



UNIVERSITY COURT

17 April 2023, Yew Lecture Theatre, King's Buildings

Web Version

Minute

- Members Present:** Debora Kayembe, Rector
Janet Legrand, Senior Lay Member
Douglas Alexander, General Council Assessor
Robert Aldridge, City of Edinburgh Council Assessor
Joyce Anderson, Trade Union Professional Services Staff Member
Frank Armstrong, Co-opted Member
Shereen Benjamin, Senatus Assessor
Richard Blythe, Senatus Assessor
Alastair Dunlop, Chancellor's Assessor
Perdita Fraser, Co-opted Member
Ruth Girardet, Co-opted Member
Tobias Kelly, Academic Staff Member
Peter Mathieson, Principal & Vice-Chancellor
Douglas Millican, Co-opted Member
Jock Millican, General Council Assessor
Hugh Mitchell, Co-opted Member
Kathryn Nash, Trade Union Academic Staff Member
Niamh Roberts, Students' Association President
Alistair Smith, Co-opted Member
Isi Williams, Students' Association Vice-President Community
Sarah Wolffe, General Council Assessor
- Member Apologies:** Sarah McAllister, Professional Services Staff Member
- In Attendance:** Leigh Chalmers, Vice-Principal & University Secretary
Kate Huang, Governance Apprentice
Sophia Lycouris, Rector's Assessor
- Presenters & Observers:** Lewis Allan, Head of Court Services
David Argyle, Vice-Principal & Head of College
Christina Boswell, Vice-Principal Research & Enterprise
Iain Gordon, Vice-Principal & Head of College
Kim Graham, Provost
Lee Hamill, Director of Finance
Colm Harmon, Vice-Principal Students
Gary Jebb, Director of Place
Catherine Martin, Vice-Principal Corporate Services
Gavin McLachlan, Vice-Principal, Chief Information Officer & Librarian to the University
Theresa Merrick, Director of Communications & Marketing
Sarah Prescott, Vice-Principal & Head of College
James Saville, Director of Human Resources
Rona Smith, Deputy Secretary Governance & Strategic Planning

Sarah Cunningham-Burley, University Lead for Equality, Diversity & Inclusion (for Papers H1 and H2)
Paul McGinty, Head of Internal Audit (for Paper I2)
Alan Mackay, Deputy Vice-Principal International (for Paper J)

OPENING ITEMS

1 Minute

Papers A1-A2

The minute of the meeting and the note of the seminar held on 27 February 2023 were approved.

2 Matters Arising & Review of Action Log

Paper A3

There were no matters arising and the action log was noted.

A verbal update was provided on the Academic Freedom/Freedom of Expression Working Group. It was noted that the Working Group has agreed a terms of reference and has met twice to date, with a further three meetings scheduled in the coming months. Four workstreams have been established covering: i) Engagement and Culture; ii) Education and Training; iii) Policies, Structures and Procedures; and, iv) Communication, with the aim of identifying short, medium and longer term actions to support delivery of Strategy 2030 objectives. An email update has been circulated to all academic staff and information on the group added to the University website. The following queries and comments were raised:

- Whether the timescales can be advanced and/or some initial actions taken in the short term – the working group is meeting frequently and colleagues involved are working at pace in addition to their other responsibilities. Actions can be taken as they are identified, e.g. training is already taking place for Heads of School and the Policy on Speakers and Events is being reviewed at present;
- Whether a more expansive definition of academic freedom could be used beyond the legal definition, e.g. to include considering self-censorship and ensuring a plurality of viewpoints can be heard, including in teaching – the legal definition of academic freedom is referenced on the website and the working group discusses how academic freedom is considered as part of its deliberations;
- Addressing censorious behaviour – one workstream is focused on engagement and culture, which includes behaviours and how all colleagues work together as a community and respect one another; and,
- How the membership of the working group was determined and including colleagues with published expertise in the topic – the working group includes colleagues who have significant involvement in academic freedom and freedom of expression matters in their roles, including a number of Heads of School. There will be broader engagement beyond the Working Group through the workstreams, recognising the high level of interest in the topic and the desire to receive input from a diverse range of views.

A summary of the Principal's main activities since the last meeting was noted, with the Principal commenting on the following:

- Industrial relations – i) a marking and assessment boycott is expected to be called by the University & College Union. Staff declaring participation in the boycott will receive a 50% deduction in salary for the duration, with some institutions expected to deduct 100% of salary. Mitigating measures will be considered where possible to reduce the impact on students; ii) the latest valuation of the Universities Superannuation Scheme (USS) has been undertaken and the results are expected to show a significantly improved position in the scheme's funding compared to the previous valuation – this may enable benefits and/or contributions to be amended to reflect this; iii) while the sector-wide pay offer remains subject to ongoing dispute, with negotiations having reached an impasse, employers have been implementing the offer to ensure that staff can receive a salary uplift at the present time, with the first phase of the uplift undertaken in the March payroll;
- Recent developments in generative artificial intelligence, most notably ChatGPT, have elicited media interest and discussion in the sector on potential implications for higher education, including for student assessments. The University is able to draw upon its own academic experts in this field and Professor Shannon Vallor, Baillie Gifford Chair in the Ethics of Data and Artificial Intelligence has been invited to present to a future Court meeting on this topic; and,
- Additional graduation ceremonies have taken place for cohorts who had been unable to participate in ceremonies given pandemic restrictions in place at their usual time of graduation,

Developments in artificial intelligence were discussed, including the variety of responses seen within higher education systems in other countries and whether this may influence preferences for some forms of student assessment over others. A pre-existing trend towards increased use of formative over summative assessment was noted and that guidance for student use of generative artificial intelligence has recently been produced and will be kept under active review.

4 Committee Business

• Senior Lay Member's Overview

Janet Legrand, Senior Lay Member, commented on:

- A recent meeting of the Committee of Scottish Chairs, which Douglas Alexander, General Council Assessor, attended on the Senior Lay Member's behalf given another commitment;
- The University's delegation, including student members, which visited Buckingham Palace as part of an historic ceremony to offer a Loyal Address to the new monarch; and,
- The recruitment exercise for new Court members, which has attracted a strong field of candidates, with interviews scheduled for the following week.

- **Policy & Resources Committee**

Paper C1

The report was noted and the Committee's discussion of the Teviot Row House estates project and equality reports, both to be considered later in the agenda, highlighted. The procurement of a private sector partner to help deliver a health innovation district at the Edinburgh BioQuarter site was raised, noting that the timeline has been affected by the pandemic and less favourable wider economic conditions. An update is planned for the next Court meeting and it was requested that lessons learned be considered as part of this.

- **Audit & Risk Committee**

Paper C2

The report was noted.

- **Knowledge Strategy Committee**

Paper C3

The report was noted, with an update provided on the appointment of Professor John Thompson of the School of Engineering to chair the Sustainable IT Sub-Group and opportunities for the University to contribute to the UK's ambition to be a leader in Artificial Intelligence highlighted.

- **Senate**

Paper C4

The report was noted.

KEY ITEMS FOR DISCUSSION/DECISION

5 Curriculum Transformation Project Update

Paper D

An update on the Curriculum Transformation Project was reviewed following recent discussion at Senate and the University Executive. The following points were raised:

- The level of resourcing and where and how this is being deployed – expenditure to date has mainly been on staffing for the project team and some secondments and consultancy work. Expenditure is below the initially anticipated level at present but is expected to rise to meet levels budgeted for. An investment case is being developed along with work to better understand resource implications at School level and any implications for the internal economy of the University;
- The approval pathway for the project and ensuring that decisions are sought at the appropriate times and that Court remains involved;
- Student feedback on the project to date – student feedback has been a key impetus for the project, noting the difficulties many students have encountered in navigating the present curriculum beyond their core disciplinary areas. Student interest in participating in curriculum co-creation projects has been strong and student members of Senate have expressed support for curriculum transformation;
- The timeline for the project, recognising that the project's progress has been slower to date than first envisaged given the pandemic and recovery from this;

- Concerns that Schools may have and addressing these – Schools are keen to ensure that any curriculum changes do not affect the strong disciplinary grounding Edinburgh students receive. The project is intended to enhance the non-core or ‘wraparound’ elements of the curriculum and not impact on the disciplinary core. Resourcing implications at School level have also been raised and this is being considered in the next phase of work that will align the new framework with the present arrangements in Schools;
- The importance of ensuring effective implementation and learning from other curriculum change projects, such as the Curriculum for Excellence programme in Scottish schools; and,
- Whether curriculum transformation is a project that will likely improve student satisfaction, including student satisfaction as measured in the National Student Survey – the work is motivated by recognition that a review of the curriculum is long overdue and that students have frequently raised this, rather than being motivated/driven by the recognised need to improve National Student Survey results. It is part of a range of work that taken together is expected to improve the student experience from the point of application through to completion of a course of study and beyond.

6 Students’ Association and Sports Union Reports

Papers E1-E2

Regular reports from the Students’ Association and Sports Union were received, with matters highlighted including: the Association’s shortlisting in five categories at the National Union of Students Scotland Awards, winning the Education Award for work preparing students to return to in-person exams; the cost of living campaign and a recent open letter on this; a recent increase in student submissions of special circumstances and academic appeals; concerns over the potential impact of the marking and assessment boycott, noting that the Association supports the industrial action; and, on the Teviot Row House project, the importance of planning for the decant and mitigating any financial impacts on the Association. Noting that student members Niamh Roberts and Isi Williams will conclude their terms of office before the next meeting, members thanked them for their contributions and wished them well for the future.

7 Director of Finance’s Report

Paper F

The Director of Finance’s Report was reviewed, including updates on: the Planning Round; the financial forecast for the present year; the latest management accounts; the upcoming Universities Superannuation Scheme (USS) valuation; and, findings from the 2021-22 Russell Group financial benchmarking exercise. Achieving long term sustainability for the USS scheme, with reference to the cycles of surpluses and deficits seen following triennial valuations in previous years and the impacts these have had was discussed – a deeper conversation might be needed in the sector and improving flexibility and choice for members is another important factor. Ensuring that all stakeholders are considered in any longer-term thinking was raised.

8 Estates

• Residential Strategy 2023 – 2030

Paper G1

A draft Residential Strategy 2023 – 2030 was reviewed. Current volatility in the student accommodation market was highlighted, particularly in the City of Edinburgh, and the strategy is planned for a review on an annual basis given the rapidly changing environment. It was noted that the provision of student accommodation is a core part of the University's offer to prospective students but it is not supported by government funding, is self-funded, and there is a recognised significant additional challenge faced by returning students. The strategy seeks to enable continued accommodation of all new students eligible under the current accommodation guarantee and provide 20% of stock for returning students or other categories, in addition to improving the inclusivity of the accommodation provided.

Members discussed:

- Support for improving inclusivity in terms of the socio-economic mix of students accommodated within the same development;
- Communicating the strategy to students and providing assistance to those seeking private sector accommodation, including encouraging early applications;
- The present status of the accommodation proposal at the Peffermill site – this remains under consideration as a potential longer-term proposal in revised form;
- Increases in student numbers in recent years and the pressure this has placed on accommodation – there have been some larger intakes than planned during the pandemic years owing to external factors with resultant short term pressures. These pressures have been exacerbated by a drop in private rental availability but intakes are being carefully managed in line with size and shape objectives, in tandem with accommodation planning, to improve the situation.

Noting the Key Strategic Actions and Delivery Plan contained within the Strategy and the commitment to the University strategic objectives, specifically around student experience, inclusion and diversity, transport and climate action, the Residential Strategy 2023 – 2030 was approved.

• Edinburgh College of Art

Paper G2

A funding request for the redevelopment of the Edinburgh College of Art (ECA) site at Lauriston Place was presented. It was noted that plans to redevelop the site can be traced to the University's merger with ECA in 2011 and an intention to achieve benefits from co-locating more of the enlarged School's activities in one site.

Members discussed:

- Assessing expected benefits to the student experience from the project and including evidence for expected student experience benefits in future estates projects. It was commented that improving the student experience has been core to the plans for the project but measuring changes after completion in an accurate way is difficult given the number of other factors that can influence student experience. Assessing this for relevant future projects will be considered;

- The importance of access to studio spaces for ECA students and the impact that growth in numbers can have on this;
- The importance of considering staff experience within estates projects; and,
- Confidence in delivery of the project on budget – construction costs remain volatile but the project will operate to a fixed budget.

Court:

- Noted that proposed funding is included within the Capital Plan for the project;
- Noted that the implementation and delivery of the ECA Masterplan will allow the Reid School of Music to relocate from Alison House to the Lauriston Campus, thus releasing space within the Central Area for repurposing;
- Noted that funding has previously been approved to cover design team fees and surveys; and,
- Approved capital funding to progress the project from RIBA Stage 3 through to construction and building occupation.

- **Teviot Row House**

Paper G3

A funding request for refurbishment and improvement work on the Teviot Row House building was presented. It was noted that this encompasses modernisation, compliance and student experience enhancement works but will necessitate the closure of the building for the duration of the works. The Students' Association President highlighted the potential impact on student experience during the building's closure and the importance of the decant plans in mitigating this. It was agreed that Court would be updated on the decant plans within the regular Students' Association report.

Court:

- Approved capital funding of to progress the Teviot Row House project from RIBA Stage 3 through construction to completion and occupation;
- Noted that this is in addition to funding previously approved for design team fees and surveys; and,
- Noted that as the building requires to close for the duration of the works the University needs to capitalise on this opportunity to make enhancements that will benefit the student experience within the building.

9 Equality, Diversity & Inclusion

- **Equality Outcomes and Mainstreaming Progress Report 2023**
- **Equality, Diversity and Inclusion Data Report 2023**

Paper H1

Paper H2

The Equality Outcomes and Mainstreaming Progress Report 2023, including reporting under the Gender Representation on Public Boards (Scotland) Act 2018, and the Equality, Diversity and Inclusion Data Report 2023 were reviewed. Success in embedding equality, diversity and inclusion principles and responsibilities and progress in areas such as an increase in the proportion of Black, Asian and Minority Ethnicity students and staff was noted. It was recognised that further progress is needed in a range of areas. This includes improving communications, improving the experience of individuals with disabilities, addressing variances in student outcomes

and fostering good relations among different groups to support freedom of expression and its intersection with equality, diversity and inclusion.

The following points were raised in discussion:

- The reports were welcomed and progress made in areas such as Widening Participation, narrowing attainment gaps;
- Considering language used, e.g. language around protected characteristics and language used within the sector, and by sector agencies, and taking a consistent approach – it was agreed that this will be reviewed prior to publication;
- The approach to resourcing equality, diversity and inclusion work, including relevant training – mainstreaming equality, diversity and inclusion work includes mainstreaming its resourcing and is being considered within the planning round in the context of increasing commitment and resource to this work. For training, HR colleagues are developing an equality, diversity and inclusion learning and development framework;
- Ensuring close monitoring of care experienced students in future reports, noting the Scottish Funding Council's request to universities and colleges to treat care experience as similar to a protected characteristic; and,
- The importance of fostering good relations and supporting inclusion of all in areas where there may be tensions.

10 People and Money

• People and Money System Update

Paper I1

An update on the implementation of the People & Money system was presented. It was noted that recommendations from the Special Advisor to the Principal on People & Money have been accepted by the programme leaders and will be factored into shorter term and longer term work as appropriate. It was confirmed that a single University-wide implementation group will succeed the current structure of implementation groups for each College and Professional Services Group as the implementation progresses. Understanding factors behind difficulties experienced in prompt invoice processing was raised, noting that some technical issues did occur and these have been or are being addressed, with ongoing issues typically arising from errors that can be addressed by building user training and experience in using the new system. Learning from the system's implementation ahead of other planned major change projects was raised, along with the importance of Court oversight of major projects and examination of projects that have experienced cost overruns and delays and the importance of resourcing local areas to help implement projects successfully. It was noted that a steering group on strategic change is considering issues such as resourcing, prioritisation and timing, reflecting on recent experience.

• People and Money External Review

Paper I2

An update on the procurement of an external review of the implementation of the People and Money System was reviewed, noting that tenders have been invited and will be assessed in May/June.

11 Managing Security Related Risks in Internationalisation – Annual Update **Paper J**

An annual update on the management and mitigation of security related risks across international activity and collaboration was considered. The UK government's interest in promoting 'trusted research', meaning the protection of research from potential theft, exploitation or manipulation and the intention to raise awareness of this within the University research community was highlighted. Academic freedom-related aspects of the topic were discussed, noting University involvement in the UK-wide Academic Freedom and Internationalisation Working Group and links with the University's own Academic Freedom and Freedom of Expression Working Group.

12 Performance Measures to Support Strategy 2030 – 2022-23 Mid-Year Report **Paper K**

The 2022-23 mid-year report on the performance measures to support Strategy 2030 was reviewed, noting the approach proposed for Key Performance Indicator 5: Staff Engagement, to aggregate equally weighted responses to five questions in the recent staff engagement survey. The proposed approach was agreed.

ITEMS FOR NOTING OR FORMAL APPROVAL

13 Benefactors Awards **Paper L**

Court considered and approved proposed Benefactors Awards.

14 Small Works Capital Plan Allocation **Paper M**

Court considered and approved the Small Works Capital Plan Allocation.

15 Donations and Legacies; Alumni Relations Activities **Paper N**

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

16 Draft Resolutions: Degree Programme Regulations **Paper O**

Court agreed to refer the following draft Resolutions to Senate and the General Council for observations:

- Draft Resolution No. 8/2023: Undergraduate Degree Programme Regulations
- Draft Resolution No. 9/2023: Postgraduate Degree Programme Regulations

17 Any Other Business

There was no other business.

18 Date of Next Meeting

Monday, 19 June 2023