



UNIVERSITY COURT

26 April 2021 (Videoconference)

Web Version

Minute

- Members Present:** Debora Kayembe, 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
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:** Claire Phillips, Senatus Assessor
- In attendance:** Sophia Lycouris, Rector's Assessor
Sarah Smith, Vice-Principal Strategic Change and Governance; and
University Secretary
- Presenters & Observers:** Lewis Allan, Head of Court Services
Leigh Chalmers, Deputy Secretary Governance & Legal
Gavin Douglas, Deputy Secretary Student Experience
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
Theresa Merrick, Director of Communications & Marketing
James Saville, Director of Human Resources
Jonathan Seckl, Senior Vice-Principal
Moira Whyte, Vice-Principal & Head of College
Barry Neilson, Director of Strategic Change (for Item 4)
Sarah Cunningham-Burley, University Lead for Equality, Diversity &
Inclusion (for Item 8)

1 Minute

Papers A1, A2

Debora Kayembe, the University's new Rector, welcomed members and attendees to the meeting and introduced Sophia Lycouris, an academic staff member at the Edinburgh College of Art and the new Rector's Assessor. Sophia Lycouris thanked the Rector for her introduction and spoke to Debora Kayembe's career as a human rights lawyer and campaigner and her interest in anti-racism work at the University.

Ellen MacRae, Students' Association President, was congratulated on her re-election to a second term of office and Rachel Irwin, Students' Association Vice-President Activities & Services, was thanked for her service to the Students' Association and the Court on the occasion of her last meeting and wished well for the future.

The Minute of the meeting and note of the seminar held on 22 February 2021 were approved.

2 Matters Arising & Review of Action Log

Paper A3

Sarah Smith, Vice-Principal Strategic Change & Governance and University Secretary, provided an update on two matters raised at the previous meeting: the University's directors and officers insurance policy which provides coverage for Court members and complaints handling with respect to Court members – with a follow-up note on both points to be circulated after the meeting.

3 Principal's Report

Paper B

Peter Mathieson, Principal & Vice-Chancellor, welcomed the Rector and Rector's Assessor to their first meeting, and supplemented the written report with the following points:

- As the University moves into a new phase of recovery from the pandemic, the temporary Adaptation & Renewal Team structure has been incorporated back within pre-existing management structures. Court will continue to be updated on the pandemic response, anticipated to be via the Principal's Report in future;
- An all-staff virtual Town Hall meeting was held last week with over 1,400 staff attending and over 200 questions raised. A degree of caution and uncertainty over the expected return of many staff to the campus was raised given the experience of the last year, as was a perception that contributions from professional services staff during the pandemic had received less focus than that of academic staff, which had not been intended. A sense of more positivity towards the future as the University emerges from the pandemic was also evident; and,
- Preparations for the forthcoming COP26 UN Climate Change Conference. Around 60 UK universities are involved in the civil society element of the conference with Professor Dave Reay leading for the University of Edinburgh and chairing a group covering the education and skills agenda.

Members raised the following points:

- The University's response to UK Government Official Development Assistance research funding cuts – the University as a member of the Russell Group is active in making the case that the unprecedented reductions in funding for on-going research projects will not only damage UK universities but will damage partners in developing countries and relationships with them;
- The speed of offer making to prospective undergraduates in comparison with peer institutions – this is recognised as a long-standing issue and there is an intention to address both the speed of offer making and communications around this;
- The financial effects of the recent increase in Scottish domiciled undergraduate student numbers – public funding is not sufficient to cover all costs for Scottish domiciled students so cross-subsidy from other sources is required. The aggregate level of cross-subsidy needed will increase if student numbers grow as they have done in the past year owing to the changes to school and college assessments given the pandemic; and,
- Whether public health restrictions will lead to some students repeating a year of study if their learning has been significantly impacted – the main example of this in Scotland is that all final year dentistry students will be required to repeat their final year but the University does not offer an undergraduate dental course so is unaffected by this decision. If there were to be a further year of significant public health restrictions this may begin to impact on more courses with practical accreditation requirements.

SUBSTANTIVE ITEMS

4 Adaptation & Renewal Team Report

Paper C

A final update on the work of the Adaptation and Renewal Team from February to March 2021 was reviewed. An Academic Year 2021/22 Planning Group has been established to plan for the new academic year in anticipation of new public health rules and guidelines for universities. The progress of the vaccination programme gives cause for some optimism for the next year, with a planning assumption that students will be present in Edinburgh to receive smaller group teaching in-person with 1 metre physical distancing, subject to guidance awaited from the Scottish Government. The Principal thanked Barry Neilson, Director of Strategic Change, for his work as co-ordinating director for the Adaptation & Renewal Team over the past 12 months in challenging circumstances.

A recent increase in cases at the University was discussed, noting that a group of cases have emerged connected to one event that was not a campus activity. Health protection measures have been implemented in response and cases have not subsequently increased over the past week. The assumptions behind planning for 1 metre physical distancing for the next academic year were discussed and whether this is linked to the vaccine roll-out, noting that not all staff and students will be vaccinated by the start of the new academic year. Colleagues are working with Universities Scotland on a consistent set of assumptions for the sector for planning purposes while Scottish Government guidance is awaited. The assumptions include a range of public health measures including physical distancing. The UK vaccine

target is to offer all adults a first vaccine by 31 July and the University will work with public health authorities to support the vaccination of students.

5 Support for Students at Risk of Self-Harm

Paper D

A briefing note on the support provided to students who are at risk of self-harm was reviewed. Demand for counselling services has grown significantly in recent years and waiting times have increased, although they remain favourable in comparison to equivalent NHS provision and a further 5 full-time equivalent staff are being recruited to join the 17 in post at the Student Counselling Service. The use of a third party provider to add additional capacity at peak times for less urgent cases is also being piloted. The following points were raised in discussion:

- It was requested that Court be updated on work to address the points of learning identified from the major internal review into the support provided to a student who died of suicide in 2020. It was noted that the coroner had decided not to issue a prevention of future death notice for this case given the University's response;
- What factors have been identified as leading to the increase in demand in counselling services – this appears to be part of a wider change witnessed in western countries in recent years and while many factors have been posited, a consensus on the key factors has not yet emerged. What the University can do in response is to understand better where particular pressures on students exist and what can be done to assist with these;
- Whether the planned changes to the personal tutor system can be prioritised for implementation – the pandemic has meant that capacity is not available to start what was planned as a major 18 month project across the University. However, some areas within the College of Arts, Humanities & Social Sciences have felt ready to proceed on a faster timescale and will do so. Future student experience reports to Court will update on this;
- The position relative to peer institutions – the increased level of demand is similar at peer institutions and in terms of skilled staff, the University's Student Counselling Service is highly regarded and is fully accredited by the British Association for Counselling and Psychotherapy;
- Training and support offered to non-specialist staff dealing with cases – around 500 staff take in-house training each year for supporting those with mental health difficulties. One area of training that will be reviewed to help staff is guidance on escalation of cases;
- Addressing staff pressure given increased demands and workloads more generally – the review of student support and the personal tutor system recognised this as an issue and has the intention to reduce demands on academic staff in this area. Regarding provision of mental health services for staff, there is a staff counselling service, which has moved to online provision during the pandemic in addition to the Chaplaincy listening service. In recognition of the additional pressures during the pandemic respite days have been offered and advice and guidance on remote working, including encouraging breaks and using annual leave where possible, made available;
- Whether the planned recruitment of new counselling staff will be affected by the general pause in staff recruitment. The staff recruitment exceptions committee authorised the five new positions and four are now in post; and,

- The importance of careful selection and vetting for any third party provider used, including agreeing information sharing protocols.

6 Students' Association and Sports Union Reports

Papers E1,E2

Ellen MacRae, Students' Association President, introduced reports from the Students' Association and the Sports Union and updated on recent events, including the positive response to the opening of the Teviot Garden outdoor café/bar, the Match-Up Catch-Up buddy scheme and the Student Awards and Teaching Awards. Recent issues raised by students have included: difficulties amongst first year students in forming groups to seek private sector accommodation for the next academic year; requests for tuition fee refunds; concerns from international students regarding Covid-related impediments in applying for graduate visas; the delay in implementing the recommendations of the personal tutor and student support review; and, student safety on campus and gender-based violence. The following points were raised in discussion:

- The financial challenges of the pandemic for the Students' Association and the wish to see a strong and sustainable Association emerge from this period – internal reshaping work and digital transformation work is underway and discussions are continuing with the University on ongoing financial planning;
- The impact of redundancies on service provision – redundancies have been in areas where service provision has not been possible during the pandemic (e.g. events), with student support services protected as much as possible;
- The level of student involvement in University planning for the next academic year – this has been raised as a concern and where student representatives have been involved in discussions on topics such as online examinations this has been well received and should be broadened to more topics; and,
- Effects of more Wednesday afternoon teaching on student sport – the Vice-Principal Students noted that this is a temporary measure resulting from timetabling difficulties given physical distancing restrictions and will be returned the pre-pandemic situation as soon as practicable.

7 Director of Finance's Report

Paper F

Lee Hamill, Director of Finance, reported on progress in producing a draft budget for 2021/22 for submission to the next meeting, the latest medium-term financial forecasts to 2024-25 and an ongoing Universities UK consultation on the response to the Universities Superannuation Scheme (USS) 2020 valuation. Regarding the USS consultation, it was noted that all scenarios put forward by the USS Trustees for consultation include significant increases in both employer and employee contributions. A draft consultation response will be developed and reviewed by the Court USS Sub-Group before submission. It was queried how the University accounts for the risks of the USS scheme – this features on the finance risk register and the liability for the share of the recovery plan is accounted for on the University's balance sheet but not the share of liability for the scheme as a whole, in common with the rest of the sector.

Members discussed the longer-term financial challenges of managing a growing cost base while improving the estate and investing in other priorities, all within the context of highly uncertain funding environment. The need to consider these challenges in a

holistic and consultative way in addition to the regular annual planning cycle was expressed. It was noted the intention is to return to a three year planning cycle from next year and work has begun on longer-term capital project prioritisation and the curriculum transformation programme and reshaping more generally – proposals for which will be brought to Court at the appropriate points. For the next year, while the income levels forecast for accommodation, catering and events could be adversely affected should there be new public health restrictions, there is confidence that these have been set at a realistic level and will be monitored closely. Research income and expenditure was also discussed, with expenditure reduced at present given the impact of Covid restrictions but productivity levels have increased, shown by the high levels of grant applications witnessed over the past year, which is leading to higher levels of research awards.

8 Equality Reporting

- **EDMARC Staff and Student Reports 2020**
- **Equality Outcomes 2021-25, and Equality Mainstreaming and Outcomes Progress Report 2017-21**

Paper G1
Paper G2

Sarah Cunningham-Burley, University Lead for Equality, Diversity & Inclusion, introduced the annual Equality, Diversity Monitoring and Research Committee (EDMARC) staff and student data reports, the Equality Mainstreaming and Outcomes Progress Report 2017-21, the proposed Equality Outcomes for 2021-25 and updated Court on work to understand equality-related impacts of the pandemic on students and staff to date.

On the pandemic impacts, consideration of equality, diversity and inclusion issues has been integrated within each Adaptation & Renewal Team area. This has included equality impacts assessments for each building re-opening, creating accessible hybrid learning for students (e.g. lecture subtitling), the use of additional support from the Scottish Funding Council to help attract more early career researchers through the Chancellor's Fellowships scheme with a particular focus on the recruitment of ethnic minority and female staff and data gathering through home working surveys. Areas of particular concern that have emerged are the interlinked issues of morale, workload and wellbeing.

Regarding the EDMARC reports it was acknowledged that while the term 'BME' is used within the reports for Black and Minority Ethnic students and staff, this has inadequacies and is not intended to homogenise the experiences of those included. The reports show an increase in the diversity of the student and staff population in recent years, linked to an increase in the diversity of nationalities represented. Improving the 'declaration deficit' of staff who are unwilling to declare ethnicity and disability data and improving data collected more generally would help the development of meaningful actions and is a priority for future work. The reports show a continuing student attainment gap by ethnicity and disability and a staff pay gap by gender, ethnicity and disability owing to lower representation in higher grades.

For the Equality Mainstreaming and Outcomes Progress Report 2017-21 and the Equality Outcomes for 2021-25, it was noted that the four proposed outcomes and accompanying actions will have more detailed local actions to accompany them, with

Outcome 1 'Our staff and students feel confident and are supported to report harassment, hate crime and gender-based violence' intended as a high priority.

Members welcomed the reports and thanked staff involved in their production. The 'both/and' approach of using specialised staff and structures while working to mainstream activity was supported. It was queried whether sufficient resources are in place to recruit more specialised staff, embed the Report & Support platform and to aggregate and evaluate findings. It was agreed that the dual approach of mainstreaming and specialist support and structures is necessary at this point, the latter being particularly needed for evaluation and monitoring. Capability is in place for evaluation and monitoring if not sufficient capacity at present. For the Report & Support platform, there is optimism that resourcing will be made available to extend its use to all forms of discrimination and harassment and this will be considered by the Student Experience Committee shortly.

The EDMARC staff and student reports, the Equality Mainstreaming and Outcomes Progress Report 2017-21 and the Equality Outcomes for 2021-25 were all approved for publication.

9 Gujarat Biotechnology University – Final Agreement

Paper H

David Gray, Head of the School of Biological Sciences, presented an update on the finalisation of plans for a strategic partnership between the University and the Government of Gujarat for the development of the Gujarat Biotechnology University (GBU). Work has continued throughout the pandemic, including advising on the recruitment of locally employed academic staff for GBU. University of Edinburgh staff will not be based permanently on site but will visit to provide specialist advice when appropriate. Court agreed to indicate continued support for the partnership and granted approval for the University to sign a full Stage 2 binding Collaboration Agreement to govern the 10-year partnership.

ITEMS FOR NOTING OR FORMAL APPROVAL

10 Estates Small Works Programme

Paper I

The Estates Small Works Programme Budget allocation for 2021/22 was approved as set out in the paper.

11 Governance Apprenticeship Programme

Paper J

Court approved the University's participation as a launch partner in the Perrett Laver Governance Apprenticeship Programme.

12 General Council Prince Philip Fund

Paper K

Approval was granted for the merger of two existing Funds into a single entity, The General Council Prince Philip Fund, to be aligned with arrangements under the Access Edinburgh student support programme.

13 Committee Reports

- **Exception Committee**

Paper L1

The report was noted.

- **Policy & Resources Committee**

Paper L2

The report was noted.

- **Audit & Risk Committee**

Paper L3

The report was noted and the Annual Strategic Risk Report and Risk Policy and Risk Appetite Statement were approved.

- **Knowledge Strategy Committee**

Paper L4

The report was noted.

- **Senate**

Paper L5

The report was noted.

14 Donations and Legacies; Alumni Events

Paper M

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

15 Draft Resolutions

Paper N

The following draft Resolutions were referred to Senate and the General Council for observations:

- Draft Resolution No. 2/2021: Undergraduate Degree Programme Regulations
- Draft Resolution No. 3/2021: Postgraduate Degree Programme Regulations

16 Any Other Business

The Rector invited members to raise any other items of business. A discussion on cyber security was requested given the increasing importance of the topic and high level encouragement for organisations to discuss cyber security at board level. The Principal noted that he has recently been appointed as the lead on Universities UK's interaction with the UK Government on security matters, including cyber security, and there is recognition within the sector as a whole that cyber defences need improvement. The University of Edinburgh is a leading centre for cyber security but as with many other institutions faces regular cyber attacks of varying types and levels of sophistication. The Principal invited Gavin McLachlan, Vice-Principal, Chief Information Officer & Librarian to the University, to give a brief update on the current position. It was noted that the rapid growth of large scale organised cybercrime has been a key development in recent years. Cyber criminals increasingly seek to target staff log-on credentials in organisations to access and encrypt sensitive data for ransom, known as 'ransomware' attacks. The new University network currently being

installed includes new firewalls and additional protections above this have been added, some with the assistance of JISC, the network provider for many UK higher education institutions. In terms of governance oversight, IT Committee, Knowledge Strategy and Audit & Risk Committee receive regular updates and the Information Security Update to Knowledge Strategy Committee, which is currently summarised within the Committee's report to each Court meeting, could be appended to the next report to Court.

17 Date of Next Meeting

Monday, 14 June 2021