



UNIVERSITY COURT

14 June 2021 (Videoconference)

Web Version

Minute

- Members Present:** Debora Kayembe, Rector (in Chair)
Janet Legrand, Senior Lay Member
Joyce Anderson, Trade Union Professional Services Staff Member
Frank Armstrong, Co-opted Member
Sarah Cooper, Senatus Assessor
Doreen Davidson, General Council Assessor
Alastair Dunlop, Chancellor's Assessor
Perdita Fraser, Co-opted Member
Caroline Gardner, Co-opted Member
Alan Johnston, Co-opted Member
David Law, Co-opted Member
Fiona Mackay, Senatus Assessor & Academic Staff Member
Ellen MacRae, Students' Association President
Peter Mathieson, Principal & Vice-Chancellor
Sarah McAllister, Professional Services Staff Member
Jock Millican, General Council Assessor
Hugh Mitchell, Co-opted Member
Kathryn Nash, Trade Union Academic Staff Member
Claire Phillips, Senatus Assessor
Clare Reid, Co-opted Member
Frank Ross, City of Edinburgh Council Assessor
Réka Siró, Students' Association Vice-President Activities & Services
Sarah Wolffe, General Council Assessor
- Apologies:** None
- 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 Place
Pauline Manchester, Interim Director of Strategic Planning
Catherine Martin, Vice-Principal (Interim) Corporate Services
Gavin McLachlan, Vice-Principal, Chief Information Officer & Librarian to
the University
Theresa Merrick, Director of Communications & Marketing
Dorothy Miell, Vice-Principal & Head of College
Dave Robertson, Vice-Principal & Head of College
James Saville, Director of Human Resources
Moira Whyte, Vice-Principal & Head of College

Barry Neilson, Director of Strategic Change (for Item 7)
James Smith, Vice-Principal International (for Item 10)

OPENING ITEMS

1 Minute

Paper A1

Debora Kayembe, Rector, welcomed members and attendees and shared a statement marking Refugee Week (14-20 June), which has been published on the University's website. A series of events have also been organised by Edinburgh Global to showcase the University's support of refugee projects. Réka Siró, Students' Association Vice-President Activities & Services, was welcomed as a new member of Court and Alan Johnston, Doreen Davidson and Clare Reid were thanked for their service to the University on the occasion of their last meeting as Court members.

The Minute of the meeting held on 26 April 2021 was approved. Points raised at the previous meeting on improving the speed of offer making to prospective students and on financial sustainability were re-emphasised, with a request to consider these within the Strategic Performance Framework document – noting that this is intended for submission to Court early in the next academic year following consideration by the incoming Director of Strategic Planning & Insight.

2 Matters Arising & Review of Action Log

Paper A2

The action log was reviewed and actions relating to topics for forthcoming Court seminars and how to log requests for future topics was raised – it was noted that Janet Legrand, Senior Lay Member, will discuss future Court seminars later in the agenda and is open to receiving suggestions for topics.

3 Principal's Report

Paper B

Peter Mathieson, Principal & Vice-Chancellor, supplemented the written report with the following points:

- Freedom of expression and academic freedom and autonomy are of great importance to the University – as shown by the University being one of the first in the sector to publish a statement on freedom of expression and taking a sector leading role on the topic. This was also discussed at a recent meeting involving Heads of School and the importance to all of upholding freedom of expression and academic freedom was evident;
- The overall financial position is positive and the year-end outcome should show a surplus. Action taken in response to the pandemic including the pausing of the capital plan, wage restraint and the voluntary severance scheme have all contributed to improving financial sustainability over the year;
- The latest QS World University Rankings place the University at 16th in the world, with increases in key measures underpinning the rankings;
- Student application figures are strong and have increased in almost all categories;
- This has been a record year for entrepreneurship and innovation at the University, including the award of £71 million in grants for translational

research, 100 new company launches, £36 million in funding gained by spin-out companies and the £20 million award for the Advanced Care Research Centre – the largest single industrial research award ever made to the University, amongst other successes;

- As planned, the Adaptation & Renewal Team process concluded at the end of May and has been re-incorporated into the management bodies of the Senior Leadership Team and the University Executive; and,
- There will be a series of senior recruitment campaigns launched over the coming months for the appointment of: a Vice-Principal Corporate Services on a permanent basis; a Provost – a new role for the University rather than the traditional Senior Vice-Principal role; a Vice-Principal Research & Enterprise; and, two Heads of College as the terms of office of the two current postholders conclude next year. All appointments are subject to Court approval and will involve Court input in the selection process.

Members raised the following points:

- Whether the outlook for future government research funding has improved in recent months – it was noted that there has been some improvement given a recent announcement on UK government funding to help mitigate the loss of EU research funding but this is only a temporary measure. The medium term outlook will not be known until a UK government spending review expected in the autumn; and,
- A request for a written briefing on freedom of expression in relation to equality, diversity and inclusion matters in the context of a recent report at the University of Essex. It was noted that a Court briefing or seminar on freedom of expression is planned and this can be included as part of the session.

4 Committee Business

- **Senior Lay Member's Overview**

Janet Legrand, Senior Lay Member, noted that the structure of the Court agenda has been modified with a section on committee business placed before rather than after the main agenda items. This is to enable Committee Conveners to provide any useful context from the committee discussions of key items before they are considered.

Since the last meeting, the Senior Lay Member has participated in the Court Universities Superannuation Scheme (USS) Sub-Group and in the recruitment of new Court members and has continued to meet a number of current members. Over the summer and autumn period all Court members will be invited to individual meetings with the Senior Lay Member and University Secretary. Informal briefing meetings for Court members will be held over the summer period and topics that have been proposed for these or for future Court seminars include the University's racial equality action plan, freedom of expression, USS, commercialisation and staff workloads. It is hoped that there will be more opportunities to meet continuing and new members in person and also to thank departing Court members for their service.

Court's congratulations were recorded to Anne Richards, former Vice-Convenor of Court, on the award of a damehood in the Queen's Birthday Honours.

- **Policy & Resources Committee**

Paper C1

Alan Johnston, Convener of Policy & Resources Committee, noted the committee's recognition that the financial environment remains challenging, with a continuing need for cost control to maintain sustainability, as shown in the Planning Round proposals later in the agenda. The Committee continues to receive regular progress updates on the People & Money System, a major project for the University, with the Head of Internal Audit also providing oversight.

- **Audit & Risk Committee**

Paper C2

Caroline Gardner, Convener of Audit & Risk Committee, highlighted the four recommendations in the report, with approval requested for:

- The External Audit Annual Plan 2020/21
- The External Audit Fee for the 2020/21 audit (subject to two caveats set out in the paper);
- The Internal Audit Plan 2021/22; and,
- A minor update to the Committee's Terms of Reference.

The four recommendations were approved as set out in the paper.

- **Court Universities Superannuation Scheme (USS) Sub-Group**

Paper C3

Alan Johnston, Convener of the USS Sub-Group, noted that the topic remains an on-going and vital issue, with the consultation response appended to the report stating the University's position that ensuring a financially sustainable scheme with good value for all members is key. It was queried whether the Sub-Group is considering the various points of view taken on the 2020 valuation – the intention is to take a wide view, including considering complex issues such as intergenerational fairness, and taking input from Court members on the institutional position.

- **Nominations Committee**

Paper C4

Alan Johnston, Convener of Nominations Committee, introduced the report. On the recommendation of Nominations Committee, Court:

- i) approved the following appointments with effect from 1 August 2021:

University Court

- Douglas Alexander to be appointed as a General Council Assessor for a four year term of office
- Ruth Girardet to be appointed as a Co-opted Member for a four year term of office
- Alistair Smith to be appointed as a Co-opted Member for a four year term of office

Nominations Committee

- Janet Legrand to be appointed as Convener for a two year term of office
- Caroline Gardner to be re-appointed for a two year term of office
- David Law to be appointed for a two year term of office

- Sarah Wolffe to be appointed for a two year term of office

Audit & Risk Committee

- Caroline Gardner to be reappointed as Convener for a two year term of office
- Alastair Dunlop to be appointed for a two year term of office

Policy & Resources Committee

- Janet Legrand to be appointed as Convener for a two year term of office
- Sarah Cooper to be reappointed for a one year term of office

Remuneration Committee

- Caroline Gardner to be reappointed as Convener for a two year term of office
- David Law to be appointed for a two year term of office
- Hugh Mitchell to be appointed for a three year term of office

Knowledge Strategy Committee

- Colm Harmon to be appointed as interim Convener while a review of the Committee's terms of reference take place next year, to include considering lifting the current restriction that only lay members of Court can serve as the permanent Convener to enable Senate appointees and any category of Court member to serve as a future Convener;
- Claire Phillips to be reappointed for a one year term of office
- Kathryn Nash to be appointed for a three year term of office

Exception Committee

- Sarah Cooper to be reappointed for a one year term of office
- Jock Millican to be appointed for a two year term of office
- David Law to be appointed for a two year term of office

Court USS Sub-Group

- David Law to be appointed as Convener for a two year term of office
- Hugh Mitchell to be appointed for a three year term of office
- Doreen Davidson to be appointed as an external member for a three year term of office

Intermediary Court member

- David Law to be appointed for a two year term of office

Curators of Patronage

- Janet Legrand to be appointed for a two year term of office

Ethical Fundraising Advisory Group

- Sarah Wolffe to be appointed for a two year term of office

ii) approved a minor amendment to Exception's Committee Terms of Reference:

Exception Committee Terms of Reference – Extract

2 Composition

2.1 The Committee shall consist of at least six members.

2.2 The Principal, the Senior Lay Member, the University Secretary, and the Convener (if a Court member) of each of the other Standing Committees of Court shall be ex officio members of the Committee.

iii) noted the following appointments to Court's Thematic Committees approved by Nominations Committee with effect from 1 August 2021:

Investment Committee

- Doreen Davidson to be appointed as an external member for a three year term of office
- Jock Millican to be appointed for a two year term of office
- Jim Roth (external member) to be reappointed for a three year term of office
- Henry Cobbe (external member) to be reappointed for a three year term of office

- **Knowledge Strategy Committee**

Paper C5

Doreen Davidson, Convener of Knowledge Strategy Committee, highlighted key points from the report. Members commented on:

- The inclusion of an information security update within the report was welcomed;
- What improvements can be made to bolster information security at an individual staff member level, noting that the new People & Money System will help improve information security; multi-factor authentication is being explored but there are complexities in implementation and it should not be regarded as a panacea if introduced; and, continuing to raise awareness amongst staff of information security threats is vital.

- **Senate**

Paper C6

The report of the e-Senate meeting by correspondence from 11-19 May 2021 was noted, with a report from the Senate meeting on 2 June 2021 to be submitted to the next Court meeting.

KEY ITEMS FOR DISCUSSION/DECISION

5 Curriculum Transformation Update

Paper D

A progress summary of the Curriculum Transformation Programme since the last update in February 2021 was reviewed. The programme was formally launched in April 2021, with an online Curriculum Transformation Hub established with briefing papers, videos and feedback tools to encourage a University-wide discussion on the topic. The following points were raised:

- What the initial response has been from staff and any emerging themes – there has been a sense of openness to discussing the topic, with particular interest in the concept of what might be an “Edinburgh student” in a curriculum sense and how this might be a differentiator with other universities;
- The feasibility of the timescales given the impact of the pandemic on workloads and potential difficulty in engaging with all stakeholders – while the

timescales are ambitious, the programme is intended to build in intensity over time, with the current phase being a more gradual conversation-initiating phase to give time for as many contributions as possible. Some who are more engaged are keen to move to later phases now, e.g. curriculum redesign, but the programme will keep to its timings to encourage more contributions;

- The decision-making process once inputs have been received – there is a Curriculum Transformation Board that reports to the University Executive but the primary body will be the Senate, with University Executive and Court involvement as appropriate;
- Whether there is a risk of fatigue impacting on engagement in some groups, especially at the end of the academic year – levels of engagement and fatigue may come in waves as the academic year cycle progresses and this will have to be managed. Timing phases to best attract student engagement will also be critical. The subject matter tends to galvanise academic staff and students and the Hub can be useful in identifying any areas which might be less engaged;
- The current spectrum of opinion and whether a “Town Hall” style event might be organised – a wide range of opinion has been expressed, with the trend towards responses that are ambitious and positive. In-person engagement is something the team are keen to do and hopefully circumstances will allow this in due course; and,
- The vision for co-creation, establishing an iterative mechanism and whether the programme is concerned with skills and employability more generally or with subject knowledge. On co-creation, the Institute for Academic Development is currently considering this and plans to bring forward suggestions for discussion by the end of the calendar year. On general or discipline-specific skills and knowledge, the programme is concerned with generic rather than discipline-specific skills.

6 Students’ Association and Sports Union Reports

Papers E1,E2

Ellen MacRae, Students’ Association President, presented reports from the Students’ Association and the Sports Union and highlighted the Student Awards and Teaching Awards ceremonies held online in May and the new student sabbatical officer team, who took up their roles earlier this month. As the University plans for the next academic year, the Association hopes that positive aspects of the current period can be maintained, such as increased accessibility (e.g. with online exams) and speed of decision-making, while making improvements in other areas, such as closer engagement with the student voice. Members discussed points raised in the reports, including: providing University IT assistance where requested – with a secondment from the University to the Association’s IT team recently made; maintaining regular communications to postgraduate students over the summer; the buddy scheme for first year students was welcomed; and, improving resources, including staff resources, dedicated to tackling sexual violence and harassment, with a request for Court to be updated on progress in this area – noting that funding for this area will increase.

Réka Siró, Students’ Association Vice-President Activities & Services, noted that a priority will be to help bring students back to campus and keep spaces open and available as much as possible while maintaining and expanding help for those who

may still feel isolated through the meet up and catch-up scheme and a global buddy scheme.

7 Academic Year 2021/22 Planning Group Report

Paper F

An update on the work of the Academic Year 2021/22 Planning Group was reviewed. Helping students and staff feel confident in the approach taken to a greater return to campus life next year is a key priority, as the physical campus increasingly becomes the centre of gravity again. Government public health guidance for the sector is expected over the summer period but given lead-in times internal planning is needed before the guidance is published. In tandem with other Scottish universities, the planning assumption being taken is for in-person teaching with 1 metre physical distancing plus other risk mitigations. Other areas of focus include arrangements for testing, vaccination, managed isolation for students travelling from red and amber list countries and providing as much clarity as possible in communications to new and returning students. The following points were raised in discussion:

- Whether there will be a proportion of staff that will continue to work remotely as a default in the 'level 0 and beyond' scenario – this will depend on more detailed guidance from the Scottish Government. It is anticipated that there will be a staged return with those using on-campus research facilities, teaching in-person or providing in-person support services returning at an earlier stage;
- The rationale for the expected in-person teaching limit of approximately 50 students in one venue – this has been made in expectation of public health measures (such as 1 metre distancing) given the need to make timetabling decisions and room allocations as soon as possible and to give students more certainty about which activities will take place in-person or online; and,
- Whether the University intends to guarantee a certain minimum level of in-person teaching to every student as some other institutions have done – timetabling planning is still underway so the impact on individual programmes and students is not yet known in terms of the in-person/online mix and will likely vary depending on the particular course choices of each student. The expectation at this stage is that seminars and class will typically be delivered in-person and lectures will typically be delivered online.

8 Director of Finance's Report

Paper G

The indicative Quarter Three forecast position for 2020-21 and a draft (unaudited) Statement of Comprehensive Income and Expenditure for 2020-21 was reviewed. Indications are that a positive underlying operating surplus will be recorded for 2020-21, with a larger positive figure for the Statement of Comprehensive Income and Expenditure as it includes a positive accounting adjustment for pensions provision and gains on investments and one-off activities that are distinct from on-going 'business as usual' activities. The likely positive financial outcome for the year was welcomed and it was noted that discussions have taken place on holding internal financial briefings beyond the Court membership, with the outcome that quarterly financial updates will now be scheduled with the joint staff unions and with the Academic Strategy Group. How to address staff workloads in the context of measures taken to achieve a positive financial outcome was raised, with the financial

focus for next year being on controlling expenditure while being carefully considering appropriate resourcing in all areas of the University.

9 Planning Round 2021-22 Proposals

Paper H

Proposed budgets and plans following the conclusion of the 2021-22 Planning Round process were considered. It was noted that the process has been slowed by external factors, particularly delays in the allocations of funded student places by the Scottish Funding Council, with the internal context being a focus on improving financial sustainability through greater cost control. Following review by the Senior Leadership Team, the proposed income and expenditure budgets are intended to deliver an underlying operating surplus equivalent to 3% of total income, within the Court agreed range of 3-5%. The following points were raised in discussion:

- The importance of ensuring sustainable workloads for staff and high quality teaching for students and carefully reflecting on this when making decisions on cost controls;
- Whether there are pinch points in improving the student experience that may be affected by a focus on cost control;
- The impact of a potential reduction in tuition fees for English-domiciled students if this element of the Augar Review is implemented – approximately 30% of undergraduate students are English-domiciled but it remains to be seen whether the Augar Review will be implemented in partial, full or modified form and this will be closely monitored;
- When the Planning Round will revert to a longer time horizon rather than the current one-year plans – the intention is to move to a five year planning horizon with a ten year capital plan. Work is underway to develop a prioritised capital plan encompassing estates, digital infrastructure and other capital demands; and,
- More generally, the University is in a strong financial position and the budget holders (the Heads of College and Heads of Professional Services Groups) and those in individual areas who also make budgeting decisions will all recognise the importance of improving the student and staff experience when prioritising activities.

The Planning Round 2021-22 proposals were approved.

10 China Collaborations

- **Update on current and pipeline partnerships in China**

Paper I1

An update on current and planned partnerships in China was noted.

- **Low Carbon College Joint Institute**

Paper I2

Proposed arrangements for a Joint Institute to enhance an existing partnership with Shanghai Jiao Tong University in the Low Carbon College in Lingang, Shanghai, were noted.

11 Usher Institute for Population Health Sciences

Paper J

An update on the Usher Institute for Population Health Sciences construction project at the Edinburgh BioQuarter was reviewed. Approval to increase the overall capital cost is sought given changes to the intended car parking model at the site. It was also noted the business case has been revised given: changes to the building design in response to the pandemic; changes in the construction market with cost implications; and, planning considerations. The reduced design footprint for the building but with overall construction costs remaining at a similar level was queried – the increase in construction costs given the effects of the pandemic has meant a redesign is needed but the new design will accommodate the same number of occupants as originally envisaged (900 to 950 people).

It was agreed to approve an increase in the overall capital project cost resulting from the return of £850k to the Usher project budget which was previously allocated towards construction of a shared University of Edinburgh car park at the BioQuarter site.

12 University Pharmacy

Paper K

Noting the review of the provision of pharmacy services on campus and the recommendation that the contract to deliver a pharmacy function in the Health and Wellbeing Centre at Bristo Square be sold to a specialist pharmacy provider that can deliver a high-quality pharmacy function for students and staff, it was agreed to:

- approve the proposed sale of the University Pharmacy; and,
- delegate to the University Secretary, acting in consultation with the Deputy Secretary, Governance and Legal and Director of Legal Services, the authority to conclude and execute the legal documentation relating to the sale of the Pharmacy (including the lease of the premises), in line with the principles outlined in the paper.

13 Institutional Position on Scottish Independence

Paper L

The current neutral stance position taken by the University on Scottish independence was reviewed and reaffirmed.

ITEMS FOR NOTING OR FORMAL APPROVAL

14 Court Internal Effectiveness Review

Paper M

The annual internal effectiveness review for 2019/20 was approved and proposed arrangements for a review of the 2020/21 year noted.

15 Prevent Duty Implementation Update

Paper N

An annual update on the University's implementation of the Prevent duty was noted.

16 Education Act 1994 Compliance/EUSA Democracy Regulations Paper O1-O2

The Students' Association Certificate of Assurance was noted and the Articles of Association (remaining as previously) was given a renewed approval. Proposed changes to the Students' Association Democracy Regulations to improve postgraduate representation were approved as set out in the paper.

17 Awards of University Benefactor Paper P

Court approved the bestowal of the distinction of University Benefactor on the organisations set out in the paper.

18 Annual Recognition of Alumni Clubs Paper Q

The formal recognition of the nine University of Edinburgh alumni clubs currently recognised was renewed and activity of the clubs over the past 12 months noted.

19 Donations and Legacies; Alumni Events Paper R

Court noted legacies and donations received since the last meeting and an update on current alumni relations activities. The plans for "Class of 2021" communications were welcomed.

20 Resolutions Paper S

The following resolutions were approved:

Resolution No. 2/2021: Undergraduate Degree Programme Regulations

Resolution No. 3/2021: Postgraduate Degree Programme Regulations

21 Any Other Business

The Senior Lay Member recorded her thanks to Alan Johnston, Doreen Davidson and Clare Reid for their service as Court members.

The Rector noted a recent visit to New College to mark its 175th anniversary and whether there are plans to improve the garden area. The Principal responded that discussions are ongoing for plans to improve the garden, including seeking philanthropic support to fund improvements.

22 Date of Next Meeting

Wednesday, 6 October 2021