



Queen Margaret University

EDINBURGH

UNIVERSITY COURT

CONFIRMED minutes of the meeting held on 5 February 2020.

PRESENT

Dr Frances Dow CBE (Chair)	Francis Lennon
Elaine Acaster OBE	Ruth Magowan
Carolyn Bell	Ken McGarrity
Dr Richard Butt	Linda McPherson (Vice Chair)
Professor Graham Caie CBE	Chiara Menozzi
Colin Cox	Robert Pattullo
Karen Cullen	Sarah Phillips
Dr Maria Giatsi-Clausen	Elizabeth Porter
Sir Paul Grice	Dr Eurig Scandrett
Cynthia Guthrie	Dr Andrew Scott
Dr Arturo Langa	Andy White

IN ATTENDANCE

Professor Fiona Coutts	Dean, Health Sciences
Gordon Craig	Head of Planning
Malcolm Cutt	Director of Operations and Finance
Professor Brigid Daniel	Dean, Arts Social Sciences and Management
Irene Hynd	University Secretary (Secretary)
Dawn Martin	Assistant Secretary, Governance and Quality Enhancement (Minute Secretary)
Steve Scott	Director of Campus and Commercial Services

1 WELCOME

The Chair welcomed members to the meeting of the University Court, and to the Court Strategy Days being held on the afternoon of 5 February, and morning of 6 February. The Chair looked forward to a series of engaging and stimulating discussions to support the further development and completion of the refreshed Strategic Plan, with a view to a final version being signed off at the Court meeting on 1 April 2020.

2 RETIRAL OF THE CHAIR

Members were advised that the meeting would be Dr Dow's final meeting in the Chair. In recognition of this, the Principal thanked Dr Dow formally on behalf of the Court and the wider University community for her significant contribution to the University and the wider sector. Dr Dow was appointed to the role of Chair in March 2016, having served on the Court for a number of years up to 2012, including for a period as Vice-Chair. During her tenure as Chair, Dr Dow had managed to juggle successfully a number of high level

commitments, including representing the interests of the Scottish sector on the UCEA board. The University had benefitted significantly from Dr Dow's intellect, her undoubted enthusiasm, her attention to detail, and her deep understanding of higher education, and education in its broadest sense. In the short period during which he had been in post, the Principal had been struck by the high regard in which Dr Dow was held by her peers, and had benefited personally from her counsel.

Thanking the Principal for his kind words and members for the thoughtful gift, Dr Dow expressed her delight that the University had grown so significantly in size and reputation during her period of tenure, and thanked members for their individual and collective contribution to that success.

3 CONFLICTS OF INTEREST

There were no conflicts of interest declared. In the interests of transparency, the Chair declared her membership of the Board of Universities and Colleges Employers Association (UCEA). She advised that her representative role on that Board was on behalf of the Committee of University Chairs, rather than Queen Margaret University.

4 DETERMINATION OF OTHER COMPETENT BUSINESS

No other items of competent business had been identified, and there was no business arising from the items provided for information.

5 CHAIR'S REPORT

The Chair had no matters to report that were not covered elsewhere on the agenda.

6 PRINCIPAL'S REPORT

The Principal reported on matters as follows:

6.1 Student recruitment update

The previously reported projected shortfall in tuition fee income of between £500k and £750k against budget had been revised downwards to a projected shortfall of some £300k. The more favourable position was due to an increase in matriculated students in semester two, and additional tuition fee income from international collaborations.

At the UCAS deadline for undergraduate application for entry in September 2020 (15 January), applications were some 1.4 % above those received by equivalent date in the previous year. The reported increase in offers made to undergraduate and taught postgraduate applicants reflected a re-engineering of some aspects of the admissions process, resulting in a quicker turn-around time. These improvements had been identified as part of the action plan and work streams recommended by the Deputy Principal and University Secretary, and also by the recent LEAN process review.

Members were advised that significant work continued also on supporting student persistence and resilience as part of the university's student retention work.

It was suggested that, for future reports, it would be helpful to include base numerical data, as well as percentages. Members were advised that a detailed update on student recruitment and admissions, including postgraduate recruitment, would be presented at

the June meeting of the Court. This would include trends expressed in numerical as well as percentage terms.

6.2 Funding environment

The Scottish Government was due to deliver its budget on 6 February 2020, with the UK Budget being set for 11 March 2020. Universities Scotland had written to the Deputy First Minister, emphasising the value of universities to Scotland and pointing out the real terms reduction in funding over recent years. It was expected that the Scottish budget would be presented as an interim budget, on the grounds that the UK and Scottish budgets were out of their normal sequence.

6.3 Brexit

The University's immediate focus following the UK's departure from the European Union on 31 January 2020 had been on providing advice to EU citizens. Universities Scotland, UCU Scotland and NUS Scotland had signed an open letter (on 29 January 2020) to EU staff and students in Scotland to assure them that universities would remain open and welcoming to people and ideas from all around the world as the UK prepared to leave the EU. The Principal continued to engage in discussions through Universities Scotland and Universities UK.

6.4 Universities Scotland governance

Universities Scotland was seeking to appoint a new chair to succeed Professor Andrea Nolan, Principal and Vice-Chancellor of Edinburgh Napier University, whose term of office was due to end in the summer. The Principal had recently been appointed as Convener of the Universities Scotland Learning and Teaching Committee. Universities Scotland was also undertaking a governance review.

6.5 Coronavirus

The University had acted promptly to provide advice on the coronavirus to students and staff via various media, in accordance with advice from Health Protection Scotland, the Scottish Government, and more recently, the Foreign and Commonwealth Office (FCO). The situation was being monitored carefully, and updates would continue to be issued to staff and students on the basis of daily briefings.

6.6 Academic Planning Board

An Academic Planning Board had been established, convened by the Deputy Principal, with the University Secretary as vice-convener. The Board's remit consolidated and rationalised the responsibilities of a number of existing internal committees and groups concerned with academic programme planning, including the Portfolio Development Group, and the Student Numbers and Fees Group. Any significant decisions on the academic portfolio would continue to be the concern of the Senate, and reported to the University Court through the minutes of the Senate.

Members welcomed the development but suggested that they would benefit from a more holistic view of academic governance arrangements. The Principal advised that he was considering this issue and that the University Court would be sighted on any developments. This item would come back to a future meeting, along with consideration of the delegated authority scheme.

6.7 Industrial action

UCU's national higher education committee had called for a further 14 days of strike action over pay and related issues. The action would take place over a four week period, from 20 February to 13 March.

7 MINUTES

7.1 Minutes of the previous meeting

The Unconfirmed minutes of the meeting held on 27 November 2019 (COURT (19) MINS 05) were APPROVED as an accurate record.

7.2 Matters arising

It was confirmed that updates on the following items would come to a future meeting of the Court: land development project (minute 11 refers); Business Gateway start-up longevity (minute 12.1 refers).

8 FINANCIAL UPDATE

Court RECEIVED an update on the University's financial position for 2019-20 (COURT (20) 02). For the purposes of this meeting, the report focussed on the two key areas of risk identified in relation to the University's financial position i.e. tuition fee income and staff costs. A more detailed update on the half-year position would be presented to the Finance and Estates Committee in March, and to the Court on 1 April 2020.

As reported earlier (minute 5.1 refers), increased student intake in semester two, together with above target income arising from Transnational Education partnerships, had mitigated against the projected tuition fee shortfall. In discussion, members considered a number of factors that contributed to the complexities involved in student number planning. The active pursuit by the University of new areas of delivery, including Initial Teacher Education (ITE) and Paramedic Science, had contributed positively to student application and intake rates. However, SFC withdrawal of funding for two postgraduate programmes had served to offset to some extent the positive impact of new activity.

Staff turnover savings had contributed to a reduction in core staff costs of some £300k against budget for the first five months. Staff costs on externally funded projects were also lower than budgeted, although the corresponding reduction in income against budget meant that the net effect would be modest. A modest saving was projected on core salary costs for the full year. In response to a query, it was confirmed that there was no institutional policy on holding staff vacancies to generate further savings.

Members noted that SFC funding for 2020/21 was unlikely to be confirmed for some months, but the indications were that this was unlikely to be more than a flat cash settlement.

In discussion of the financial summary presented, it was agreed that, for members' broader understanding of the financial position, it would be helpful to have access at each meeting to relevant supporting information, including variance against planned budget and projected deficit. Members were advised that the Secretary was investigating a number of

options for electronic board paper management. This would be subject to further discussion and consultation.

9 CONTRACT AWARD FOR INTEGRATED FACILITIES MANAGEMENT

Members considered action taken by the Chair to approve the award of a contract for an integrated facilities management service. As the total value of the contract over a 5-year period exceeded the level of authorisation delegated to the Principal, the award required formal approval by Court in accordance with the Scheme of Delegation

Members noted that a tender in respect of the contract was subject to a competitive public procurement process, undertaken with support from University of Edinburgh procurement shared service. As part of the procurement process relevant legal, technical and financial checks had been undertaken on the preferred provider.

Following the tender evaluation process, the contract for integrated facilities management had been awarded to Atalian Servest AMK for a five year period from 1 March 2020.

Court HOMOLOGATED action taken by the Chair to approve the award of the contract for an integrated facilities management service (COURT (20) 03). Following detailed discussion, Court agreed that the contract, due to its materiality, should have been presented to, and approved by, the Finance and Estates Committee (FEC) in the first instance. The Finance and Estates Committee was asked to review its role within procurement as part of a general review of the Scheme of Delegation.

10 ARRANGEMENTS FOR RECRUITMENT OF THE CHAIR

The University Secretary provided an oral update on the search for a Chair of Court. The appointment panel had met on 29 January 2020, under the process and regulations agreed by the Court, to interview shortlisted candidates for the role. As a result of that process, two applicants had been identified as meeting the relevant criteria, and therefore as being entitled to stand as a candidate in an election for the position. However, one of the candidates had subsequently withdrawn from the process, with the result that the election could not proceed under the regulations. It was not possible to appoint the remaining candidate to the role, on grounds that the Higher Education Governance (Scotland) Act 2016 required the vacancy to be advertised again under such circumstances. The appointment panel would be reviewing the position as a matter of some urgency.

Members were advised that the Standing Orders provided for the Vice Chair to serve as Chair until such time as the situation was resolved. The legislation was silent on the maximum length of time a vacancy could be carried. There also appeared to be no appeals procedure or other route to challenge the requirement for an election. All Scottish institutions were required, under the legislation, to have in place an elected senior lay member by December 2020. It was suggested that representation to the Scottish Government from the sector as a whole could be beneficial, in response to which members were advised that this was under consideration by the Scottish University Secretaries .

11 SCOTTISH FUNDING COUNCIL – OUTCOME AGREEMENT 2020-23

Court RECEIVED the draft Queen Margaret University Outcome Agreement for 2020-23, which had been submitted to the Scottish Funding Council (SFC) on 13 December 2019

(COURT (20) 05). The University Secretary explained that the SFC required early sight of a well-developed draft to allow it to determine, at an early opportunity in the cycle, the extent to which HEIs were collectively meeting the Scottish Government agenda, as set out in the Outcome Agreement Guidance published on 7 October 2019 (Paper COURT (19) 54) refers). Feedback from the SFC on the draft had been very positive, with the SFC Outcome Agreement Manager advising that the draft was well aligned with the SFC Guidance, and no substantive changes were required.

Members were reminded that the content and format of the Outcome Agreement was informed to large extent by the SFC Guidance. There was scope to capture the wider institutional context however, including the refreshed institutional strategy. The draft had been developed with input from a wide stakeholder group, and further consultation was planned with the Students' Union and Trades Unions, prior to submitting the final version to SFC on 30 April 2020. The document would be subject to further proof reading, and a near final version would come to the meeting scheduled for 1 April 2020.

Members provided feedback on the draft, suggesting that the narrative captured extremely well the breadth of activities and significant achievements across the University. The content was well aligned with the strategic goals, values and targets emerging through the strategy refresh. Members commented particularly favourably on the work undertaken, and captured in the draft, on contextualised admissions, support for students from all demographic groups, and the on-going broader engagement with communities. It was agreed that the outputs and outcomes were broadly realistic and appropriate. There was a request that acronyms be written out in full, when first referenced.

Members sought clarification on the relationship of the Outcome Agreement Guidance to the Scottish Government's National Performance Framework and the UN Sustainability Development Goals. In response, it was explained that the SFC Guidance provided a distillation of the wider agenda, and that HEIs were expected to use this as their main reference point. As the Guidance was subject to annual review, there was scope for the SFC to make more explicit links to the above reference points in future iterations.

12 ANNUAL REPORT ON HUMAN RESOURCE MATTERS

Court NOTED the Annual Report on Human Resource Matters during calendar year 2019 (COURT (6) 20). The Report covered a range of matters, including: National Pay Negotiations 2019-20; Pensions; Transformation Project; Trade Union Relations. In response to a specific question on pension costs, members were reminded that the SFC contribution in 2019 had been a one-off transitional arrangement to offset the impact of the increase in the period to 31 March 2020. The SFC would not continue to mitigate pension costs in future.

13 SENATE

Members NOTED the Unconfirmed minutes of the meeting of the Senate held on 11 December 2019 (SEN (19) MINS 05). Members' attention was brought to discussions around the Senate Effectiveness Review; the Annual Report on Academic Appeals and the Strategy Refresh. The Chair NOTED that many of the points raised at Senate had been taken on board in the most recent version of the strategy.

14 NOMINATIONS COMMITTEE

Members NOTED the Unconfirmed minutes of the meeting of the Nominations Committee held on 11 December 2019 (NOM (19) MINS 04). Members APPROVED the following appointments to Court Standing Committees:

Audit and Risk Committee: Appointment of Elizabeth Porter to the one vacancy in lay Court membership.

Equality and Diversity Committee: Appointment of Melanie Moreland to the one vacancy in lay Court membership.

15 HEALTH AND SAFETY COMMITTEE

Members NOTED the Unconfirmed minutes of the meeting of the Health and Safety Committee held on 9 January 2020 (HSC (20) MINS 01)

16 EQUALITY AND DIVERSITY COMMITTEE

Members NOTED the Unconfirmed Minutes of the Equality and Diversity Committee meeting held on 5 December 2019 (EDC (19) MINS 04). The following matters were brought to members' attention:

- On-going work around Tackling Sexual Violence and Harassment.
- A proposal endorsed by the Committee that the School of Arts, Social Sciences and Management (ASSaM) apply for a Bronze LGBT Charter mark, awarded by charity LGBT Youth Scotland.
- The University had received ring-fenced funding from the Scottish Funding Council to recruit additional Student Counsellors. Two additional Counsellors (1.2 FTE staff) had been appointed, both of whom would work full-time during the academic session. It was noted that there were currently no waiting lists for counselling. The increase in staffing within the Counselling and Wellbeing Team would allow for an increase in the number of appointments available for each student.

17 DATES OF FUTURE MEETINGS

Court would meet on the following dates in 2019-20:

1 April 2020 at 3.00 pm

24 June 2020 at 3.00 pm

Dawn Martin
Assistant Secretary, Governance and Quality Enhancement
February 2020