sarah McAllister, Professional Services Staff Member
Joyce Anderson, Trade Union Professional Services Staff Member
Frank Armstrong, Co-opted Member
Perdita Fraser, Co-opted Member
Caroline Gardner, Co-opted Member
Alan Johnston, Co-opted Member
David Law, Co-opted Member
Hugh Mitchell, Co-opted Member
Clare Reid, Co-opted Member
Frank Ross, City of Edinburgh Council Assessor
Ellen MacRae, Students' Association President
Rachel Irwin, Students' Association Vice-President Activities & Services
- Apologies:** None
- In attendance:** Sarah Smith, Vice-Principal Strategic Change and Governance; and
University Secretary
- Presenters & Observers:** Lewis Allan, Head of Court Services
Leigh Chalmers, Director of Legal Services
Lee Hamill, Director of Finance
Colm Harmon, Vice-Principal Students
Gary Jebb, Director of Estates
Catherine Martin, Vice-Principal (Interim) Corporate Services
Gavin McLachlan, Vice-Principal, Chief Information Officer & Librarian to
the University
Dave Robertson, Vice-Principal & Head of College
Moira Whyte, Vice-Principal & Head of College
Jonathan Seckl, Senior Vice-Principal
Tracey Slaven, Deputy Secretary Strategic Planning
Rachael Robertson, Deputy Director of Finance

1 Minute

Paper A1

The Rector welcomed members and attendees to the meeting, held by videoconference. New members Janet Legrand (Senior Lay Member), Fiona Mackay (Academic Staff Member & Senate Assessor), Sarah McAllister (Professional Services Staff Member), Joyce Anderson (Trade Union Professional Services Staff Member) and Kathryn Nash (Trade Union Academic Staff Member) were welcomed.

The Rector recorded her thanks to Angi Lamb, Rector's Assessor from 2018-2020 and staff member of Court from 2013-2017, who sadly passed away in July following a diagnosis of cancer in 2019. Angi was active in the trade union movement at a local and national level and her contribution to the Court and to the trade union movement will be greatly missed.

The Minute of the meeting held on 15 June 2020 was approved.

2 Matters Arising & Review of Action Log

Paper A2

There were no matters arising. The action log was reviewed, noting that a number of items have paused given disruption to activities resulting from the pandemic.

3 Principal's Report

Paper B

The Principal recorded his thanks to former Rector's Assessor and staff Court member Angi Lamb and reflected on her inspirational courage shown throughout her illness.

Court noted the contents of the report and additional information on:

- Student and staff wellbeing: a number of Covid-19 cases, predominantly amongst students, are ongoing, with support in place for those affected, including food delivering for those in halls of residence. Some incidences of unlawful gatherings at student residence sites have occurred, some of which have involved police attendance. The disciplinary consequences of repeated breaches have been made clear and the number of incidents have reduced. A particular concern for the student body as a whole is the mental health impact of the pandemic and the impact upon the student experience;
- The hybrid model of online and in-person teaching currently has around 37% of teaching delivered in-person but there is wide variation within this across the University. The intention is to continue to offer a hybrid model for the benefit of students. Detailed preparations for hybrid teaching and the return to campus by students more generally have been made in consultation with health authorities and there has not been indication of transmission as a result of in-person teaching; and,
- A new collaboration with charity IntoUniversity and the University of Glasgow will provide learning centres in Craigmillar and Govan with after-school tuition and mentoring to benefit young people from disadvantaged backgrounds. Philanthropic giving of £2.7m will fund the establishment of the centres.

Members discussed the following points:

- Recognition for the additional work undertaken by many staff given current circumstances, including in workload allocations – in areas where student numbers have grown to the extent that additional teaching support is required this will be recognised as mission critical recruitment and progressed. While additional financial recognition is not planned given cost control measures, an additional day of leave for all staff on Christmas Eve has been awarded in recognition of the exceptional effort made by staff this year and five more days of annual leave can be carried over into 2021 than usual if required;
- Variation in in-person teaching by year group – Schools have considered the needs of first year and honours level students in particular when planning in-person provision;
- Mental health support – counselling capacity has increased within the University and support for staff is also being provided online. The importance of NHS mental health provision has also been raised externally;
- Student accommodation refunds – in order to ensure funding for additional support for students in the current circumstances general refunds for accommodation are not planned;
- Communicating the partnership working approach between the University and public authorities; and,
- The open letter circulated by some members of the University community in opposition to the interim renaming of the David Hume Tower. Members were referred to the comments included as part of the Principal's Report.

SUBSTANTIVE ITEMS

4 Student Survey Results 2020

Paper C

Findings from the 2020 iterations of the National Student Survey (NSS) and Postgraduate Taught Experience Survey (PTES) were reviewed. The results remain disappointing, with a small decline in the NSS overall satisfaction score (77.6%) and a larger decline in the PTES overall satisfaction score (78.3%) in comparison with 2019. At School level, while there are some strong scores, there is a general weakness in assessment and feedback and in scores linked to a sense of belonging and engagement.

Court discussed assessment and feedback scores, the Students' Association score – likely linked to the wider theme of sense of belonging given the wording of the question, sharing best practice between Schools and the expected impact of the move to hybrid teaching, with less reliance on final assessment expected to further increase the importance of providing timely feedback.

It was noted that the NSS is currently being reviewed by the Office for Students, the regulator of higher education providers in England, and any changes will likely impact across the UK. Further analysis will be undertaken and a more detailed paper will be submitted to Senate Education Committee before the submission of an update and action plans to the University Executive later in the semester.

The Students' Association President reported on Welcome Week activities, with many taking place online, such as a virtual Activities Fair and voiced concern at the press release from Universities Scotland issued near the end of the previous week that asked students not visit pubs, restaurants and cafes over the weekend. The press release was made without the knowledge of, or consultation with, student bodies and appeared to place extra restrictions on students compared with the rest of the population. A strong response from the University in support of students was requested. Court members agreed that students should be welcomed as residents of Edinburgh and treated in the same manner as other members of the community, with media coverage 'othering' students criticised. Opportunities for reshaping given the pandemic were also considered. Reshaping work to achieve efficiencies had been undertaken prior to the emergence of Covid-19 and strategic development in light of the new environment is being examined but any major new initiatives would likely need additional funding.

6 Adaptation & Renewal Update

An update on the work of the Adaptation & Renewal Team established in response to the pandemic and its four work-streams of Research & Innovation; Students; Estates & Digital Infrastructure; and Re-shaping, was reviewed. It was noted that since the report was drafted an NHS testing facility has opened at the Usher Hall, with usage levels to be monitored to assess if further capacity is required.

The following points were raised in discussion:

- Support for the re-shaping work-stream in considering new ways of working and preparing for the likely longer-term impacts of the pandemic;
- The impact of the extension of the teaching day upon staff – while the period of time in each working day that teaching can be scheduled has been extended, the number of hours that an individual staff member might teach within this has not been extended;
- Variance in the amount of in-person teaching and how this might be addressed – some disciplines have particular challenges in the suitability of their teaching estate given physical distancing rules and may also have larger student intakes than planned since the regrading of A Level and Scottish Higher results. The balance of in-teaching provision will shift over the course of the year as the need to prioritise in-teaching required for certain degrees becomes more important in Semester 2;
- Helping hearing impaired students on campus if the wearing of face coverings is expected – face coverings are not expected for those with reasons not to wear them. For teaching, recorded material is being auto-captioned and fully sub-titled for those with hearing disabilities;
- Research being undertaken at the University in response to Covid-19. Research has included work on droplet spread, effectiveness of face coverings, whether existing drugs may aid treatment, mental health impacts, and the provision of advice to the Scottish and UK governments, e.g. three members of staff are participants at the UK Scientific Advisory Group for Emergencies (SAGE) or its sub-groups and Vice-Principal Professor Andrew Morris chairs the Covid-19 Advisory Group to the Scottish Government; and,

- More information on the equality and diversity impacts in future updates would be welcome, noting that the Adaptation & Renewal work-streams have themselves helped embed consideration of equality, diversity and inclusion aspects given their memberships and approach taken.

7 Finance

• Director of Finance's Report

Paper F1

The Director of Finance reported on expected financial impacts from the pandemic, noting that all aspects of the University's operations will be impacted to some extent. The two most significant areas of impact will likely be in reduced revenue from accommodation, catering and events; and in student recruitment, with initial expectations of a decrease in tuition fee income and likely greater decrease in surplus contribution given the changing mix of student numbers by domicile. The 2019/20 annual report and accounts will be submitted to the next meeting but the unaudited position shows a below target surplus excluding funding connected to the City Region Deal, illustrating the pre-existing need to develop longer term plans to improve financial performance that have become more pressing with the emergence of Covid-19.

Members discussed the following points:

- In-year financial figures were requested as soon as they are available and these will be provided before the next Court meeting;
- Querying the level of cost savings planned relating to staff given that a surplus will likely be reported for 2019/20 and whether there is scope for a reduced level of cost savings – this is not planned as the 2019/20 outcome is below the agreed target range of a 3-5% surplus to allow for investment in University priorities and the outcome for the current year and following years remains highly uncertain; and,
- Whether additional financial support for the Students' Association will be needed before March 2021 and whether conditions linked to the financial support can be clarified – there is continual dialogue between the finance teams in the University and the Students' Association and the outcome of Students' Association applications to government schemes is also awaited. Conditions for funding have not been set rigidly in order to allow for a more joined up approach to service provision to be explored in a spirit of partnership. The Students' Association President commented that the Association's applications for Government schemes have been for larger sums than would have been the Association's preference if additional University funding had been provided at an earlier stage.

• Covid-19 Short Term Financial Funding Options

Paper F2

Finalised arrangements for access to available additional funding if financial circumstances significantly deteriorated were reviewed and agreed. It was agreed that any access of funding shall be subject to further approval from Court on the recommendation of the Principal in consultation with the Director of Finance.

8 Student Recruitment Cycle – 2020/21 Entry

Paper G

An update on student recruitment for entry in 2020/21 and mitigating actions taken in response to the pandemic was reviewed. It was noted that, while final figures are not yet available, it is likely that there will be lower numbers of student entrants in 2020/21 than planned, particularly amongst visiting students, overseas undergraduates and UK taught postgraduates but with a greater number of UK undergraduates. Significant uncertainties also remain over the level of University accommodation occupancy and withdrawal rates during the course of the year. The Principal commented on the unprecedented complexity of the admissions cycle and thanked the Deputy Strategy Strategic Planning and all colleagues involved for their responsiveness to the needs of applicants.

ITEMS FOR NOTING OR FORMAL APPROVAL

9 Review of Estates Capital Projects Deferrals

Paper H

Following review and recommendation by Estates Committee and Policy & Resources Committee, Court:

- Noted the approach to evaluate the suitability of the Capital Plan to meet the challenges of the Covid-19 landscape in a financially sustainable way; and
- Approved a further 12 months deferral of the estates projects previously deferred, bringing the total deferral period to 24 months.

10 Rector Election 2021

Paper I

The Rector confirmed that she had not received early sight of the paper and absented the meeting for the item, with the Senior Lay Member presiding.

The outcome of an independent review of the previous election regulations and proposed new election regulations for the post of Rector were reviewed. Noting that the staff trade unions have requested additional time to consider the draft regulations, it was agreed that a final draft would be submitted to Exception Committee for approval following comment from the trade unions. Minor revisions were suggested to the final draft to clarify the Returning Officer's authority to disqualify a successful candidate should evidence of a serious breach of the election regulations emerge and to state that candidates cannot have been previously excluded or dismissed while a student or member of staff at the University, mirroring a provision in the Senior Lay Member election regulations.

11 Annual Scottish Funding Council Quality Assurance Report

Paper J

The report was approved and the Senior Lay Member authorised to sign the accompanying statement.

12 Enhancement-Led Institutional Review Reflective Analysis

Paper K

The Reflective Analysis document to support to the Enhancement-Led Institutional Review was approved.

13 Committee Reports

- **Exception Committee**

Paper L1

The following matters approved on behalf of Court by Exception Committee were noted:

- On the recommendation of the Nominations Committee, the appointment of Hugh Mitchell as a co-opted Court member for a four year term of office from 1 August 2020 to 31 July 2024 was approved;
- On the recommendation of the Nominations Committee, the appointment of Sarah Wolffe as the Court lay member contact for the University's Code of Practice on Reporting Malpractice and Raising Concerns under the Public Interest Disclosure Legislation ("Whistleblowing") for a three year term from 1 August 2020 was approved;
- Revision of the Cooperation Agreement to allow provision for delivery at the Zhejiang-Edinburgh Institute, subject to China Ministry of Education approval, of postgraduate degrees awarded solely by the University of Edinburgh in the area of Biomedical Sciences, including 1-2-year MSc programme(s) and 3-4-year PhD programme(s); and, delegated authority to the Principal to sign off on the terms of agreement(s) and implementation of the arrangement in consultation with the Director of Legal Services; and,
- Opening of bank accounts for University offices in Singapore and Shanghai.

- **Court USS Sub-Group**

Paper L2

The report was noted.

- **Policy & Resources Committee**

Paper L3

The report and papers from the meeting was noted. The draft minute of the meeting will be amended to clarify that the preference of the Students' Association is to receive the full sum of additional funding in November. The Committee is fully supportive of the Students' Association and agreed to a phased approach in order to allow for more detailed discussions on reshaping activity. An update on the City Deal's Data-Driven Innovation programme was suggested as a future agenda item or seminar topic.

- **Nominations Committee**

Paper L4

The report was noted and the following committee membership appointments approved:

Audit & Risk Committee

Clare Reid to be appointed for a one year term of office to 31 July 2021

Policy & Resources Committee

Hugh Mitchell to be appointed for a three year term of office to 31 July 2023

Court USS Sub-Group

Janet Legrand and David Law to be appointed as Sub-Group members

Independent Chair of the Trustees of the Staff Benefits Scheme

Julia Miller of Scottish Pension Trustees Limited to be appointed for an initial two year term of office to 31 July 2022

• **Audit & Risk Committee**

Paper L5

The report was noted and updated Counter Fraud and Whistleblowing policies and associated procedures were approved as set out in the paper.

• **Remuneration Committee**

Paper L6

The Principal and all attendees, presenters and observers aside from the University Secretary, Director of Human Services and the Head of Court Services absented the meeting for this item.

Remuneration Committee's recommendations for the 2021 review of the remuneration of the University's Senior Management Team were considered.

Following discussion, Court agreed to endorse the:

- approach to the review of senior management salaries to be undertaken by the Principal, who will present it for approval by the Remuneration Committee and,
- approach to the review of the Principal's salary, with the current Designated Responsible Court Member (the Convener of Policy & Resources Committee and Nominations Committee), to provide an update to the Convener of the Remuneration Committee, who will present recommendations for approval by a separate meeting of the Remuneration Committee.

14 Donations and Legacies; Global Alumni Events

Paper M

Legacies and donations received since the last meeting and an update on current alumni relations activities were noted.

15 Any Other Business

There was no other business.

16 Date of Next Meeting

Monday, 30 November 2020.