



UNIVERSITY COURT

6 October 2021, Wolfson Hall, Royal College of Surgeons of Edinburgh

Web Version

Minute

- Members Present:** Debora Kayembe, Rector (in Chair)
Janet Legrand, Senior Lay Member
Douglas Alexander, General Council Assessor
Joyce Anderson, Trade Union Professional Services Staff Member
Frank Armstrong, Co-opted Member
Sarah Cooper, Senatus Assessor
Alastair Dunlop, Chancellor's Assessor
Perdita Fraser, Co-opted Member
Ruth Girardet, 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
Hugh Mitchell, Co-opted Member
Kathryn Nash, Trade Union Academic Staff Member
Frank Ross, City of Edinburgh Council Assessor
Réka Siró, Students' Association Vice-President Activities & Services
Alistair Smith, Co-opted Member
Sarah Wolffe, General Council Assessor
- Apologies:** Jock Millican, General Council Assessor
Claire Phillips, Senatus Assessor
- In attendance:** Sabira Akram, Governance Apprentice Programme 2021/22
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
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
Jonathan Seckl, Senior Vice-Principal
Rona Smith, Director of Strategic Planning & Insight
Dave Gorman, Director of Social Responsibility & Sustainability (for Item
14)

Tina Harrison, Assistant Principal Academic Standards and Quality Assurance (for Items 7 and 15)
Barry Neilson, Director of Strategic Change (for Item 7)
Ashley Shannon, Director of Operations, Corporate Services Group (for Item 13)
Sandy Tudhope, University Lead for Climate Responsibility and Sustainability (for Item 14)

OPENING ITEMS

1 Minute

Paper A1

Debora Kayembe, Rector, noted apologies and welcomed members and attendees. New Court members Douglas Alexander, Ruth Girardet and Alistair Smith and new attendee Rona Smith were welcomed to their first meeting.

The Minute of the meeting held on 14 June 2021 was approved.

2 Matters Arising & Review of Action Log

Papers A2-A3

- **Lease for Secondary Substation, Advanced Computing Facility**

Court approved a lease from a date of entry to be agreed for a Secondary Substation for the Advanced Computing Facility at Easter Bush.

The action log was reviewed and an update on the development of a transport strategy requested. It was noted that the University-funded Central Area-King's Buildings shuttle bus for students and staff has resumed operation for the new academic year on a free of charge basis. The Scottish Government's decision that all residents in Scotland under the age of 22 will be eligible for free bus travel from 31 January 2022 will need to be considered within any new transport strategy.

3 Principal's Report

Paper B

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

- Members and attendees were thanked for the contributions to the Court seminar that took place prior to this afternoon's meeting and considered the Universities Superannuation Scheme (USS) and freedom of expression and academic freedom;
- The successful return or introduction to campus for many students and staff at the start of the new academic year has helped create a positive atmosphere of renewal after the disruptions of the previous 18 months; and,
- The Chancellor of the Exchequer announced earlier this week a new artificial intelligence fund for student scholarships and research fellowships. The Russell Group subsequently invited the University to produce a statement in response in recognition of the University of Edinburgh's leadership in this area.

Members raised the following points:

- What the estimated financial impact of the UK Government's 1.25% Health and Social Care Levy from April 2022 will be – this has an estimated direct cost of £1m in the current year and £3-4m per annum from 2022/23 onwards. There will also likely be an indirect cost as suppliers may increase prices as their own operating costs increase;
- The University's participation in the UK Government's Turing Study Abroad Scheme – the University has been successful in bidding to be a major participant in the scheme and would also be keen to be involved in any Scottish Government-funded international student exchange scheme, as has been mooted;
- The impact of the increased student intake this year on the future size and shape of the University – external factors have meant that the student intake has been larger than planned, with a similar position evident at many comparator institutions. A general growth in overall student numbers is not a planning assumption or aim;
- The Scottish Funding Council's Review of Coherent Provision and Sustainability – the review encourages collaboration within and between universities and colleges, which the University is involved with and is keen to continue doing;
- The UN COP26 Climate Change Conference – a briefing note detailing the University's engagement with the conference can be circulated. There is leadership involvement in the COP26 Universities Network from Professor Dave Reay, involvement in a wide range of events in both the 'green' and 'blue' zones of the conference, as well as hosting events in Edinburgh, where many delegates will stay or visit during their time in Scotland;
- The proportion of teaching in groups under 50 that is taking place in-person – this varies by School and by course but on average over 80% of teaching of groups under 50 is presently in-person. For the next semester the aim is to increase the 50 person cap to 120, which should lead to a further increase in on-campus teaching; and,
- The reasoning for a cap on teaching groups in-person that are no larger than 50 – this is a reflection of capacity constraints when timetabling decisions were made with assumptions of what the public health guidance would be for universities and is in-line with Scottish Government expectations of careful management of a return to greater levels of on-campus activity this year. As this has been successful from a public health perspective there is confidence to raise the cap next semester, although much will depend on how the pandemic develops over the winter period.

4 Senior Leadership Recruitment

Paper C

An update on recruitment for four senior leadership posts – Provost, Vice-Principal Research & Enterprise, Vice-Principal and Head of College of Science & Engineering and, Vice-Principal and Head of College of Arts Humanities and Social Sciences – was noted, with an encouraging level of interest from high quality applicants evident.

5 Committee Business

• Senior Lay Member's Overview

Janet Legrand, Senior Lay Member, noted that individual meetings with continuing Court members and the University Secretary took place as planned over the summer period. A distillation of reflections from these meetings will be included within the annual effectiveness review paper to be submitted to the next meeting. As members have welcomed the opportunity to meet in-person at this meeting it is planned to continue this approach for the next Court meeting, with the next cycle of committee meetings to take place by videocall. The Senior Lay Member is scheduled to meet with Jamie Hepburn MSP, Scottish Government Higher Education Minister, as part of the Committee of Scottish Chairs (where the Senior Lay Member has been appointed as vice-chair) and will participate in the autumn plenary meeting of the UK Committee of University Chairs later this month.

• Exception Committee

Paper D1

Matters approved on behalf of Court by Exception Committee were noted as set out in the paper, including:

- Provision of hardship support for managed isolation costs for those international students from 'red list' countries who would otherwise be prevented from coming to the University;
- The following appointments:
 - Vice-Principal Corporate Services – Catherine Martin
 - Trustee of the Staff Benefits Scheme – Ashley Shannon, Director of Operations in the Corporate Services Group, for a three year term of office;
 - Audit & Risk Committee – David Law appointed as Convener for a two year term of office; Ruth Girardet appointed for a three year term of office;
 - Remuneration Committee – Hugh Mitchell appointed as Convener for a three year term of office; Frank Armstrong appointed for a two year term of office;
 - Nominations Committee – Hugh Mitchell appointed for a three year term of office;
 - Policy & Resources Committee – Douglas Alexander appointed for a three year term of office;
 - Intermediary Court member – Frank Armstrong appointed for a two year term of office;
 - Court USS Sub-Group – Janet Legrand appointed as Convener on an interim basis; and,
 - Nominations Committee's appointment of Alistair Smith to Estates Committee for a three year term of office was noted.
- Proposed expenditure (including contingency) of £2.9m from within the Court-approved budget envelope for 2021/22 on the following strategic priorities: Curriculum Transformation; Programme and Course Information Management; Personal Tutor and Student Support; and other covid-related impacts; and,
- Additional funding to enable the contract award for the construction of the Usher Institute building.

- **Policy & Resources Committee** **Paper D2**

The report was noted, with key items considered including the People & Money System implementation featuring later in the agenda.

- **Nominations Committee** **Paper D3**

The report was noted and all members who agreed to take on the new appointments set out in the paper were thanked.

- **Court Universities Superannuation Scheme (USS) Sub-Group** **Paper D4**

The report was noted, with the seminar held in the morning providing the latest update on the topic.

- **Audit & Risk Committee** **Paper D5**

Key points from the Committee's first meeting of the new academic year were summarised, including preparatory work for the Annual Report & Accounts and discussions on risk management and the internal control environment.

- **Senate** **Paper D6**

The report of the Senate meeting held by videoconference on 2 June 2021 was noted.

KEY ITEMS FOR DISCUSSION/DECISION

6 National Student Survey Results **Paper E**

Secretary's note: Items 6, 7 and 15 were considered jointly within Item 6.

Findings from the 2021 iterations of the undergraduate National Student Survey (NSS) and Postgraduate Taught Experience Survey were reviewed. The results remain disappointing for the NSS in particular, with a decline in the overall satisfaction score to 71%, in comparison to a sector average of 79%. It was noted that, while the pandemic has led to an overall decline in student satisfaction levels for the sector, some institutions have improved over this period. Many comments submitted by students chime with findings from the recent Enhancement-led Institutional Review (ELIR), such as a desire to reform the current Personal Tutor system, improving quality and timeliness of feedback on academic work, inconsistency between Schools, a slow pace of change and the general complexity of navigating the University from a student perspective. While the overall ELIR outcome is positive, there are challenging recommendations in the report for the University to consider and act upon. A draft action plan to respond to the recommendations has been developed for initial review by Court and will be submitted to Senate for approval.

The following points were raised in discussion:

- Postgraduate and postdoctoral staff who support undergraduate teaching could have greater training provided before teaching and this should be resourced; and more generally, the level of resource that may be required to take forward the draft Action Plan was queried – there will be a resource commitments made as part of implementing the Action Plan, such as reform of the Personal Tutor system;
- A long-standing issue has been a propensity to over-assess students and this should be considered within the Curriculum Transformation Programme – the approach to assessment has been ‘bottom-up’ to date and a strategic approach is needed that is clear and consistent for students;
- Course Enhancement Questionnaires will not be offered this year but they have been a useful source of data on the student experience – response rates have been in decline and a new approach will be taken with a mid-course rather than end-course questionnaire in place from 2022/23. This should allow for action to be taken on issues raised before the course concludes;
- How well understood the particular issues with assessment and feedback are – there is a desire for feedback that is timely, consistent and useful in the sense of being linked to the requirements of the course and helping students develop further;
- Setting appropriate metrics (e.g. using a narrow peer group that most closely matches the University) to measure success, focusing on a small number of key improvements to make and improving accountability for leaders in each area (e.g. inclusion in annual review discussions) could add an impetus for improvement;
- NSS results have been disappointing for a prolonged period of time, despite the high priority given to them by Court and whether there a resourcing and/or governance element to this if there are some areas with persistently low results that do not make significant changes as a result. The ELIR report also highlights the governance challenge of the highly devolved nature of the University;
- The disappointing results are recognised by staff and a great deal of work has been undertaken over the years in response – it would be helpful for Schools to have a document that brought together analysis of this to aid future action;
- Improving communications to students to reinforce positive action taken;
- Any feeling of institutional acceptance that low student satisfaction scores are inevitable should be challenged by Court and all parts of the University; and,
- From a student perspective, one of the biggest difficulties is not feeling valued and not feeling a sense of belonging as an individual in the institution and in the wider city – it is notable that student satisfaction tends to be higher on smaller, more close-knit courses. In addition, students from widening participation backgrounds may need particular support and find that a single negative incident may affect them disproportionately.

Court agreed to emphasise the high strategic priority it places on improving student satisfaction measures and in particular its desire to see a greatly increased pace of change in this area and offered support to the senior leadership team in advancing this change.

7 Enhancement-led Institutional Review (ELIR) Response Action Plan Paper F

Secretary's note: this was considered within Item 6 above.

8 Preventing and Responding to Gender-Based Violence and Sexual Violence Paper G

An update on activity in preventing and responding to sexual violence and gender-based violence and the work of a University taskforce on the subject, now integrated into the Gender Equality Sub-Committee of the University's Equality, Diversity and Inclusion Committee, was reviewed. Work at the University is focused on: better support for those affected; encouraging greater disclosure of incidents; and, culture change to reduce incidences. The following points were raised in discussion:

- Whether online modules in consent and tackling harassment could be implemented on a mandatory basis this academic year – the software has only recently been purchased and complex issues around triggering (e.g. those who might recognise for the first time a previous experience as being an experience of sexual violence having completed the module) should be considered further before a decision is taken; and,
- Whether the intention in the paper to “reduce incidences of sexual violence over time through education and culture change” should aim for eradication rather than reduction – it was acknowledged that long-term societal-wide change is needed, which the University can help to contribute towards, as well as greater support for those who disclose and encouraging disclosure.

9 Students' Association and Sports Union Reports Papers H1,H2

Ellen MacRae, Students' Association President, presented reports from the Students' Association and the Sports Union and introduced a brief video highlighting some of the many Welcome Week events held in Bristo Square. Over 25,000 visits to the 'Gem', a temporary covered outdoor space took place in Welcome Week. The Gem hosted student societies and sports club fairs and helped introduce first years and many second years new to Edinburgh to the campus.

It was noted that difficulty in finding suitable and affordable private accommodation in Edinburgh is a serious concern for many students this year. This could be further exacerbated in the coming years as the large cohort of first year undergraduate students seek private accommodation for their subsequent years of study. The Association's President asked that accommodation availability in the city be considered in thinking on the future size and shape of the University.

10 Director of Finance's Report Paper I

The draft financial results for 2020-21, the latest iteration of the five-year financial scenario modelling and an update on the Universities Superannuation Scheme valuation were reviewed. It was noted that the planning round will be harmonised with capital planning work to give a five year time horizon for both.

11 Performance Measures to Support Strategy 2030

Paper J

Performance measures to support engagement with, and measurement and delivery of, the University's Strategy 2030 were considered and approved. It was noted that the intention is to establish baselines, recognising that the pandemic will have a disruptive effect on the stability of some of the measures, benchmark where possible and to embed the measures in the planning round as well as providing progress reports to Court and the University Executive. The following points were raised in discussion:

- The measures were welcomed as a necessary means for Court to assess progress in meeting the University's Strategy 2030 ambitions;
- Support was expressed for suggestions made at Policy & Resources Committee to consider leading measures for student experience, suitable measures for Data-Driven Innovation and greater use of external benchmarking with comparable institutions where possible;
- Whether a staff engagement measure could use comparative information from staff surveys at peer institutions;
- Whether a reputation measure could be developed – noting that international university reputation surveys tend to be based on research activity and the difficulties in disentangling different elements which might contribute to reputation but are not related to present day activity, e.g. history and location; and,
- The measures will be one element of a larger toolkit for measuring performance, with the top-level measures to be published within the Annual Report & Accounts and should be suitable for that format.

12 People and Money System

- **People & Money Implementation**
- **People & Money Governance and Assurance Changes**

Paper K1

Paper K2

A revised plan for the implementation of the People & Money System (the programme delivering the core IT system for HR, Finance, Payroll and Procurement) was presented. The programme was reviewed over the summer period by Professor Dave Robertson, Vice-Principal and Head of College of Science & Engineering, resulting in a recommendation to seek additional funding to complete the implementation using a new approach. This should include working to fixed 'go-live' dates, de-scoping in some areas, additional operational management and adoption, working closely with the main budget holders and strengthened governance and assurance changes. Given the scale and nature of the programme, risks, while reduced, will remain, with institutional perception and confidence in the new system vital for success. The proposed governance and assurance changes have been developed by the Principal and include establishing an Enactment Group to focus on the implementation of the programme, to be co-chaired by Dave Robertson and Catherine Martin, Vice-Principal Corporate Services and bringing an external perspective with Professor Anthony Finkelstein, President of City, University of London, and an expert in systems change, agreeing to provide independent advice on a pro bono basis. The following points were discussed:

- The proposals have been reviewed and the recommendation supported by the Policy & Resources Committee and its People & Money Sub-Group, which includes lay members with experience of the implementation of systems of

this type in their own organisations and the additional complexities such programmes often encounter as they develop;

- Continuing to provide Court with assurance that programme milestones are being met – there will be fortnightly reporting to the Enactment Group, monthly reporting to the University Executive and reporting to the Policy & Resources Committee and the Knowledge Strategy Committee, which in turn will report to Court within their regular reports; and,
- Whether there will be additional costs borne in local areas in implementing the system – any additional ‘bedding down’ costs will be funded by the six budget holders for their own areas.

The recommended option to complete the programme using the new approach set out in Paper K1 was approved along with the additional costs associated with the budget variance, noting that this in the context of strengthened governance and assurance changes set out in Paper K2.

13 Edinburgh BioQuarter: Update on Formalising Partnership Arrangements and Procurement of a Private Sector Partner

Paper L

An update on plans to formalise partnership arrangements with Scottish Enterprise and the City of Edinburgh Council and to procure a private sector partner to assist in the development of a Health Innovation District at the BioQuarter site, Little France, was reviewed.

Court agreed to support:

- a) the formation of a company limited by shares, EBQ3 Ltd, in which the University would hold a third of the equity alongside Scottish Enterprise and the City of Edinburgh Council, in accordance with the terms of the EBQ3 Shareholders’ Agreement which will govern decision making including appropriate reserved matters.
- b) the University’s Director nominees of EBQ3 Ltd as Ashley Shannon, Director of Operations in Corporate Services and Gary Jebb, Director of Place.
- c) the proposed future structure of the BioQuarter partnership with the Private Sector Partner (PSP) through a Strategic Joint Venture arrangement and associated legal framework.
- d) the publication by EBQ3 Ltd and the 3 BioQuarter partners of the Contract Notice and undertaking the formal public procurement process to select a PSP. This procurement process will ultimately lead to the University entering into the Strategic Joint Venture Agreement with the other BioQuarter partners and the PSP, as well as the other legal agreements necessary to progress the development of the BioQuarter site and,
- e) the principles of the Outline Business Case set out in the paper.

A delegation of authority in accordance with the Delegated Authority Schedule was agreed for:

- a) the Principal to oversee the procurement and appointment process for the selected bidder in accordance with the parameters of the partnership’s procurement strategy and supported by members of the University’s Senior Leadership Team and other senior staff of the University as required;

- b) the Vice-Principal Corporate Services to conclude the arrangements associated with approval matters noted above, including the University's corporate interests in EBQ3 Ltd and the Strategic Joint Venture arrangement with the other BioQuarter partners and the PSP;
- c) the University Procurement Director to approve the final procurement arrangements and associated documentation to support the formal launch and undertaking of the public procurement process specifically relating to point d) in the section above; and
- d) the Vice-Principal Strategic Change and Governance and University Secretary to provide signing authority (including the ability to be sole signatory by electronic means) for all associated legal documentation in consultation with the Vice-Principal Corporate Services and Deputy Secretary, Governance and Legal and the Director of Legal Services and the Interim Director of Estates.

14 Carbon Sequestration through Forests and Peatland

Paper M

An update on plans to sequester carbon to offset unavoidable emissions associated with travel as an essential component of meeting the Strategy 2030 outcome of "We will be on track to be a Carbon-Zero University by 2040" was reviewed. Initial scoping work considered a market based approach (purchasing carbon offsets from third party providers on a transactional basis) and the alternative approaches of purchasing land or working in partnership with existing landowners to restore peatland or expand forests or working in partnership with existing landowners. Having found the market based approach to be more expensive and to offer less certainty than a land ownership or land partnership approach, a combination of land ownership and land partnership is proposed to combine the favourable elements of both – with land ownership offering the greatest amount of certainty and the ability to develop related research and teaching opportunities on the land and the partnership approach not requiring an initial capital investment and the benefit of working with experienced custodians of the land. The following points were raised in discussion:

- Whether the scale of land purchase proposed will be sufficient to meet the level of carbon offset required – the proposal includes both land purchase and working in long-term partnership with existing landowners and should enable the level of carbon offset sought to be met by 2040;
- Airlines are increasingly offering travellers the opportunity to carbon offset journeys and if this becomes included as standard in airline tickets in future the need for the University to offset travel emissions separately would reduce – this is uncertain and by acting now the University can show leadership in this area. Should travel emissions reduce or be offset by airlines and other transport providers the University will still need to offset other activities that generate emissions such as electricity for high performance computing use and the proposals can contribute to this;
- More generally, the extent to which the policy landscape is changing rapidly in this area, making the costs and benefits of a long term decision such as land purchase more difficult to assess at present and at a time when forestry land has been increasing in price – while there is uncertainty at present the direction of travel for organisations aiming to achieve net zero emissions is increasingly to include carbon offsetting as part of a strategy to achieve this. The University of Edinburgh would be at the forefront of the higher education

sector by acting now and given the increasing interest in carbon offsetting forestry land is likely to become more expensive in future;

- The level of prioritisation for the proposal compared to other capital projects – the project is modest in its capital requirements and has been recommended as a strategic priority;
- The benefit to the University’s reputation and credibility from showing leadership in this area and taking a significant step towards the ‘zero by 2040’ aim;
- Likely support from the student body for the proposals and the opportunity for teaching and research activities on the land to create wider benefits and a virtuous cycle of activity; and,
- Considering further the communication of the proposals given the commercial confidentiality of some aspects.

Subject to further discussion with relevant members on planned communications, Court supported the proposals and:

- (i) approved expenditure of capital to enable purchase of land for carbon sequestration through forests and peatland; and,
- (ii) noted expenditure of the associated revenue elements, noting that this would be found from within existing resources for 2021-22 and factored into the University’s planning round for future years.

ITEMS FOR NOTING OR FORMAL APPROVAL

15 Annual Report to the Scottish Funding Council on Institution-led Review and Enhancement Activity 2020/21 Paper N

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

16 Singapore Office Bank Account Paper O

The opening of a corporate bank account with Standard Chartered in Singapore in the name of ‘The University of Edinburgh (Singapore Branch)’, to be operated as set out in the paper, was approved.

17 Donations and Legacies; Alumni Events Paper P

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

18 Any Other Business

It was requested that the impact case studies developed for the Research Excellence Framework submission be made available for information when appropriate.

The Rector noted an invitation to the Women of the Year awards ceremony later this month and recorded thanks to the University Chaplaincy Service for their support following a recent close family bereavement.

19 Date of Next Meeting

Monday, 29 November 2021