



UNIVERSITY COURT

9 October 2023, Pentland Suite, John McIntyre Conference Centre, Pollock Halls

Web Version

Minute

- Members Present:** Janet Legrand, Senior Lay Member
Rushad Abadan, Co-opted Member
Frank Armstrong, Co-opted Member
Sharan Atwal, Students' Association President
Shereen Benjamin, Senatus Assessor
Richard Blythe, Senatus Assessor
Lauren Byrne, Students' Association Vice-President Welfare
Alastair Dunlop, Chancellor's Assessor
Ruth Girardet, Co-opted Member
Tobias Kelly, Academic Staff Member
Peter Mathieson, Principal & Vice-Chancellor
Sarah McAllister, Professional Services Staff Member
Douglas Millican, Co-opted Member
Jock Millican, General Council Assessor
Hugh Mitchell, Co-opted Member
Kathryn Nash, Trade Union Academic Staff Member
Mark Patrizio, Trade Union Professional Services Staff Member
Alistair Smith, Co-opted Member
Sarah Wolffe, General Council Assessor
- Member Apologies:** Robert Aldridge, City of Edinburgh Council Assessor
Douglas Alexander, General Council Assessor
Debora Kayembe, Rector
Kavi Thakrar, Co-opted Member
- In Attendance:** Leigh Chalmers, Vice-Principal & University Secretary
Sophia Lycouris, Rector's Assessor
- Presenters & Observers:** Lewis Allan, Senior Governance Advisor to the Vice-Principal & University Secretary
David Argyle, Vice-Principal & Head of College
Christina Boswell, Vice-Principal Research & Enterprise
Lucy Evans, Deputy Secretary Students
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
Louise Kelso, General Counsel & Director of Legal Services
Catherine Martin, Vice-Principal Corporate Services
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

OPENING ITEMS

1 Minute

Paper A1

Janet Legrand, Senior Lay Member, noted apologies and welcomed members and attendees. New members and attendees present at their first meeting were welcomed: Rushad Abadan, Co-opted Member; Mark Patrizio, Trade Union Professional Services Member; Louise Kelso, General Counsel & Director of Legal Services; and, Dan Wedgwood, Head of Court Services.

The minute of the meeting held on 19 June 2023 was approved.

2 Matters Arising & Review of Action Log

Paper A2

It was noted that the external effectiveness review of Senate has concluded and the review and its recommendations will be considered at the first Senate meeting of the new academic year, with Court to be updated subsequently.

3 Principal's Report

Paper B

Peter Mathieson, Principal & Vice-Chancellor, commented on:

- Universities Superannuation Scheme (USS) 2023 valuation: a recent joint statement from Universities UK and the University & College Union on collaboration towards scheme stability, USS benefit improvements and reduced contribution rates was welcomed. It was noted that an employer consultation and a member consultation will follow, with the intention to implement changes early in the new calendar year;
- Exascale supercomputer: the University has been selected as the preferred location to host the UK government-funded next generation Exascale supercomputer, part of a £900m investment in the UK's computing capacity;
- Major change projects: the final phase of the new student support model and the new virtual learning environment Learn Ultra were both implemented successfully at the start of the new semester;
- Economic impact report: a link to a [video](#) summarising the findings of an independent economic impact report on the University has been circulated for members to view. A reception was also held to publicise and celebrate the economic and social impact of the University in the local community.
- Philanthropic activity: the regular update on philanthropic activity (Item 18) was highlighted, including the Insights Programme, which provides work placements and career support for widening participation students from alumni hosts.

4 Committee Business

• Senior Lay Member's Overview

Janet Legrand, Senior Lay Member, noted:

- Court internal effectiveness review (Item 13/Paper L): members were thanked for their contributions as part of the review. An external review is also planned later in the current academic year;
- Participation in the Principal's Welcome Ceremonies for new students; and,
- Committee of Scottish Chairs (CSC): the University will host the CSC's next meeting, which will include a return to the University for Professor Dorothy Miell, former Vice-Principal & Head of College of Arts, Humanities & Social Sciences and current Chair of the Board of Governors at Royal Conservatoire of Scotland. Condolences were expressed on the passing of Nick Kuenssberg OBE, a former Chair of the Royal Conservatoire of Scotland.

• Exception Committee

Paper C1

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

- Engineering Hub Additional Project Funding Request: the approval of additional funding to enable the award of the contract for construction services;
- Staff Benefits Scheme Trustees: the appointment of Kathryn Graham, external investment professional, for a four year term with effect from 1 August 2023
- Dr Margaret Stewart Bequest Trustees: the appointment of Jock Millican, for a three year term with effect from 1 August 2023.

• Court Universities Superannuation Scheme (USS) Sub-Group

Paper C2

The report was noted, including the responses to a recent USS Technical Provisions consultation and accompanying questions for employers from Universities UK as part of the response to the March 2023 valuation of the scheme. The joint statement from Universities UK and the University & College Union was welcomed as positive news that could be communicated to staff. It was noted that the University will respond to a short employer consultation on the joint statement's proposals and will publish this response.

• Policy & Resources Committee

Paper C3

The report was noted. The Grade Scale Review was welcomed and the timescale for submission to Court queried. It was noted that a revised paper with further contextual information had been requested for the next meeting of Policy & Resources Committee, with the intention that it progress to Court if recommended by the Committee.

• Nominations Committee

Paper C4

The report was noted.

- **Audit & Risk Committee**

Paper C5

The report was noted.

- **Remuneration Committee: Senior Leadership Team Remuneration Review 2024 – Proposed Approach**

Paper C6

All attendees, presenters and observers aside from the Vice-Principal & University Secretary, the Director of Human Resources and the clerk absented the meeting for this item.

Court reviewed the proposed approach of the Remuneration Committee to the annual review of the remuneration of the Senior Leadership Team, to be presented for approval by the Remuneration Committee in January 2024. The proposed general framework was supported and the following points raised:

- Scope for inclusion in decision-making of results from the National Student Survey and the Staff Survey and other measures – the approach taken is to assess the performance of individuals rather than measurement against wider metrics, which would require a different contractual model of employment;
- How individual performance is assessed – in common with other staff individual objectives are set and assessed as part of an annual review process; and,
- Taking into account the tailored nature of the sector-wide pay award for 2023/24 by staff grade, with staff in higher grades receiving an award of 5%.

- **Knowledge Strategy Committee**

Paper C7

The report was noted.

KEY ITEMS FOR DISCUSSION/DECISION

5 Student Survey Results 2023

Paper D

Findings from the National Student Survey (NSS), Postgraduate Taught Experience Survey (PTES) and Postgraduate Research Experience Survey (PRES) 2023 and actions to improve student experience were reviewed. It was commented that, while there were positive elements in the surveys, the overall findings were disappointing and there is a collective determination to improve the student experience to match the University's recognised excellence in research, as referenced in Strategy 2030. Actions to improve student experience have been prioritised as:

- Three major initiatives: student support; assessment and feedback; curriculum transformation;
- Continuous improvement work to address known "pain-points" raised by students; and,
- Greater alignment, prioritisation, co-ordination, resource planning, and communication and engagement to enable the delivery of the above.

The three Heads of College were invited to comment, with topics raised including recognition of the critical importance of improving student experience of assessment

and feedback, an area where survey results consistently show relatively low levels of satisfaction at the University in comparison to peers but where there are areas of good practice that can be learned from. Setting clear expectations on the timeliness of feedback for the benefit of students and monitoring this to achieve greater consistency was highlighted, along with building a culture of parity of esteem between teaching and research.

The following points were raised in open discussion:

- Work to ensure consistency of expectations and experience was welcomed, including considering the volume and type of assessment, with over-assessment in some areas raised;
- The typical model utilised at the University of large scale undergraduate teaching in the initial years and the reliance on written rather than verbal feedback are likely to lead to lower student satisfaction levels;
- Examples of good practice and positive changes made should be well communicated;
- Work in train, such as on minimum standards of training for PhD students who assist with teaching, should be completed and publicised;
- The risk of well-intentioned work bureaucratising student experience rather enhancing it and in taking approaches that have been tried previously but without measurably improving student satisfaction;
- Students and staff may vary greatly in their expectations and understanding of assessment and feedback and clearly explaining the approaches used at the University and reasons for this can help better align these;
- Given the importance of the subject those in leadership positions should be able to monitor progress throughout the year;
- The commitment of senior staff across the University to work in tandem and demonstrate accountable leadership has been articulated by the three Heads of College and the Vice-Principal Students;
- The importance of building a sense of community amongst students and staff can help improve understanding and reception of feedback and strengthen a feeling of student voice and agency.

Members and presenters were thanked for their contributions and the importance the Court places on improving student experience noted.

6 Student Recruitment 2023/24 entry

Paper E

An overview of the expected outturn of the 2023/24 entry undergraduate and postgraduate student recruitment cycle was presented. Overall, while the census date has yet to be reached, it was noted that intake levels are likely to be broadly on or near target, including for Widening Participation students. Intake targets have been aligned to the Size and Shape exercise, with the intention to meet rather than exceed targets to assist with providing a high quality student experience, including ensuring availability of University student accommodation for those eligible. Some sector-wide trends in the current cycle were highlighted.

7 Students' Association and Sports Union Reports

Papers F1-F2

The Students' Association President and the Sports Union President presented reports, with matters highlighted including:

- Student sabbatical officer objectives, including building a sense of community and belonging, particularly for Widening Participation students, the cost of living, and managing the temporary closure of Teviot Row House for renovation work and its impact on collaborative and social space for students;
- The employment of a Chinese native speaking student to assist with communications and engagement with Chinese students during Welcome Week;
- University student accommodation has been available to all those eligible under the accommodation guarantee scheme and more beyond;
- The success of student athletes in elite competitions held over the summer period was congratulated;
- Priorities for the Sports Union include supporting the physical and mental health of students, along with advocating for improved and expanded facilities to better cater for increased demand from students to participate in sport at all levels; and,
- Encouraging continuing undergraduate and postgraduate students to consider engaging in clubs and societies that they may not have initially joined as first year undergraduates.

8 Director of Finance's Report

Paper G

The Director of Finance's Report was reviewed, including an updated Finance Strategy, a draft (unaudited) Statement of Comprehensive Income and Expenditure for the 2022-23 financial year, management accounts for June 2023, the outcome of a review of the University's Revolving Credit Facilities and updates on external audit-related fees and the Universities Superannuation Scheme 2023 valuation.

It was agreed to approve the updated Finance Strategy with a proposed amendment included and to authorise the renewal of the existing Revolving Credit Facilities.

9 New Darwin Estates Project

Paper H

A project update, including a revised anticipated budget for the New Darwin project to deliver the final phase of the 'Building a New Biology' project to create a new hub for the School of Biological Sciences, was presented. The context of the School's strong performance and potential to further strengthen in areas such as engineering biology as a result of a new building that would better allow for collaborative and interdisciplinary research and teaching was highlighted. It was noted that the request is for an updated provision within the Capital Plan to reflect the revised budget along with funding for professional fees to further develop the design in preparation for a full business case. It was confirmed that the project is aligned with Size and Shape plans.

Court:

- Noted the approval of an outline business case by Estates Committee on 6 September 2023;

- Approved an amendment to the budget allocated in the prioritised Capital Plan for the project;
- Approved funding for fees in order to develop the design to RIBA Stage 3 (Developed Design) in support of preparation of a Full Business Case; and,
- Noted that feasibility study fees have been spent on the project to date against 'Building a New Biology' funding.

10 Staff Engagement Survey

Paper I

Key themes from the University-level results of the 2023 Staff Engagement Survey and lessons learned and planned next steps for future staff surveys were reviewed. It was noted that other people-related work is ongoing, including the Grade Scale Review, a review of the contribution award policy and a project on academic promotions, amongst others and Human Resources colleagues are engaging with staff trade unions on this work as appropriate. On the staff engagement survey, the low response rate was raised as a particular concern, along with a low proportion of those who did respond believing that action will be taken in response to the survey. The impact of the low response rate on the reliability of the findings was raised and it was proposed that, given the limited time available for discussion at this meeting, follow-up to the survey be returned to within a future People Report to Court.

11 People and Money External Review Update

Paper J

An update on the Court-commissioned external review of the implementation of the People & Money System was considered. It was noted that PA Consulting have been appointed to conduct the review and will present a final report to the next meeting, which will be accompanied by a management response for review by Court.

12 Rectorial Election Regulations

Paper K

Draft regulations and related documents relevant for the Rectorial election expected in February/March 2024 were presented. Communications of the regulations were discussed and it was noted that the draft regulations had been circulated in advance to the Edinburgh University Students' Association and the Joint Unions Liaison Committee (and a paper on the proposed election dates had been reviewed by Senate and comments received summarised in the paper) and would be published on the University website when the call for nominations is opened and publicised through usual communication channels to students and staff. It was queried how potential breaches of University policies should be reported and in response it was confirmed that during the election period this should be reported to the Deputy Returning Officer in the first instance and, if relating to a Rector after an election has concluded, through the usual process of raising a complaint, with this to be circulated to members.

The election regulations were approved, including:

- The election date and duration, with voting to take place from Tuesday 27 February to Friday 1 March 2024;
- The appointment of the Chancellor's Assessor, Alastair Dunlop KC, as the Returning Officer, with a Deputy Returning Officer to be nominated by the

University Secretary and proposed as Rona Smith, Deputy Secretary Governance & Strategic Planning;

- An option for staff members to use postal votes (as per previous Rectorial elections);
- Adding a requirement for those nominated to agree to abide by the Code of Conduct for Court Members and relevant University policies and regulations for the duration of their nomination until the end of election period (and beyond if elected) and that any breach may be grounds for disqualification (as determined by the Returning Officer, with a right of appeal to a Scrutinising Committee);
- Expanding the Scrutinising Committee to include the University Lead on Equality, Diversity & Inclusion, Professor Sarah Cunningham-Burley and the Vice-Principal & University Secretary, Leigh Chalmers, given that the Scrutinising Committee may now consider appeals relating to compliance with the Code of Conduct for Court Members and compliance with other University policies and regulations;
- Increasing the number of members of the electorate required to support a nomination from 40 to 60 given the increase in the size of the electorate since this figure was last amended, in 2009; and,
- Including in the Regulations reference to existing policies that apply to students and staff to make clear that the usual standards of behaviour and adherence to University policies apply to all students and staff engaging in the election in any form.

The Senior Lay Member recused herself from the meeting for the remainder of the item and Frank Armstrong, Intermediary Member, was nominated to chair discussion of the remainder of the item.

It was noted that the Court-approved statements on the 'Role Description: Rector' and 'The Roles of the Rector and Senior Lay Member' have not been reviewed since the creation of the position of the Senior Lay Member in 2020 and it would be suitable to review these at this point in time so that any changes may take effect after the upcoming Rectorial election and be made available in advance to candidates for the role of Rector. The present arrangements were reviewed in relation to other universities with the two positions of Rector and Senior Lay Member/Senior Governor/Convener of Court as Court members, noting that the University is alone in holding Court meetings at present where the Senior Lay Member or equivalent does not chair any part of the meeting if the Rector is present. It was agreed in principle to amend the 'Role Description: Rector' and 'The Roles of the Rector and Senior Lay Member' documents to state that the Rector will preside at Court meetings if present and that the Senior Lay Member will chair discussion of business items at Court meetings, with effect from after the next Rectorial election. It was agreed to delegate responsibility to the Vice-Principal & University Secretary and to the Chancellor's Assessor to agree a suitable form of wording in the two documents to reflect this decision. Other proposed amendments to the 'Role Description: Rector' and 'The Roles of the Rector and Senior Lay Member' documents were approved as set out in the paper.

Secretary's note: wording was subsequently agreed by the Vice-Principal & University Secretary and by the Chancellor's Assessor for the 'Role Description: Rector' document as: 'the Senior Lay Member of Court (who has a role similar to that of Chair of institution in many other universities and chairs discussion of the business items at Court meetings)' and for 'The Roles of the Rector and Senior Lay Member' document as: 'the Senior Lay Member is responsible for the leadership of the University Court, will chair the business items at Court meetings and will preside at Court meetings in the absence of the Rector'

In response to an individual comment that the position of Rector should be remunerated in order to better support individuals from a wider diversity of backgrounds in undertaking the role, the Vice-Principal & University Secretary undertook to confirm whether other universities with the position of Rector provide remuneration for the role.

Secretary's note: it has been confirmed that the position of Rector is unremunerated at all other universities with this role.

ITEMS FOR NOTING OR FORMAL APPROVAL

13 Annual Court Internal Effectiveness Review Paper L

The internal review of Court's effectiveness for the 2022/23 academic year was reviewed and approved.

14 Outcome Agreement 2023-24 Paper M

A near final Outcome Agreement 2023-24 and associated annexes was reviewed and approved. Authority was delegated to the Deputy Secretary Governance & Strategic Planning to make any minor revisions and to submit the documentation to the Scottish Funding Council by 31 October.

15 Academic Freedom and Freedom of Expression: update on progress and plans Paper N

An update on the work of the Academic Freedom and Freedom of Expression Working Group in academic year 2022/23 and plans for academic year 2023/24 was noted.

16 Annual Report to the Scottish Funding Council on Institution-led Review and Enhancement Activity Paper O

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

17 Development Trust – amendment to governing deed and approval of new Trustee **Paper P**

Court:

- Noted an update on the continuing role of the University of Edinburgh Development Trust in the management of gift income across the University;
- Approved the terms of a Minute of Amendment to establish an additional independent trustee position and to appoint Perdita Fraser to this independent trustee position for a three year term of office in the first instance; and
- Delegated to the University Secretary the signing of the Minute of Amendment to effect the changes to the trusteeship of the Development Trust.

18 Donations and Legacies; Alumni Relations Activities **Paper Q**

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

19 Any Other Business

No other business was raised.

20 Date of Next Meeting

Monday, 4 December 2023