

**UNIVERSITY OF DUNDEE****UNIVERSITY COURT**

A meeting of the University Court was held on Monday 26 October 2009 at the University's Kirkcaldy campus.

Present: Mr JR Milligan (in the Chair), Principal Professor CP Downes, Rector Mr CJ Murray, Professor RJ Abboud, Mr M Arnott, Mr WI Ball, Professor Emerita A Burchell, Mr D Cathcart, Dr J Lowe, Dr LI McLellan, Dr H Marriage, Professor GJ Mires, Dr AM Roger, Mr EF Sanderson, Mr A Smith (President of the Students' Association), Professor J Taylor, Mr IDM Wright

In Attendance: Vice-Principal Professor J Calderhead, Professor MC Smith, Ms HC Marr (for Item 1), Mr J Lee (for Item 1), Secretary, Director of Finance, Director of Strategic Planning, Mr R Isles, Secretary to the School of Nursing & Midwifery (for Item 1) and Clerk to Court

Apologies: Mr R Burns, Ms A Newton

**1. PRESENTATION BY THE DEAN OF NURSING & MIDWIFERY**

Professor Smith, aided by Mr Lee and Ms Marr, gave a presentation setting out for Court members the context in which the School of Nursing & Midwifery operated as well as providing information on the priorities and aspirations of the School, both in terms of the campus in Dundee and that in Kirkcaldy. The presenters highlighted the atypical demography of nursing students, their range of backgrounds, the concomitant support issues affecting them and the effects of more complex personal circumstances on retention. In terms of the subject itself, the Dean and her colleagues pointed to the introduction of a new curriculum and to the decision of the Nursing & Midwifery Council that all entrants from 2011 should be admitted to degree programmes only.

Court members explored a number of areas in discussion with the Dean. These included the positive effects on the School of becoming a part of the University, the promising levels of postgraduate recruitment, access to student services from the Kirkcaldy campus, and strategies for increasing integration between Kirkcaldy and Dundee. It was noted that the Kirkcaldy campus might benefit from improved signage on and directions to the site.

The Chairman noted that, on a previous visit he had made to the Kirkcaldy campus, students had complained at the need to travel to Dundee to take their exams. The Dean was able to reassure the Chairman that from this session Kirkcaldy-based students would be able to take their exams in Kirkcaldy. Students would be informed of the decision at a forum on 11 November 2009.

## 2. MINUTES

**The Court decided:** to approve the minutes of the meeting on 15 June 2009, of the special meeting on 6 July 2009 and of the business meeting held during the annual retreat on 4 September 2009.

## 3. CHAIRMAN'S BUSINESS

The Chairman reported that he had paid several visits to Deans and other senior staff at the University.

## 4. PRINCIPAL'S REPORT

The Court received a report from the Principal (**Appendix 1**). In presenting it, he highlighted the solid financial performance for the year ended 31 July 2009 indicated by interim unaudited results of a £1.6m operating surplus. This was still some way short of the stated University goal of a 3% surplus, and would present challenges going forward in the face of a number of uncertainties, including anticipated cuts in public spending and the outcome of the national pay negotiations. The strategic review that the Court had approved in June was vital to secure the University's continuing development; Court could expect a report on the review at its meeting on 14 December.

The Principal noted that he had received correspondence from the President of the Students' Association relating to a number of concerns expressed by the student body at the recent Annual General Meeting of the Students' Association. The Principal advised that he would meet with Students' Association representatives to discuss these concerns.

There was some discussion about the V&A at Dundee project following the formal announcement by the Scottish Minister for Culture, External Affairs & the Constitution. The Director of Strategic Planning undertook to provide Court with a report on progress at the December meeting of Court.

## 5. DUNCAN OF JORDANSTONE: CRAWFORD AND MATTHEW BUILDINGS – OPTIONS APPRAISAL

The Court received an options appraisal report relating to proposed work on the Crawford and Matthew buildings. At its meeting on 27 April 2009, the Court had requested that a full appraisal of all possible options be carried out, including consideration of options relating to the possible use and acquisition of the Vision building. At that same meeting, concern had been expressed that refurbishment of the Crawford and Matthew buildings might not provide any material benefits to the students and staff of Duncan of Jordanstone College of Art & Design beyond disability legislation compliance and essential maintenance. The Secretary reassured Court members that discussions over the summer had identified ways of ensuring that material

differences to the learning, teaching and research accommodation in the College would be included in the refurbishment proposals, and the proposals themselves had the full backing of the Project Board, including the Dean & Deputy Principal, Professor Follett. The preferred option was therefore to refurbish and remodel both the Crawford and Matthew buildings, including backlog maintenance, at a current cost of £19.2m overall, although that sum would be reduced in the course of the design phase to stay within a £15m envelope.

Court members sought and received assurances that the plan was affordable in the context of the University's capital plan and sufficiently flexible to allow enhancements to the proposals should financial circumstances change in the future.

**The Court decided:** to approve the proposals to refurbish and remodel the Crawford and Matthew buildings.

## 6. FINANCE & POLICY COMMITTEE

The Court received a report of the meetings of the Committee on 31 August (**Appendix 2**) and 5 October 2009 (**Appendix 3**). The Director of Finance presented a revised capital plan for approval by Court. Total spend under the plan for the years 2009/10 and 2010/11 was forecast to be £30.4m. Although future external funding to support the plan was currently forecast to be £24.2m, additional funds carried over from previous years would help to close the gap. It was the Director's view that the University would be able to meet its commitments under the plan, and in addition, if more funding became available, some projects could be brought forward.

The Court discussed the performance of two capital projects which had been the subject of debate at the Committee meeting on 5 October 2009. Both projects, the Institute of Sport & Exercise and the Clinical Research Centre, had generated less income than had been originally projected. The Court agreed that, whilst for each of these projects there were particular circumstances which had led to the shortfalls (i.e. reduction in prices for the former and delays to the start of construction for the latter), it should robustly and rigourously review future capital projects to avoid such situations recurring.

**The Court decided:**

- (i) to approve the proposed Capital Programme for the period to 2013/14, noting that this would be reviewed annually; and
- (ii) to note the Committee's approval for the Director of Finance to authorise maintenance expenditure in relation to the Fulton and Scrymgeour buildings, where aggregated contracts for works exceeded £1m, but where underlying individual projects, relating to the contracts were below £1m.

## 7. PROPOSAL TO ESTABLISH A REDUNDANCY COMMITTEE

The Court received proposals to establish a Redundancy Committee in relation to the part-time contracts of two named academic members of staff. The staff concerned were part of a commercial unit which, after eight years of operation, had not proved profitable and which it was now proposed to close. Since the staff concerned had been employed on academic contracts, the University was required to invite Court to consider the establishment of a Committee under Statute 16, Part II. Since the activity was commercial, it was confirmed that the redundancies would have no effect on students. The Court debated the proposal at length, and officers confirmed that the case had been discussed on a number of occasions with the staff concerned and the local branch of the University & College Union (UCU).

- The Court decided:**
- (i) to approve, by 10 votes to 5, the establishment of a Redundancy Committee to consider the case of the two named staff presented;
  - (ii) to note that the Committee would report its recommendations to a future meeting of the Court; and
  - (ii) to note that the remit of the Committee was restricted to the single case presented and that the Committee would be dissolved on the conclusion of the consideration of the case.

## 8. COURT EFFECTIVENESS REVIEW: FINAL PROPOSALS

The Court received a paper from the working group established to take forward a review of the effectiveness of Court. The paper set out a list of final proposals for consideration by the Court (**Appendix 4**). The Court had considered draft proposals at the annual retreat on 4 September 2009, following which comments had been received and the proposals revised.

The Court discussed in particular the proposal that the Rector's Assessor be appointed only in the event that a Rector was unable to engage as a full and active member of Court. Strong opinions were voiced on both sides of the argument: the Rector pointed to the tradition of the post of Rector's Assessor and the example of other Scottish universities; other members pointed to compensatory proposals which increased the direct representation by current students of the University on Court. Members of the Working Group explained the rationale behind the proposals, in particular focusing on accountability, flexibility, sector best practice and objectivity.

- The Court decided:**
- (i) to reject, by 10 votes to 4, the retention of the status quo with regard to the proposals affecting the posts of Rector and Rector's Assessor; and

- (ii) thereafter, to approve, by 14 votes to 0, the adoption of all proposals as presented.

## 9. NOMINATIONS COMMITTEE

The Court received a report from the meeting of the Committee on 12 October 2009 (**Appendix 5**). The Court discussed the desirability of an expedited process to fill the current vacancies on Court. Whilst it was acknowledged that such a process was not ideal, members understood that an effective Court required a full complement of members. Court was reassured that recommendations coming from Court members in an expedited process would still undergo scrutiny by the Nominations Committee. In considering the skills required of new appointees to Court, members considered how pressing the need for business and/or financial experience was, but also that it was important for the membership of the Court to include lay individuals with a clear sense of the importance of Dundee as a city. The Court also discussed what constituted best practice in relation to the reappointment for a second term of co-opted lay members.

- The Court decided:**
- (i) to approve changing the name of the Committee to the Governance & Nominations Committee as well as approving a revised remit for the Committee as set out in Annex 1 of **Appendix 5**;
  - (ii) to approve the re-appointment of Mr Richard Burns as a Court member in terms of Statute 9(1)(l) for a second term of four years from 1 August 2010 to 31 July 2014;
  - (iii) to note the proposed means for seeking appropriate candidates to fill the current vacancies in Court membership: Chancellor's Assessor and one co-opted lay appointment;
  - (iv) to note that the Committee had discussed a more robust approach to succession planning to avoid such vacancies in the future;
  - (v) to request that officers circulate an email to staff and students seeking suggestions for new members on Court; and
  - (vi) to approve the proposed procedures for electing a Chairperson as set out in Annex 2 of **Appendix 5**, subject to the insertion at point 9 of text confirming that ballots would be unmarked so as to ensure the anonymity of those voting.

10. **ENHANCEMENT-LED INSTITUTIONAL REVIEW (ELIR): PROGRESS REPORT**

The Vice-Principal (Educational Development), Professor Calderhead, gave a brief progress report on the ELIR process. The ELIR review team had completed its part 1 visit in early October, during which time they had held meetings with senior managers, staff and students of the University. Following this visit, the reviewers had identified a series of 17 areas they wished to explore in more depth during the part 2 visit which would take place in mid-November. The University would receive the full report of the review towards the end of January 2010.

11. **TAYSIDE ACADEMIC HEALTH SCIENCES CENTRE (TAHSC): UPDATE**

The Secretary presented a briefing paper outlining for members the Scottish national and regional contexts for collaboration in academic health sciences. An overarching Scottish Academic Health Sciences Collaboration was launched in June 2009 and included the Scottish 'medical' universities and their corresponding NHS trusts. As a result of this collaboration four hubs were established in Edinburgh, Glasgow, Aberdeen and Dundee. The TAHSC represented the Dundee hub of the collaboration, and the briefing paper set out the governance issues that were currently being negotiated. It had been agreed between the partners that the role of Director of TAHSC would be the Dean of the School of Medicine. Further discussions were ongoing regarding the contractual status of individuals employed by TAHSC and regarding the detailed strategic financial planning and management of TAHSC activities.

**The Court decided:**

- (i) to note that the TAHSC was likely to be established on the basis of a memorandum of agreement, and that a final version of such an agreement would be brought for approval to the Court as well as to the governing body of NHS Tayside;
- (ii) to note that once such an agreement had come into force a Joint Governance Board for the TAHSC was expected to be established; and
- (iii) to agree that it would be desirable for the University Court to appoint one of its lay members to that Board, once established.

12. **KUWAIT: UPDATE**

The Director of Strategic Planning reported initial views on the outcomes of a recent visit he had made to Kuwait with the University's Head of International development. The purpose of the visit had been to assess the existing avenues for collaboration and partnership, which Court had considered at previous meetings, but also to consider new opportunities for

further exploration. Following the visit, it was clear that there was some interest in collaboration with the University's Centre for Energy, Petroleum & Mineral Law & Policy as well as in the field of diabetes research. The Director anticipated bringing a full report on the current status of discussions to the next meeting of Court in December 2009. He restated that the University was proceeding in a positive but careful manner.

More generally, the Court signalled a desire to discuss internationalisation issues and collaboration opportunities in more detail, in order to contribute to the definition of the University's stance. It was acknowledged that the University needed to develop a means to identify and assess those projects that the University should take forward.

**The Court decided:** to ask the Director of Strategic Planning to prepare a paper for Court on the University's approach to developing its internationalisation activities.

### 13. UNIVERSITY OF STIRLING CONFERENCE

**The Court decided:** to approve the continued appointment of Dr AM Roger as the Court's representative on the Conference of the University of Stirling.

### 14. VICE-PRINCIPAL & HEAD OF THE COLLEGE OF LIFE SCIENCES

The Principal proposed proceeding with the appointment by open competition of his successor to the role of Vice-Principal & Head of the College of Life Sciences. The appointment process would follow that initiated for the Heads of College as part of the restructuring process, and endorsed by Court at its meeting on 20 February 2006. Any members of Court who were interested in serving on the Appointing Committee were asked to contact the Clerk to Court. *[NB. The composition of the Appointing Committee was subsequently clarified as follows: the Principal, 3 members of the relevant College Board, one member of Court, the Vice-Principal (Educational Development), and an external assessor at Principal/Vice-Chancellor level from another University.]*

**The Court decided:**

- (i) to approve proceeding to open competition in the appointment of a new Vice-Principal & Head of the College of Life Sciences, noting that such an appointment was reserved to the Court;
- (ii) to authorise the composition of an Appointing Committee in line with existing procedures, taking note of any interest to participate expressed by members; and
- (ii) in the meantime, to agree to the Principal's determining an interim Head of College and to his reporting that appointment to the next meeting of the Court.

15. **ANNUAL INSTITUTIONAL STATEMENT TO THE SCOTTISH FUNDING COUNCIL OF INTERNAL SUBJECT REVIEW**

The Court received the report on internal subject reviews which had been submitted to the Scottish Funding Council for its required deadline of 30 September 2009. The Scottish Funding Council required that this report be endorsed by the University Court.

**The Court decided:** to endorse the report as submitted to the Scottish Funding Council.

16. **COMMUNICATIONS FROM THE SENATUS ACADEMICUS**

The Court received a report of the meeting of the Senate on 14 October 2009 (**Appendix 6**).

**The Court decided:**

- (i) to note the establishment by Senate of a working group to review Senate effectiveness;
- (ii) to approve the recommendations concerning conferment of the titles of Principal Emeritus on Sir Alan Langlands and Librarian Emeritus on Mr John Bagnall;
- (iii) to approve the recommendations concerning conferment of the title of Professor Emeritus; and
- (iv) otherwise, to note the report.

17. **AUDIT COMMITTEE**

The Court received a report from the meeting of the Committee on 7 October 2009 (**Appendix 7**).

**The Court decided:** to approve the report.

18. **STAFF**

(1) Professorial and Other Grade 10 Appointments

The Court noted the appointment of the following:

Janet Clarkson	Personal Chair of Clinical Effectiveness	4 July 2009
Catia Montagna	Personal Chair of Economic Studies	4 July 2009

Yolande Muschamp	Dean of the School of Education, Social Work & Community Education; and Personal Chair in Primary Education	10 August 2009
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Charlotte Rees	Chair in Education Research	22 February 2010
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(2) Honorary Chaplains

**The Court decided:** to endorse the recommendation of the University Chaplain to appoint the Reverend James Turrent as Honorary Baptist Chaplain and the Reverend Andria Benzie as Honorary Congregational Chaplain for a period of one year in the first instance from 1 September 2009.

(3) Grievance Committee

**The Court decided:** to approve the establishment of a committee to hear a grievance brought by a member of staff of the University in terms of Statute 16, paragraph 35 with the following membership:

Professor James Calderhead (Convener)  
 Dr J Lowe  
 Professor CA MacKintosh (nominated by Senate);

noting that neither of the academic members of the committee were from the same College as the member of staff bringing the grievance.

## 19. EQUALITY & DIVERSITY TRAINING

The Convener of the Human Resources Committee, Dr Lowe, encouraged members to participate in the online equality and diversity training currently being required of all University members of staff. She reminded Court members that, at its meeting on 29 January 2008, the Human Resources Committee had approved the proposal that all Court members be required to undertake the training, too, and that this had been subsequently endorsed by Court.

## APPENDIX 1

### PRINCIPAL'S REPORT (Minute 4)

#### Finance

The interim results for the year ended 31 July 2009 show an operating surplus of £1.6m before voluntary severance and disposals, which compares with £0.9m for the year ended 31 July 2008. The results are of course still subject to the full audit process. Whilst they represent an improvement on the previous year, they still represent less than 1% of turnover, and therefore some way behind the goal of a 3% surplus. Nevertheless, this is a solid performance, although there will be a number of challenges facing the University in the immediate future.

Negotiations between the campus unions and UCEA (the Universities and Colleges Employers Association) on pay are ongoing, with the employers, through UCEA, having made an offer of 0.5%. Of the unions, UNISON is alone in having accepted the offer, whereas UNITE and UCU have both rejected it. In a climate of financial uncertainty, and with RPI likely to remain negative in the short term, our position remains that 0.5% represents a realistic offer.

The draft Scottish Budget, revealed towards the end of September, unexpectedly announced a modest real terms increase in funding to higher education for 2010/11, although at this stage it is impossible to say how the Scottish Funding Council will translate this into allocations to individual universities. Nevertheless, the expectation for future settlements is that there will be reductions in public spending; and so the University is likely to receive reduced resources from 2011/12 onwards. Further uncertainty has been generated by the Funding Council consultation document on Higher Education subject price groups, which proposes linking funds for teaching more closely to the actual cost of teaching different subjects. The current proposals would marginally favour this University, but a separate proposal relating specifically to a reduction in support for teacher training would have a negative impact. (Members who wish to view the consultation document will find it on the Funding Council web pages at: <http://www.sfc.ac.uk/>, click on 'News, Events & Circulars' and then 'Consultations'.)

The University's Research Committee is currently working on a response to the Higher Education Funding Council for England's (HEFCE) consultation on the assessment and funding of research. HEFCE, in partnership with the other UK HE funding bodies, is leading work on developing new arrangements, dubbed the 'Research Excellence Framework', to replace the Research Assessment Exercise (RAE). The aim is that these arrangements will be simpler and less burdensome, and the consultation focuses on the use of citation information, the assessment of impact, as well as more generally on the lessons learnt during RAE 2008. It is proposed that the University's response will be made available to Court members.

#### Strategic Review

At its meeting on 15 June 2009, the Court agreed to the Senior Management Team carrying out a strategic review of the University's activities as a means of identifying ways to reduce costs and boost income generation. The financial goal is to achieve the 3% surplus contained within the strategic framework to enable the University to invest in infrastructure, research areas and innovative teaching. But the review has a more fundamental aim, and that is to identify the areas of strength within the University, whether that be in teaching or research, and to focus funding in those areas as a means of freeing up resources elsewhere for investment in new opportunities.

The Senior Management Team has been engaged with the review over the summer, and is currently gathering data to inform the process. This phase will then feed into a period of analysis of the results in conjunction with Deans, before initial results are compiled by the end of the calendar year. A full report will be provided to the Court meeting on 16 December 2009.

#### The Senate

At its meeting on 14 October 2009, the Senate discussed proposals for carrying out a review of its own effectiveness. Senate endorsed these proposals and has now established a working group to take the review forward. I emphasised to Court that I very much wanted to see the Senate reinvigorated and become more active and engaged. It is my view that, to realise the University's goals of excellence, focus and impact, Senate will be pivotal in embedding these principles in the research and teaching of

the University. As part of the review, the working group will also consider the relationship between Senate and Court and will explore ways in which it can be strengthened and made relevant.

#### **V&A at Dundee**

Members of Court will know that the University has been working with other stakeholders (the Victoria & Albert Museum, Scottish Enterprise, Dundee City Council and the University of Abertay Dundee) to secure the important development for the city and region.

There has been significant progress towards achieving this goal since the 'Making it Happen' conference in February. The Scottish Government has pledged its financial as well as its political support, and the Minister for Culture, External Affairs and the Constitution, Mike Russell, has publicly stated that V&A at Dundee will happen. I currently chair the Steering Group, which represents the stakeholders and which is responsible for managing the current phase of the project. A charitable company is currently being established to take on this responsibility going forward and to drive the project to its successful completion. I strongly believe that V&A at Dundee has the potential to transform the city, economically, socially and culturally, with positive implications for the continuing development of the University. It is also a project which unites the whole of the University and the continued support of the Court is vital in order to maintain the current momentum.

#### **Discovery Days**

I would also like to take the opportunity to make members aware that this year's Discovery Days will take place on 15 January 2010. This will be an opportunity to get to know the research and personalities of the most recently appointed of the University's professors, and I hope that as many Court members as possible will be able to attend what promises to be an inspiring day. The 2009 professorial appointments include, amongst others, the following areas: imaging, education, economics, water science, anatomy and cancer biology.

Pete Downes  
Principal and Vice Chancellor

### Major Grants & Awards

- **£2.6m from the Wellcome Trust** for the Centre for Molecular Medicine (Biomedical Sciences Capital Award) to fit out the top floor of the Clinical Research Centre;
- **£2.2m from the Medical Research Council to Professor Daan Van Aalten** for Molecular Mechanisms of Fungal Cell Wall Assembly;
- **£2.1m from the European Regional Development Fund to Professor Mike Ferguson** for the Innovation Portal for Translational Science;
- **£1.7m from NHS Tayside** for PET/CT Scanner in the Clinical Research Centre;
- **£0.8m from the Engineering & Physical Sciences Research Council to Dr Subhes Bhattacharyya** for Decentralised Off-grid Electricity Generation in Developing Countries (joint with University of Manchester; The Energy & Resources Institute (TERI) and TERI University, New Delhi; and UCL)
- **£0.5m from The Royal Academy of Engineering to Dr Maria Cataluna** for Compact and Ultra-versatile Lasers Based on Quantum-dot Materials (RAEng/EP SRC Research Fellowships)

### Learning & Teaching News

- A graduate internship scheme operated by the University of Dundee has been highlighted in a national report documenting the pivotal role higher education institutions will play in moving the UK from recession to recovery. The University of Dundee Careers Service earlier this year became the first in the UK to offer graduates an internship certificate which will allow them greater access to industry after the end of their studies and boost their CVs.

### International Links

The University has played host to three significant visits from overseas institutions.

- In August representatives from Southwestern University of Science & Technology in Shanghai visited. There are opportunities here for research collaboration as well as in student recruitment.
- Also in August representatives from Tianjin Medical University in China were welcomed to the University. The focus here is on research collaboration in medicine, nursing and medical engineering, but there are also opportunities for PhD students.
- In September a delegation from Inje University, South Korea visited. Existing research links in biomedicine were strengthened and new opportunities for research and student links in design emerged and are being followed up.

### People & Prizes

- Bakri Hafiz Hisham won the University of Dundee Photography Competition 'Picturing Dundee' in June with an image entitled 'For you, I'd do it a thousand times over'.
- At the end of June, Chris Longmuir was named as the winner of the 2009 Dundee International book Prize for her novel 'Dead Wood' set in Dundee about a serial killer who seems to take his inspiration from the Templeton Woods murders of 1980
- Professor Ronald Harden received the Richard Farrow Gold Medal from the Association for the Study of Medical Education in Edinburgh in July in recognition of his contribution to research in medical education and the promotion of good educational practice
- Dundee Degree Show picked up the award for the Best Educational Event at the Scottish Event Awards in Glasgow in September
- The University welcomed Arun Gandhi, grandson of Mahatma Gandhi, to the University to give the Margaret Harris Lecture on the theme '21<sup>st</sup> Century Peace-making: the Gandhi Way'

**APPENDIX 2****FINANCE & POLICY COMMITTEE  
(Minute 6)**

A meeting of the Committee was held on 31 August 2009.

Present: Mr EF Sanderson (Convener), Principal Professor CP Downes, Mr WI Ball, Mr JR Milligan, Mr IDM Wright

In Attendance: Mr A Smith (President of the Students' Association), Secretary, Director and Deputy Director of Finance, Director of Information Services & Deputy Secretary, Director of Strategic Planning and Clerk to Court

1. **MINUTES**

**Resolved:** to approve the minutes of the meeting on 27 May 2009.

2. **MATTERS ARISING**

(1) University of Dundee Superannuation Scheme (Minute 2(1))

The Director of Finance reminded the Committee that at its meeting on 15 June 2009 the Court had approved the establishment of a pensions review group comprising: Mr EF Sanderson, the Principal, Dr J Lowe, Mr IDM Wright and the Directors of Finance and Human Resources. The first task for this group would be the appointment of a pensions adviser for the University, the tender process for which had recently closed.

The Committee noted that there remained a vacancy for a trustee of the scheme from the employer's side, but noted further the intention for this vacancy to be considered in conjunction with others on Court itself by the Nominations Committee.

(2) West Park Conference Centre (Minute 2(2))

As requested at its previous meeting on 27 May 2009, the Committee received details of the buy-back agreement relating to West Park Conference Centre (WPCC). The Committee noted the potential risk posed by the agreement, although the Director of Finance pointed out that the Board of Dundee Student Villages (DSV) was focussed on managing DSV and WPCC to ensure their financial success.

(3) Dundee Student Villages

The Director of Finance provided a brief oral update on the performance of DSV. The Committee would receive a full report at its next meeting on 5 October 2009. Although the academic session had not yet begun, and students were therefore not yet in residence, indications were that DSV would exceed the room occupancy target for 2009/10.

Clarification was sought by the Committee on the effects of a negative retail prices index on DSV's pricing model. The Director of Finance would report to the next meeting on this issue.

(4) Kuwait

The Director of Strategic Planning provided the Committee with an oral update on discussions with the proposed Kuwaiti partner for a project to establish a joint campus in Kuwait. Following concerns expressed at the Court meeting on 27 April 2009, the University had adopted a more gradual approach with the partners with less focus in the short term on the idea of a separate campus. In the interim, focus had shifted to collaboration on key academic courses and on recruitment to, in particular, courses offered by the Centre for Energy, Petroleum & Mineral Law & Policy (CEPMLP). This would enable the University to gather market information while developing a lower risk strategy. To this end, the next visit to Kuwait, planned for

September, would include representation from CEPMLP. A report would be presented to the next meeting of Court on 26 October 2009.

### 3. **MANAGEMENT ACCOUNTS – PERIOD 12**

The Committee received interim management accounts for the year ended 31 July 2009. The Director of Finance stressed that these were provisional and were subject to a full audit process. Indications at this stage were that the University had achieved an operating surplus for 2008/9 of £1.6m before voluntary severance and disposals (compared with £0.9m for 2007/8), which although an improvement on the previous year still represented less than 1% of turnover. All the Colleges had performed to or better than budget, whereas the Student & Academic Support Services, taken as a whole, were over budget, however this was a result of un-budgeted recruitment expenditure linked to senior appointments, as well as increased estates costs due to third party charges. Interest payments for the year were below budget, reflecting a much better cash position than had been expected. Cash flow had been positive for the year largely due to timing of capital expenditure and working capital movements, both of these items represented future spending commitments and would therefore unwind over time.

The Committee congratulated the solid performance, noting nevertheless that the University still had some way to go in achieving its target of a 3% surplus.

### 4. **STRATEGIC REVIEW**

The Principal reported to the Committee on progress with the implementation of the strategic review that Court had approved at its meeting on 15 June 2009. Over the summer, the meetings of the Senior Management Team had focussed on discussion of how the review should go forward, and a core project team had been identified, comprising the Principal, the Secretary, and the Directors of Finance and Human Resources. The project team had been meeting on a weekly basis to plan action and co-ordinate the gathering of management information.

The Principal was planning a series of receptions with the Colleges, at which he would outline his ideas for the future development of the University. These would be preceded by a meeting with the Deans. It was crucial for the success of the review that the Deans understood and supported the aims of the review. The Principal indicated that the Court would have the opportunity to contribute to discussions on the future development of the University at the Court Retreat on 4 September 2009.

### 5. **UNIVERSITY BORROWING LEVELS**

The Director of Finance presented a paper outlining the University's current arrangements for borrowing. These comprised a £25m revolving credit facility with Barclays (renewal date in 2012); a £9m working capital extension with Barclays (renewed on an annual basis); and an £8.5m facility with Royal Bank of Scotland for the Translational Medicine Research Collaboration (TMRC) building. The Director explained the current treasury management policy, which sought to minimise balances on credit facilities whilst maintaining sufficient cash to cover operational requirements and to provide a cash reserve of £5m. Any excess funds were invested with the University's bankers.

The University would be reviewing its treasury policy in the near future, with the intention of bringing a revised policy to the November meeting of the Committee. Until then it was proposed that the existing relatively conservative policy in relation to cash management and borrowing be maintained. Once the treasury policy had been revised, the Committee would be in a position to consider appropriate borrowing levels, probably early in 2010.

The Committee noted that the Senior Management Team was in the process of revising the capital plan. The effect of this would be to focus on those projects to which the University was already committed and which could be covered with externally sourced funds.

**Resolved:** to maintain the current arrangements with respect to borrowing levels, cash reserves and the investment of excess funds, until such time as the University's treasury policy has been revised and approved.

**6. FINANCIAL YEAR END TIMETABLE**

The Director of Finance explained the timetable for the preparation, audit and approval of the financial statements for the year ended 31 July 2009. The auditors were expected in the week beginning 21 September 2009, and an interim close for the accounts was planned for mid-October. The final statements would be presented to the Finance & Policy Committee meeting on 23 November 2009 and thereafter to the Audit Committee and Court. The Convener proposed that the external auditors not be invited to the November meeting of the Committee, since their work was properly assessed by the Audit Committee.

**Resolved:** to approve the proposal that the external auditors not be invited to attend the Committee to present their audit.

**7. ENDOWMENTS SUB-COMMITTEE**

The Committee received a report of the sub-committee meeting on 9 May 2009. The convener, Mr Sanderson, explained that Mr Johnston had previously been the convener of the sub-committee alongside his role as convener of the Finance & Policy Committee. Mr Sanderson therefore proposed that he now take over the convenership of the sub-committee. For the time being, it was proposed that no additional members would be sought for the sub-committee in replacement of Mr Johnston, but that the situation would be reviewed in due course.

The Director of Finance noted that the University was currently in the process of tendering for investment management services.

**Resolved:** to approve the report.

**8. CAR PARKING CHARGES**

**Resolved:** to note the charges agreed by the Secretary under delegated powers.

## APPENDIX 3

### FINANCE & POLICY COMMITTEE (Minute 6)

A meeting of the Committee was held on 5 October 2009.

Present: Mr EF Sanderson (Convener), Principal Professor CP Downes, Mr WI Ball, Vice-Principal Professor J Calderhead, Dr LI McLellan, Mr JR Milligan, Mr A Smith (President of the Students' Association), Mr IDM Wright

In Attendance: Secretary, Director and Deputy Director of Finance, Director of Information Services & Deputy Secretary, Director of Strategic Planning, Deputy Director of Campus Services and Clerk to Court

#### 1. COMPOSITION OF THE COMMITTEE

The Convener welcomed Dr McLellan, Mr Smith and Professor Calderhead as new members of the Committee. He also noted that there was a vacancy on the Committee for a lay member of Court. It was hoped that this vacancy would be addressed as Court sought to fill its own current vacancies.

It was noted that the Campus Services Committee had been dissolved for the session 2009/10. Business that would ordinarily have been dealt with by that committee would now come before the Finance & Policy Committee, and the Committee therefore noted the attendance at the meeting of Mr GE Davies, Deputy Director of Campus Services, as an alternate for the Director of Campus Services, Mr D Yule, who would normally attend meetings.

#### 2. MINUTES

**Resolved:** to approve the minutes of the meeting on 31 August 2009.

#### 3. MATTERS ARISING

##### (1) University of Dundee Superannuation Scheme (Minute 2(1))

The Committee noted that presentations by the five shortlisted companies tendering for the position of pensions adviser to the University would be held later that week. Mr Sanderson, Mr Wright, the Director of Finance and the Procurement Manager would be present.

##### (2) Investment Manager Tender (Minute 5)

In the tendering process for investment management services, the Committee noted that a selection meeting would take place on 11 November 2009 following the compilation of a shortlist of companies who would be invited to make a presentation to the University.

#### 4. MANAGEMENT ACCOUNTS – PERIOD 1

The Committee received management accounts for the period to the end of August 2009.

By way of introduction, the Director of Finance reported that the audit of the 2008/9 accounts was proceeding according to plan, and it was anticipated that an interim close meeting would take place with the auditors before the end of October. It was expected that the final position in relation to the 2008/9 accounts would be an operating surplus of £1.6m, with a bottom-line surplus, after voluntary severance and disposals, of £0.8m. It was noted that the auditors had been made aware of an intimation of a claim for royalties of £0.5m against the University; it was possible that this would need to be declared in the accounts as a contingent liability.

The Director then spoke to the period 1 accounts. It was still very early in the financial year to draw out any trends for the year-end position, particularly since one of the key drivers at this stage was tuition fees. The final position on matriculation would not be known for another

two to three weeks, and there remained some uncertainty surrounding overseas recruitment as a result of the introduction of new immigration rules. Some Schools had permitted later starts to teaching to accommodate overseas students who had been delayed in acquiring visas. Additionally, figures for the January intake would not be known until the New Year. The Director noted the negative effect of the potential withdrawal of funding in relation to a clinical trial. Taking a conservative approach, he had taken the decision to remove the research overhead associated with the trial from the accounts, although there was optimism that the funding and the trial would now continue, subject to discussions with the funder.

In terms of cashflow, the Director explained that he was anticipating negative working capital movements of around £15m for the year, as research funding already gained was gradually spent. The extent of the unwinding of research income would, of course, depend on the level of new research grants won by the University.

## 5. CAPITAL PROGRAMME

The Director of Finance introduced a paper which set out a revised capital expenditure plan. The Senior Management Team had agreed the contents of the paper which sought to align capital expenditure to actual capital funding received. This would mean that expenditure would now focus on a limited number of priority projects (predominantly maintenance and refurbishment) in the short to medium term, including refurbishment/remodelling of Duncan of Jordanstone, and of the Scrymgeour and Fulton buildings. It was noted that the University had already received funding from the Scottish Funding Council ahead of spend and that there was therefore some urgency in agreeing spending priorities so that work could begin and the University could avoid any funding being clawed back.

The Committee discussed progress with the refurbishment of Duncan of Jordanstone. A full report would be presented to the Court meeting on 26 October 2009, setting out the various options and proposing refurbishment and remodelling of the Matthew and Crawford buildings at an initial cost of £19m. Concern had been raised at the Court meeting on 27 April 2009 that a full appraisal needed to be carried out and that proposals needed to include significant improvements to the buildings rather than merely focus on maintenance and refurbishment. It was confirmed that a change in emphasis had been made to the proposals to ensure that real enhancements could be made to the accommodation for Duncan of Jordanstone in support of future directions in learning, teaching and research, and that these proposals had been fully supported by the Project Board, which included in its membership the Deputy Principal & Dean of Duncan of Jordanstone College.

The Committee indicated that as part of a proper process of approval for capital projects under the so-called K2 procedures it ought to have had sight of the options appraisal in advance of the Court meeting on 26 October 2009. It was therefore agreed that the appraisal would be circulated to members for comment before being presented to Court.

The Director of Finance sought permission from the Committee to authorise expenditure in relation to work on the Fulton and Scrymgeour buildings, which together totalled more than £1m (each building had been allocated a budget of £1.5m). Under the Schedule of Delegation and Decision-making, the approval of individual capital projects exceeding £1m was reserved to the Court. However, in this case no single project exceeded this amount, but rather the total expenditure for specific contracts encompassing a series of different projects exceeded this amount. The Committee was satisfied that the Director of Finance should be permitted to authorise this expenditure without explicit approval from the Court.

- Resolved:**
- (i) to recommend to Court approval of the Capital Programme as presented (annex);
  - (ii) to ask officers to circulate the Options Appraisal for Duncan of Jordanstone to members for comment in advance of the Court meeting on 26 October 2009; and
  - (iii) to permit the Director of Finance to authorise expenditure in relation to the Fulton and Scrymgeour buildings, where aggregated contracts for works exceeded £1m, but where underlying individual projects relating to the contracts were below £1m.

## 6. DUNDEE STUDENT VILLAGES

The Director of Finance presented the annual report to the Committee on the activity of Dundee Student Villages (DSV) and its subsidiary, the West Park Conference Centre (WPCC).

Beginning with DSV, the Director reported that the issues with the roofs on Seabraes, following damage during high winds, had now been resolved. During 2008/9 occupancy level in DSV residences was 100% and this had ensured that net income had also increased in comparison to 2007/8. Occupancy of 100% was also expected for 2009/10. The maintenance programme was largely on track with some catch up necessary at West Park Villas. In terms of pricing for the residences, this was in line with similar residences at other universities. On the whole 2008/9 had been a good year. Issues for the future included the effect of a negative Retail Prices Index (RPI) figure on the pricing strategy of the residences, since the business model was based on increases in pricing linked to the RPI. This would have to be addressed if and when such an event arose. Additionally, in 2011, the University would need to consider the effects of the end of the lease of Taymills. Taymills was not part of DSV, but directly controlled, although not owned, by the University. While of a lower quality than accommodation provided by DSV, the Taymills flats were popular with overseas students and in particular with students who were accompanied by dependants. The University would want to consider in future whether it would provide such accommodation after expiry of the lease, and if so how. This said, the cost to the University of maintaining the property and of servicing the requirements of the lease, which currently represented a net deficit to the University, would be removed.

The Student President reported that the Students' Association had carried out a survey of students' experience of local landlords, including major providers such as DSV, in which DSV had come tenth out of fifteen. One of the issues raised by student respondents was the cost of the residences, although it was also pointed out that the quality of the DSV residences was superior to most other local accommodation and that students' views regarding quality had been canvassed prior to the new accommodation being commissioned. Officers undertook to engage with the Students' Association and Sanctuary Management Services to understand how to improve the experience of students in DSV residences.

Turning to WPCC, the Director reported that it was continuing to grow, although not as fast as had been anticipated in its original business model. WPCC operated an April year-end, and for 2008/9 it had achieved a small operating surplus with sales up 15%. WPCC was broadly on track with its revised business plan for 09/10 but there was likely to be some disruption due to building works in October 2009 & January 2010.

In discussion, some concern was expressed in relation to the ongoing performance of WPCC in comparison to the original business plan, and also in relation to what one member saw as overoptimistic income forecasts. The Director of Finance pointed out that the DSV Board had recognised the difficulties of WPCC in the past, was working to achieve better performance and routinely and rigorously challenged the management of WPCC to improve. It was acknowledged that WPCC had some way to go to meet its business plan targets and clearly there were risks associated with this. However, it was in all parties' interests for WPCC to be successful and the DSV board were fully aware of the challenges.

## 7. ANALYSIS OF PERFORMANCE OF MAJOR CAPITAL PROJECTS

### (1) Clinical Research Centre (CRC)

The Director of Finance introduced a paper which reported on the performance of the CRC against original plan. The proposals for the construction of the CRC had been approved by Court in 2003 with a more ambitious scheme approved in 2005, since which time there had been increases in both building and equipment costs, although fully matched by increases in external funding. Cost overruns on the project had been reported to the Committee. The final opening of the Centre took place three years later than planned as a result of the changes to the original proposals. This had meant that the financial targets for the project had likewise been delayed by three years. The first full year of operation was 2008/9, during which time income was broadly on track with the delayed plan; the PET/CT scanner was not yet in place, although now procured. However the projections for 2009/10 were that the CRC would not meet the income projections contained within the original business plan.

It was pointed out that one of the main issues facing the CRC was encouraging Principal Investigators involved in clinical trials to make greater use of the facility. The Centre was a key component of an effective translational medicine strategy and would be an important element of the University's role in the Academic Health Sciences Collaboration. It was unique for comprehensive imaging facilities (MRI and PET/CT) to be located within the same space as a dedicated clinical research facility.

Lessons to be learnt from the project included recognition that income projections on which capital proposals were based needed to be realistic and that individual projects required clear ownership and should engender collective responsibility in the academic community they would serve.

(2) Institute of Sport & Exercise (ISE)

The Director of Finance also introduced a paper reporting on the performance against projections for the ISE project. This had been approved by Court in 2005, following scrutiny of the proposals by a Court Sub-Group specifically established for the purpose. As the University's financial position became more challenged in the summer and autumn of 2006, the original plans were revised to take out proposed refurbishment of the Riverside playing fields. This reduced the projected costs to £3.9m although following later additional costs from increased steel prices, unexpected construction conditions and problems with the render of the new build, this increased to £4.6m. Discussions were currently ongoing as to whether to mount a claim against the design consultants for some of these additional costs.

In income and expenditure terms, the project was behind plan. Member numbers were good, but the average fee return per member was lower than projected in the original proposals. One explanation for this was the much reduced scope of the project meaning that the amount that could be charged was reduced as was the proportion of external members. In addition the level of student fees were reduced following vocal representation from the student body and the students' association. One member questioned whether the changes in fee level agreed with the student body should have been reported to Court, since this move had significantly altered the financial model for the project. It was reported that the fee level was reduced by approximately 15% and that this decision was taken just as the facility was due to open.

It was felt that the ISE was well managed, and it was acknowledged that the new facilities were an important enhancement to both the campus and the student experience. In relation to the original proposals it was suggested that the University should not feel obliged to ensure that every project of this type break even, and that a value needed to be attributed in such cases to service enhancement and other benefits, such as improved recruitment, that arose from improvements to core facilities.

8. **STRATEGIC REVIEW**

The Principal brought the Committee up to date on progress in implementing the Strategic Review that Court had approved at its meeting on 15 June 2009. He pointed to the economic situation and likely cuts in public funding, although set in the short term against the news in the draft Scottish Budget that there would be a modest increase in funding to universities in 2010/11. The review was also taking place against the backdrop of change in the University's leadership, which in itself represented a good opportunity to review the University's activity and strategic priorities. To this end the Principal had held a series of receptions at which he had set out his vision for the University, based around the watchwords of 'Excellence, Focus and Impact'.

In terms of the review itself, high level analysis of academic and financial performance was taking place within the Colleges and this would be considered by the Senior Management Team during November. It was anticipated that initial analysis would be ready for reporting to the December Court meeting.

The need for clear communication with the campus unions as well as other stakeholders was emphasised.

**CAPITAL PROGRAMME – FINANCE & POLICY COMMITTEE OCT 2009****Introduction**

At the previous F&PC meeting a paper was presented which summarised the current borrowing position of the University. It was discussed that in order to define the appropriate borrowing level the University needed to be able to forecast both its requirement and the associated costs. This is difficult to do at present given all the uncertainty surrounding public funding and the impact that may have on the University. It also requires the completion of the University's Strategic Review.

The proposal which was accepted by the Committee was that, while this uncertainty existed, the University should adopt a conservative approach to its capital plans. This also takes into account the current financial projections of the University.

The effect of this is that the University effectively restricts its capital plan in such a way that the significant majority of it should be funded by external capital funding and disposals.

It was agreed that a revised capital plan on this basis, once agreed by SMT, be tabled at this F&PC Meeting. The agreed plan is detailed in appendix A.

**Capital Programme**

The initial focus is on approving in principle the capital plan for 2009/10 and 2010/11 (subject to Court approval for individual projects as required). This is in line with the visibility we have been given from the main funders and also allows for the strategic review and any implications of this to be factored into the later years.

The capital spend for these two years is planned at £30.4M as compared to the forecast funding of £24.2M. Although this represents an overspend of £6.2M, when allowing for 08/09 carry over (£4.5M) and donated funds received earlier we anticipate that we will be able to meet these commitments. It does assume that the government funding for 2010/11 remains as per the projections given earlier in the year and that we are able to dispose of the properties that were planned for last year.

However in order to remain within this funding envelope it was agreed that some of the proposed projects need to be pushed back to 2012/13 and reviewed at a later date. The proposal also re-profiles spend on the three major refurbishment projects (DOJ, Fulton and Scrymgeour) such that a similar % of total spend is allocated to each project in the first two years. It is expected that during these first two years the focus will be on statutory / basic maintenance to bring the buildings up to a basic acceptable standard but with some scope to enhance learning, teaching and research environments within these facilities.

Once approved, Estates and Buildings will produce an operational plan for the next 2 years which will include a degree of flexibility such that projects / packages of work that are within the agreed plan can be brought forward should there be an opportunity either due to slippage on other projects, or additional funding becoming available.

It is essential that we now move forward with these projects and for monies to be spent in order that we are able to properly account for the capital funds received by the University from external sources and avoid any potential for clawback.

The plan will be reviewed on a regular basis with a full review early next summer.

**APPENDIX A - CAPITAL PROGRAMME**

	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	Total
<i>Projects within existing plan</i>							
Duncan of Jordanstone	157	3,000	2,500	2,340	3,500	3,500	14,997
Ninewells Teaching and Library Facilities	501	1,499	1,000	3,000	1,518		7,518
Fulton building refurbishment		750	500		1,350	800	3,400
Scrymgeour building refurbishment		1,250		600	600	600	3,050
Dental Tower - Level 2 Lab refurb			625				625
1-3 Perth Road Refurbishment				200			200
<i>Proposed Projects</i>							
CLS Extension (total project 12M)			500	4,500			5,000
Anatomy (total project 12M)		1,000		3,000			4,000
Ninewells Lecture theatre upgrades					1,500		1,500
IT - additional infrastructure		500					500
Purchase & refurbish Comet				1,100			1,100
<i>Infrastructure / Ongoing Projects</i>							
LTM: Core Infrastructure (HV/LV)	442	1,716	430	610			3,198
Other infrastructure	1,374	900	750	750	750	750	5,274
Backlog maintenance	1,070	1,550	1,000	1,000	1,000	1,000	6,620
Capitalised costs	675	650	600	600	600	600	3,725
Teaching Accommodation refurb	27	200	200	200	200	200	1,027
Small Projects / Retentions	805	1,301	300	300	300	300	3,306
<i>Current projects close to completion</i>							
Sports & Exercise - Riverside	1,084	512					1,596
MSRU ( Ninewells Resource Unit)	1,341	192					1,533
IMSAT / Wilson House	1,010	178					1,188
MSI completion	445	379					824
Neuroscience Laboratory	350	106					456
<i>Externally Funded</i>							
CRC top floor		2,603					2,603
Pharmaco Genomics*	264	1,683					1,947
							-
<b>Total</b>	<b>9,545</b>	<b>19,969</b>	<b>8,405</b>	<b>18,200</b>	<b>11,318</b>	<b>7,750</b>	<b>75,187</b>
CRC Equipment - Externally Funding		2,031					2,031
Non Externally Funded Equipment	1,696	1,000	1,000	1,000	500	500	5,696
<b>Total</b>	<b>11,241</b>	<b>23,000</b>	<b>9,405</b>	<b>19,200</b>	<b>11,818</b>	<b>8,250</b>	<b>82,914</b>
<i>Slippage</i>		- 2,500	- 2,000	- 2,000	- 2,000		
			2,500	2,000	2,000	2,000	
<b>Cash Spend</b>	<b>11,241</b>	<b>20,500</b>	<b>9,905</b>	<b>19,200</b>	<b>11,818</b>	<b>10,250</b>	<b>82,914</b>
<b>Current Funding</b>							
	<b>2008/09</b>	<b>2009/10</b>	<b>2010/11</b>	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>	<b>Total</b>
SFC	8,797	5,600	1,641	4,500	4,500	4,500	29,538
DIUS	3,239	2,958	3,459	2,000	2,000	2,000	15,656
External Funding	3,052	6,632	450	1,000	450		11,584
Capital Disposal	15,088	15,190	5,550	7,500	6,950	6,500	56,778
Cash Available	729	2,150	1,300	-	-	-	4,179
<b>Cash Available</b>	<b>15,817</b>	<b>17,340</b>	<b>6,850</b>	<b>7,500</b>	<b>6,950</b>	<b>6,500</b>	<b>60,957</b>
<b>GAP</b>	<b>4,576</b>	<b>- 3,160</b>	<b>- 3,055</b>	<b>- 11,700</b>	<b>- 4,868</b>	<b>- 3,750</b>	<b>- 21,957</b>

\* Externally funding received in prior years primarily through Ninewells Cancer Campaign

## APPENDIX 4

COURT EFFECTIVENESS REVIEW PROPOSALS  
(Minute 8)

## Proposals

1. Membership of Court

(See annex for the new composition of Court if all of these proposals were to be accepted.)

**Proposal 1.1:** that the Chancellor cease to be a full member of Court, but that s/he retain the right to attend Court and receive Court papers. In discussion with the Chancellor, the Nominations Committee will recommend to Court the appointment of a suitable lay assessor to represent the Chancellor at Court meetings and otherwise act as a full lay Court member.

**Proposal 1.2:** that each newly elected Rector be invited to decide whether to become a full and active member of Court or whether to appoint a lay assessor to fulfil the Court duties of the Rector on his/her behalf, following discussion with the Students' Association and subject to consideration by the Nominations Committee. If an Assessor is appointed the Rector will retain the right to attend Court and receive Court papers, but will not be treated as a full member nor therefore have the right of a vote.

**Proposal 1.3:** that the Students' Association be accorded a second full representative on Court.

**Proposal 1.4:** that a new category of membership be created entitled 'Chairperson of Court'. Upon election as Chairperson, that member would begin a new three-year term of office in this category, with the resulting vacancy from the previous category being filled accordingly. The member would be eligible for re-election as chairperson for one further three-year term.

**Proposal 1.5:** that all lay Court members, whether appointed or elected (excepting the, the Rector and the Chairperson of Court), be permitted to serve no more than eight continuous years as a Court member, regardless of their category of membership or whether that member has changed category. Lay Members may, however, exceptionally be appointed for an additional term where a particular skill or expertise might otherwise be lost. Such an additional term would be reviewed annually by the Nominations Committee.

**Proposal 1.6:** that all lay Court members may not have been a member of staff or a full-time student of the University within the four years prior to appointment or election to Court.

**Proposal 1.7:** upon retirement from Court, lay Court members should not be permitted to seek re-election or be re-appointed to the Court until a period of at least four years has elapsed.

**Proposal 1.8:** that those bodies electing members to Court (Graduates' Council, Senate, Academic Council, non-academic staff, Students' Union) be encouraged to explore ways of increasing participation and diversity in elections to Court.

**Proposal 1.9:** that elections for staff members of Court (whether from Senate, Academic Council or from the non-academic staff) be conducted in such a way that an announcement of successful candidates can be made at the latest by the June Court meeting in the academic session in which an election is due.

**Proposal 1.10:** that staff members on Court seeking re-election beyond eight years in a new category must undergo active election. Where only one nomination is received, and that nomination is for a member of staff who has already served eight years in a different category, the electorate should be given the choice to re-open nominations during the ballot. This notwithstanding, membership on Court beyond eight continuous years by staff (except for the Principal, who is a member ex officio) is undesirable.

2. Chairperson of Court

**Proposal 2.1:** that the Chairperson conduct biennial meetings with individual members of Court to discuss their contribution to Court along with any development needs (except that these meetings will be at least annual for student members of Court).

**Proposal 2.2:** that the Secretary and Clerk to Court bring forward proposals for clarifying the process of election of the Chairperson of Court, ideally to be approved in advance of the next election.

3. *Nominations and the Recruitment and Induction of New Members*

**Proposal 3.1:** that the University move to advertising vacancies in the lay membership in the local and national press, in addition to soliciting suggestions from staff, students and existing Court members.

**Proposal 3.2:** that the Nominations Committee meet more regularly (at least twice per annum).

**Proposal 3.3:** that the Nominations Committee should undertake a formal process of succession planning, including reviewing the range of skills and expertise of benefit to Court and compiling a list of potential new members exhibiting these skills for consideration for future vacancies.

**Proposal 3.4:** to recommend that officers bring forward proposals for updating induction arrangements for new members (including the handbook), and that they give thought to the provision of periodic training/update sessions on specific topics.

4. *Enhancing Court Business and the Court Retreat*

**Proposal 4.1:** that Court receive regular presentations on emerging strategic issues, to enable comment at as early a stage as is feasible.

**Proposal 4.2:** that, alongside a review by the Audit Committee, the Court itself also review annually in February the University's risk register; and that the issue of risk be given greater prominence in Court business.

**Proposal 4.3:** that the Court Secretariat bring forward proposals for refining Court's approach to confidential business in the context of practice elsewhere in the sector.

**Proposal 4.4:** that the Code of Conduct for members of Court be reviewed, particularly in relation to the issues of confidentiality and open debate, and that the Chairperson be asked to remind members and officers at the end of each meeting that Court business, including the content of debates, is confidential.

**Proposal 4.5:** that proposals be brought forward for enhancing student and staff awareness of the Court and its work.

**Proposal 4.6:** that members be encouraged to attend Court luncheons, noting that they represent an opportunity for officers and members to engage in discussion outside the formal meeting environment.

**Proposal 4.7:** that the Court Retreat be more participative in nature, with opportunities *for breakout sessions*.

5. *Minutes, Papers and the Mechanics of Court & Committee Meetings*

**Proposal 5.1:** that the practice of preparing blue summary sheets to accompany papers be extended to all Court Committees.

**Proposal 5.2:** that, with immediate effect, apologies now be formally recorded in the minutes of Court and Court Committee meetings.

**Proposal 5.3:** that a rolling summary of outstanding action points, in a simple tabulated form, be produced and circulated as an appendix to all Court and Committee minutes.

**Proposal 5.4:** that substantive issues for discussion always be supported by a paper, and that thereby oral reports be restricted to circumstances where a paper could not have been reasonably compiled in advance. This should apply to both Court and its Committees.

**Proposal 5.5:** that the Court Secretariat undertake a thorough review of the Court's standing orders, with particular attention to the conduct of votes.

**Proposal 5.6:** that the Clerk to Court develop templates for all Court and Committee agendas, minutes and papers, to ensure greater consistency in house style.

**Proposal 5.7:** that the secretariat work towards making Agendas and Papers available electronically seven days in advance of Court and Committee meetings (e.g. on the preceding Monday for Court meetings).

**Proposal 5.8:** that the secretariat work towards circulating a draft Court Agenda 14 days in advance of meetings for information.

**Proposal 5.9:** that the Court Agenda include items for discussion at future meetings, and that the chair should invite suggestions for inclusion from members.

6. Corporate Governance

**Proposal 6.1:** that in the financial statements relating to the year ending 31 July 2009 and in those of each year thereafter the Court record the attendance of individual members at Court and Committee meetings.

**Proposal 6.2:** that the significant commitments and declared interests of all Court members and senior officers of the University be published on the internet, beginning with the next cycle of revision to the register of interests.

**Proposal 6.3:** that the Principal should discuss in advance any additional external commitments or appointments, whether remunerated or otherwise, with the Chairperson of Court; and that appointments or commitments accepted should be reported to the Court.

**Proposal 6.4:** that there be included in the financial statements, beginning with those for the year ended 31 July 2009, a section devoted to explaining how the Audit Committee discharges its responsibilities.

7. Appointment Process of Senior Staff of the University

**Proposal 7.1:** that the Secretary be asked to co-ordinate a review of the mechanisms for appointment of those senior staff whose appointments are made by the Court (Chancellor, Principal, Vice-Principals, Secretary, Librarian and, potentially, the Director of Finance). The review would include consideration of the statutory nature of the appointments.

8. Senate

**Proposal 8.1:** that the Senate be asked to carry out a review of its own effectiveness as a matter of urgency, with a view to increasing the transparency of its academic stewardship of the institution and to providing Court with the means to assure itself of the quality of learning and teaching within the institution.

**Proposed New Membership of Court under the Court Effectiveness Review Proposals***Institutional Members*

1. Principal
2. Member elected by the **Senate** (Professorial)
3. Member elected by the **Senate** (Professorial)
4. Member elected by the **Senate** (Non-professorial)
5. Member elected by the **Senate** (Non-Professorial)
6. Member elected by the **Academic Council**
7. Member elected by the **Academic Council**
8. Member elected by the **Non-Academic Staff**
9. President of the Students' Association
10. Second representative of the Students' Association

*Independent (Lay) Members*

11. Chairperson of Court
12. Rector or Rector's Assessor
13. Chancellor's Assessor
14. Lord Provost or a nominated assessor
15. Assessor elected by the **Graduates' Council**
16. Assessor elected by the **Graduates' Council**
17. Co-opted Lay appointment
18. Co-opted Lay appointment
19. Co-opted Lay appointment
20. Co-opted Lay appointment
21. Co-opted Lay appointment
22. Co-opted Lay appointment
23. Co-opted Lay appointment

*In Attendance*

Chancellor

(Rector)

University Secretary

Director of Finance

Clerk to Court

Other officers at the discretion of the University Secretary and/or of the Chairperson of Court

## APPENDIX 5

NOMINATIONS COMMITTEE  
(Minute 9)

A meeting of the Committee was held on 12 October 2009.

Present: Mr JR Milligan (Convener), Principal Professor CP Downes, Professor RJ Abboud, Mr R Burns, Mr EF Sanderson, Mr IDM Wright.

In Attendance: University Secretary and Clerk to Court.

## 1. MINUTES

**Resolved:** to approve the minutes of the meeting on 27 October 2008.

## 2. NAME AND REMIT OF THE COMMITTEE

The Committee considered a paper proposing a revision of the remit of the Committee to include oversight of governance matters and suggesting that the name of the Committee be changed to Governance & Nominations Committee. The Committee did not feel that by agreeing to the proposals there would be any overlap with the internal control functions of the Audit Committee.

**Resolved:** to recommend to Court that the name and remit of the Committee be amended as set out in the proposals (see annex a).

## 3. COMMITTEE MEMBERSHIPS 2009/10

The Committee received intimation of the final memberships for Court committees for 2009/10, which had been approved by the Court at its business meeting during the retreat on 4 September 2009 following their initial consideration by the Committee through correspondence.

- Resolved:**
- (i) to note that the Campus Services Committee would not meet in academic session 2009/10, that any business which would normally have been handled by the committee would now be presented to the Finance & Policy Committee, and that this arrangement would be reviewed at the end of the current session; and
  - (ii) to agree that the Committee would in future consider committee memberships at a meeting in spring each year, scheduled in such a way as to enable recommendations to be made to the June Court meeting.

## 4. CURRENT VACANCIES

(1) Chancellor's Assessor

The Principal reported that he would shortly be having discussions with the Chancellor during which he would raise the issue of the appointment of an assessor.

**Resolved:** to await the outcome of the Principal's discussions with the Chancellor regarding the appointment of an assessor.

(2) Dr Alison Goligher

The Committee agreed that it was important to fill as a matter of urgency the vacancy on Court caused by the resignation of Dr Goligher.

**Resolved:**

- (i) to ask the Clerk to Court to canvass Court members for suggestions for suitable new lay members to enable consideration by the Committee of potential candidates. As part of the process, it was agreed that suitable

candidates would be invited to speak with the Principal and the Chairman of Court;

- (ii) to note that, in seeking to fill this vacancy, the Court should be mindful of the need for increased membership with business and financial expertise.

#### 5. SUCCESSION PLANNING

The Committee considered the terms of office of serving lay members of Court with a view to considering future vacancies as well as their effects on the convenerships of Court committees. The Committee agreed that it would be advisable to maintain a list of potential candidates for Court membership and to refresh this list regularly through external advertising, and through the canvassing of current staff, students and Court members.

- Resolved:**
- (i) to ask officers to begin a process of soliciting nominations for membership of Court from current staff, students and Court members as well by external advertisement for consideration by the Committee. Suitable candidates identified by the Committee would thereafter be invited to meet with the Principal and the Chairman of Court who would subsequently report back to the Committee; and
  - (ii) to recommend that the skills particularly sought in potential members at the current time included the areas of business and finance, law (especially employment law), and the creative arts/industries.

#### 6. MR RICHARD BURNS

As his first term of office as a Court member was soon to expire, the Committee considered the contribution of Mr Burns to the work of the Court.

- Resolved:** to recommend to Court that Mr Burns be re-appointed as a Court member in terms of Statute 9(1)(l) for a second term of four years from 1 August 2010 to 31 July 2014.

#### 7. PROCEDURE FOR ELECTING THE CHAIRPERSON

The Committee considered a paper setting out a proposed procedure for electing the chairperson, to be used in determining the next Chairperson of Court. In discussing the proposals, the Committee considered the merits in the longer-term of appointing rather than electing a Chairperson, but concluded that the next Chairperson should be identified by means of an election of Court members.

- Resolved:**
- (i) to recommend to Court that it approve the proposed procedure for electing a Chairperson (see annex b), to be used in determining a successor to the current Chairperson, subject to the following amendments:
    - a) that nominations for the chairperson be made known to Court members as they are submitted to the Clerk to Court as part of the election process; and
    - b) that the method for counting the results be clarified and nominees be advised that they may be present at the count; and
  - (ii) to agree to defer any reconsideration of the means of identifying a Chairperson to after the next election.

**NAME AND REMIT OF THE NOMINATIONS COMMITTEE**1. Name

It is proposed that the name of the Committee be amended to:

‘Governance & Nominations Committee’

2. Remit

The current remit of the Nominations Committee is as follows:

To make recommendations to Court on the appointment of Court members who are not elected nor nominated nor *ex officio* in terms of the Statutes, and to recommend to Court the membership of Court committees.

It is proposed that the remit of a renamed Governance & Nominations Committee include the following:

- To advise Court on any matter pertaining to the University’s framework for corporate governance and its operation, including, but not limited to:
  - The role and manner of election of the Chairperson of Court;
  - Compliance with external governance requirements and consideration of matters of best practice;
  - Oversight of the University’s Charter, Statutes and Ordinances (in consultation with the Senate);
  - Oversight of the Court’s standing orders and any other documents relating to the role and conduct of Court members and to the mechanisms for the smooth operation of Court and its Committees;
  - Oversight of the election procedures for elected members of Court (where appropriate, in discussion with the relevant electing body);
- To make recommendations to Court on the appointment of Court members who are not elected, nor *ex officio* in terms of the Statutes; and
- To recommend to Court the membership of Court committees.

**ELECTION OF THE CHAIRPERSON OF COURT***Regulations governing the conduct of elections for the Chairperson of Court*

1. The relevant statute relating to the election of the Chairperson of Court is as follows:
  - 9(3)(a) *A Chairperson of Court shall be elected from among its members who are not students or salaried staff of the University.*
  - (b) *The Chairperson so elected shall hold office for a period of three years. The Chairperson shall be eligible for re-election but shall not serve continuously for more than six years.*
2. The election (or re-election) of the Chairperson of Court shall take place by postal ballot in such a way as to allow an announcement of the successful candidate to be made at the April meeting of Court in the academic year in which an election is due.
3. An intimation that nominations are sought shall be included in the papers for the preceding February meeting of Court in the academic year in which an election is due.
4. This intimation will include the following information:
  - a. the role and responsibilities of the Chairperson of Court;
  - b. any eligibility requirements (as contained in the Combined Code or the CUC Guide, etc, or as agreed by Court from time to time);
  - c. a list of those Court members eligible, in terms of Statute 9, to stand for election;
  - d. the timetable of the election;
  - e. the means by which nominations should be submitted.
5. Nominations shall include the name of the proposer, who shall be a member of Court, and the seconder who shall also be a member of Court. The nomination shall be accompanied by a personal statement from the nominee of not more than 500 words, indicating, *inter alia*, the reasons s/he is standing and what qualities s/he will bring to the role.
6. Nominations shall be made either in writing and include the signatures of proposer, seconder and nominee, or individually by email, in which case proposer, seconder and nominee shall each email the Clerk to Court indicating their agreement to the nomination. All components of the nomination must be lodged by the deadline for submission of nominations or the nomination shall be void.
7. Nominations shall remain open for three weeks from the date of the February Court meeting. Nominations will close at 4pm. Court members shall be informed by email of the names of those persons nominated as soon as each nomination is submitted. Following the close of nominations, the Clerk to Court will confirm to Court members all nominations submitted.
8. Where only one nomination is received by the closing date, that person will be deemed to be elected.
9. Where there are two or more nominations, ballot papers will be issued within 5 working days of the closure of nominations. The closing date for ballots will be 4pm on the Friday ten days before the April Court meeting. All full members of Court shall be entitled to vote. Ballot papers shall not carry identifying marks.
10. The ballots shall be opened and the count conducted by the Clerk to Court and the University Secretary immediately following the close of the ballot. Nominees may be present during the count.
11. Court members shall be informed by email of the outcome of the ballot immediately following the count, and this will be confirmed in the papers for the next Court meeting.
12. The election shall be carried out using preferential voting, in which electors rank candidates in order of preference. A simple majority (50% + 1) of first preference votes cast shall secure victory. Where there are more than two candidates and no candidate has achieved a majority, the votes of the candidate receiving the lowest number of votes shall be redistributed according to their second

choices, and so on until a winner is determined. In the event of a tie in an election where there are more than two candidates, the candidate with the greatest number of first preference votes shall be declared the winner. Where these are also tied, or where there are only two candidates and the vote is tied, the election shall be re-run according to a similar timetable to allow announcement at the June meeting of Court. Candidates shall be required to confirm their continued nomination in a re-run election, and new nominations shall also be invited. If the election is once again tied, the winner shall be decided by lot.

## APPENDIX 6

### COMMUNICATIONS FROM THE SENATUS ACADEMICUS (Minute 16)

#### 1. PRINCIPAL'S REPORT

In his introduction to the report, the Principal noted that he had changed the format with a main thematic section and a separate appendix containing important news of awards, grants and prizes.

On finance he indicated that, in spite of the welcome increase in the University's operating surplus and the small real terms increase in grant from the SFC in 2010/11, the future outlook for public spending was a period of significant cuts with the HE sector unlikely to be a protected 'special' case. He reminded members of the strategic necessity to reach a 3% surplus in order to invest in new academic developments. In that context the Senior Management Team was engaged in a review process to identify priorities, options and possible outcomes to be published by Christmas.

On Senate, the Principal's remarks were considered along with the Secretary's paper on the 'Review of Senate Effectiveness' (annex a). He set out his vision that Senate should be central to the academic development of the University and play a pivotal role in embedding the goals of excellence, focus and impact in the University's teaching and research.

The establishment of a Working Group and the outline remit proposed by the Secretary was generally welcomed by members, who acknowledged that there had been a decline in Senate's effectiveness partly caused by the restructuring of the University and the devolution of decision-making to committees or to officers. It was agreed that the outcome of the Working Group's deliberations would be a series of recommendations which Senate, as a body, would consider for itself before any referral to the Court. On the remit, the importance of clarity of role for Senate vis a vis Court was stressed as was the wish for Senate to set a strategic agenda for its committees as well as to provide a genuine sounding board to inform the Principal and SMT on the views of the academic community.

- The Senatus decided:**
- (i) to note the Principal's report;
  - (ii) in particular to approve the establishment of a Working Group to review Senate effectiveness;
  - (iii) to approve the undernoted membership:
    - The Principal (Convener)
    - Professor R Abboud
    - Mr D R W George
    - Dr L McLellan
    - Dr A Roger
    - Dr M R Jones
    - Professor C A Whatley
    - President of DUSA
  - (iv) to approve the outline remit and timescale.

#### 2. UNIVERSITY COURT

The Senatus received a communication from the meetings of the University Court held on 15 June, 6 July and 4 September 2009.

**The Senatus decided:** for its part, to approve the report.

#### 3. FINANCE AND POLICY COMMITTEE

The Senatus received the Minutes of meetings of the Finance and Policy Committee held on 18 May and 31 August 2009 for information.

On paragraph 2(2), a member expressed concern at the possible implication that the Court had been not fully aware of the precise terms of the buy-back agreement with regard to the West Park Conference Centre. He felt that it pointed to inherent dangers of entering into agreements with private providers of teaching or services generally. In response, the Secretary expressed the view that such options should not be ruled out as a matter of principle but in all potential cases a careful analysis of potential risks should be undertaken.

**The Senatus decided:** for its part, to approve the reports.

4. **HONORARY DEGREES COMMITTEE**

The Senatus received the Minutes of a meeting of the Committee held on 22 September 2009 (annex b).

**The Senatus decided:** to approve the report.

5. **PRINCIPAL EMERITUS**

**The Senatus decided:** subject to the concurrence of the Court, to confer the title of Principal Emeritus upon Sir Alan Langlands.

6. **LIBRARIAN EMERITUS**

**The Senatus decided:** subject to the concurrence of the Court, to confer the title of Librarian Emeritus upon Mr John Bagnall.

7. **PROFESSORES EMERITI**

**The Senatus decided:** subject to the concurrence of Court, to confer the title of Professor Emeritus upon the following:

Professor E Wright  
Professor D Levison

8. **RECTORIAL ELECTION – FEBRUARY 2010**

**The Senatus decided:** in terms of Statute 4(5)(c), to delegate to the Academic Secretary the authority to appoint two presiding officers from amongst the most recently appointed Professors.

9. **ACADEMIC COUNCIL ELECTION TO COURT**

To note that Dr Lesley McLellan has been elected to serve as an Academic Council representative on the Court until 31 July 2013.

10. **SENATE ELECTION TO COURT**

To note that Professor Julie Taylor has been elected to serve as a Professorial member of Senate on the Court until 31 July 2013.

11. **STAFF GRIEVANCE**

**Resolved:** to nominate Professor Carol MacIntosh to serve as Senate representative on a Committee to hear a staff grievance.

12. **MEMBERSHIP OF REDUNDANCY COMMITTEE**

The Secretary reported that it might be necessary for the Court to establish a Redundancy Committee for a small number of staff and, if it were necessary and to avoid delay, to delegate authority to the Principal to nominate two Senate members to serve on such a Committee.

**Resolved:** to delegate authority to the Principal to appoint Senate members to a Redundancy Committee should that be necessary.

**UNIVERSITY SENATE**  
**REVIEW OF SENATE EFFECTIVENESS**

**Introduction**

1. Members will be aware that the University Court is currently undertaking a review of its effectiveness in the context of the *Guide for Members of Higher Education Governing Bodies in the UK* published by the Committee of University Chairs (CUC). Court carries out such a review on a quinquennial basis, with the outcomes of previous reviews having been published in 1999 and 2004.
2. The CUC Guide indicates that governing bodies should ensure that a parallel review is carried out of the Senate and its committees. Members will be aware that Court has therefore requested that Senate undertakes such a review, and provides a report on its outcomes, to Court before the end of academic session 2009/2010.
3. This paper sets out for Senate's consideration a proposed approach to taking forward the exercise and seeks approval for the establishment of a *Working Group on Senate Effectiveness* to undertake the review.

**Remit**

4. It is proposed that the remit of the Working Group be as follows:

*To review the efficiency and effectiveness of the operation of the Senate in the context of the University's overarching governance framework and to bring forward recommendations that take account of relevant national developments and best practice within the sector.*

5. In his report to today's meeting, the Principal has set out his vision of how Senate should be central to the academic development of the University. In the context of that vision, it is proposed that the Working Group might focus particular attention on the following areas, which are not at this stage intended to be exhaustive but rather as suggestions for debate:
  - How Senate might be reinvigorated and made more active, participative and relevant;
  - How effective Senate is in overseeing the academic strategy and academic development of the University in learning, teaching and research;
  - How Senate is able to assure Court of the standards and quality of the University's academic provision;
  - The degree to which current practice in relation to the type and nature of business transacted at Senate reflects properly Senate's responsibilities;
  - The quality and standard of debate at meetings of Senate;
  - The fitness for purpose of the Charter & Statutes as they relate to the work of the Senate;
  - The size and composition of Senate in the context of sector best practice;
  - Arrangements for the identification, appointment/election and induction of new members to Senate and its Committees;
  - The appropriateness of the current committee structure, the remits and compositions of Senate committees and the level of delegation of Senate business to committees;
  - The frequency and timing of meetings;
  - The adequacy and appropriateness of agendas and papers;

**The review process**

6. Effectiveness should be measured against Senate's responsibilities as set out in the University's Charter & Statutes, with the Working Group bringing forward recommendations for revising Senate's structures, processes and mode of operation according to the outcomes of the review process and in the context of best practice.
7. It is proposed that the Working Group commences its work by identifying areas on which it wishes to focus, based on the list set out above, and by developing a structured questionnaire

that covers all of Senate's major responsibilities and seeks members' views on current performance. It is anticipated that an analysis of the outcomes of this survey will identify additional areas where members feel that current practice might be enhanced and provide a basis for the future discussions of the Working Group.

8. Given that this will be the first occasion on which Senate has carried out such a review, in advance of the Group's first meeting it is proposed that officers undertake background research into good practice across the sector in this area to help advise and guide the Group in its work.

#### **Composition and membership**

9. It is proposed that the Working Group might have the following composition and that it be supported and advised by the University Secretary and the Academic Secretary:
  - Principal (as Chair);
  - A Vice-Principal;
  - Four members drawn from the elected membership of the Senate, having due regard to representation from across the Colleges of the University and to balance of seniority;
  - One member drawn from the Students' Association membership of Senate.
10. Members who wish to participate in the Working Group should contact the Academic Secretary in advance of the Senate meeting on 14 October 2009, with a view to finalising the membership at that meeting if possible. Members who have already expressed a desire to join the Group need not restate their interest.

#### **Consultation and engagement**

11. It is proposed that the review should include opportunities for consultation with representative bodies in the University, including the Court, the Academic Council, the Students' Association and the recognised trade unions.

#### **Timescales**

12. It is anticipated that the Working Group will commence work in November and aim to explore its initial findings with Senate at its meeting in March 2010, with a view to a final report and recommendations being considered at Senate's meeting in June 2010.

#### **Recommendation**

13. Senate is invited to consider and, if so minded, approve the proposals set out in this paper for the establishment of a Working Group to take forward a review of Senate's Effectiveness, subject to such amendments as it might wish to make in the light of its discussion.

**UNIVERSITY OF DUNDEE**  
**HONORARY DEGREES COMMITTEE**

A meeting of the Committee was held on 22 September 2009.

**Present:** Principal (Convener), Professor R Duck, Professor A Fairlamb, Professor P Ferguson, Professor I Leigh, Mr C Lovatt, Professor M Rose and Professor W Saunders.

**In Attendance:** Ms J Concannon and the Academic Secretary.

1. **MINUTES**

The Committee received the Minutes of the meeting held on 23 September 2008 and subsequently approved by Senate.

2. **MATTERS ARISING FROM THE MINUTES**

Honorary Degrees: June/July 2009 (Minute 3(i))

- Resolved:**
- (i) to note that Leonard Cohen, Sir Ridley Scott, Ian McEwan and Sandy Powell were unable to attend ceremonies in 2009; and
  - (ii) to note that Annie Liebowitz will accept her honorary degree in June 2010.

3. **CONFERMENT OF HONORARY DEGREES**

The Committee received and considered 43 nominations for honorary degrees.

- Resolved:**
- (i) to recommend that the following be approached with regard to conferment of the degree of LLD honoris causa at academic ceremonies in 2010 and 2011:

Annie Leibovitz  
Jools Holland  
Eddie Mair  
Bahia Hariri  
Bruce Johnston  
Sir Alan Langlands  
Roberto Lenton  
Nick Lydon  
Dolly Parton  
Rosamunde Pilcher  
Professor Ann-Marie Rafferty  
Queen Rania of Jordan  
Albie Sachs  
Professor Sir John Bell  
Professor Doug Hanahan  
Professor Gosta Walin  
Professor James Murray

- (ii) to be considered for future ceremonies:

Nick Cave  
Martin Mackay  
Murray McLachlan

4. **ALLOCATION OF HONORARY GRADUANDS TO CEREMONIES**

**Resolved:** to note that the allocation of honorary graduands to particular ceremonies would be considered at a later stage when the arrangements in the context of graduating numbers had been established.

## APPENDIX 7

### AUDIT COMMITTEE (Minute 17)

A meeting of the Committee was held on 7 October 2009.

Present: Mr R Burns (Convener), Mr J Barnett, Professor Emerita A Burchell, Dr H Marriage, Ms A Newton.

In Attendance: Mr EF Sanderson, University Secretary, Director and Deputy Director of Finance, Mr G Devlin (Grant Thornton), Mr A Gray and Mrs E Harper (PricewaterhouseCoopers), and Clerk to Court.

#### 1. MINUTES

**Resolved:** to approve the minutes of the meeting on 27 May 2009.

#### 2. MATTERS ARISING

(1) Pension Scheme (Minute 2(2))

The Director of Finance confirmed that the report from the internal auditors into the administration of the University of Dundee Superannuation Scheme had been passed to the Trustees of the Scheme for information.

(2) Internal Audit Plan – for the period to 31 July 2010 (Minute 2(6))

The Committee noted that the internal auditors were preparing a paper outlining how the University should tackle minor fraud and that officers were compiling a paper addressing internal control mechanisms for dealing with academic fraud.

#### 3. INTERNAL AUDIT

(1) Implementation of HR Framework

The internal auditors presented a report which had investigated the implementation of the national framework agreement and the introduction of, and alignment of staff to, a single pay spine. The report highlighted a number of areas of good practice: the establishment of a Framework Working Group, consisting of University and Trade Union representatives, which met on a monthly basis to agree strategic issues; the introduction of a pilot evaluation exercise using the HERA methodology, which helped the process to run more smoothly; and the effective communications strategy adopted by the Human Resources Directorate. The auditors also pointed out a number of 'learning points' which the University might take into consideration for similar projects in the future. These included establishing clear deadlines, consideration of appropriate resources to support the project, adjustments to the timetable for backdating pay to minimise workload for finance staff, and the opportunity to review job descriptions, and therefore their grading, as posts became vacant. This last would enable thought to be given to the most appropriate grading for each post.

In discussion, the Committee learnt that the process for hearing appeals arising from the implementation was not yet complete, although good progress was being made. It was suggested that in future more support might be given to junior staff in the completion of role outline forms. The Committee also discussed the relationship with the campus unions throughout the process.

The Committee extended thanks to the Director and Deputy Director of Human Resources and their team for their industry in implementing the framework.

(2) Follow-up of prior year recommendations

The internal auditors presented a report detailing the progress being made in implementing recommendations arising from their reports in the years 2005/6, 2006/7 and 2007/8. Of the 56 recommendations covered by the report, 22 had been fully implemented, 28 partially implemented, and the remaining 6 were felt to be no longer applicable. Of the partially implemented recommendations, six had a high priority rating. The majority of these related to issues that were being addressed by the ongoing implementation of PECOS (the eProcurement system) and commitment accounting. The auditors were confident that sufficient progress was being made on the implementation of all the remaining relevant recommendations.

The Committee asked the auditors about the degree of responsiveness by officers to points raised during audit work and was satisfied that officers at the University were receptive and pro-active in their engagement with audit recommendations.

The Committee discussed how the roll-out of eProcurement across the University was progressing. The Director of Finance reported that many Schools and Directorates were now using PECOS and complete roll-out would be achieved during this academic year. He added that a new supplier adoption process was also being introduced. The main challenge with the implementation of PECOS was the need to change established, and often more informal, processes and procedures in relation to procurement.

(3) Annual Report for the year ended 31 July 2009

The internal auditors provided the Committee with their overall assessment of the University's internal control procedures. The auditors found that these procedures, without qualification, were 'adequate to meet the control objectives' and 'generally operated satisfactorily during the period under review'. The report highlighted areas of good practice that had been reviewed during the past year, namely payroll, student records management and admissions and recruitment. The auditors had uncovered no issues which required disclosure in the corporate governance statement in the financial statements for the year ended 31 July 2009.

4. **UPDATE FROM EXTERNAL AUDITORS**

The Committee invited the external auditors to comment on the progress being made with their work, and learnt that the audit of the accounts for the year ended 31 July 2009 was progressing well and so far there had been no areas for concern. The quality of paperwork and accounts assessed as part of the process had been good.

5. **MEDICINES & HEALTHCARE PRODUCTS REGULATORY AGENCY (MHRA) INSPECTION: UPDATE**

The Committee received a brief report from the Clerk to Court on the provisional outcomes of the MHRA inspection which had taken place at the beginning of August 2009. The report had been considered by the Court at its retreat on 4 September 2009, and was now being made available to those Committee members who were not members of Court. The full report from the MHRA inspection team was expected later in October, following receipt of which the Committee would invite Professor Belch, Director of the Clinical Trials Unit, to attend its next meeting.

The Committee raised the issue of insurance of clinical trials, and noted that the current insurance policy in this area was being discussed with the brokers following comments made by the MHRA inspectors during their visit. These discussions would need to balance a need for clarity in the policy with the danger of defining its scope too closely and thereby potentially excluding activities from cover.

The Committee continued by discussing the issue of funding for clinical trials and the resourcing of the governance arrangements being carried out by the Clinical Trials Unit. The Committee learnt that a business plan had now been put forward which addressed the issue of income for the Unit, and this would be examined by the College Executive in due course. Current resourcing arrangements would be in place until the end of the calendar year. It was

anticipated that in future the cost of the governance arrangements would be factored into the initial proposals and bids for funding.

6. **HEALTH & SAFETY SUB-COMMITTEE**

The Committee received a report of the Sub-Committee's meeting on 21 September 2009. The Secretary advised the Committee that, with regard to health and safety requirements for externally funded building projects, he would act as the approving authority rather than the Director of Safety Services.

**Resolved:** to note the report.

7. **LEGAL/REGULATORY COMPLIANCE MATTERS**

The Committee received a report compiled by the University Solicitor, Mrs O'Donnell, which gave a digest of ongoing legal matters. The Committee noted the potential risks associated with the matters contained in the report. The Committee welcomed the report, which represented a significant enhancement of previous practice in reporting such matters, but requested that in future it comprise a comprehensive account of all ongoing legal issues.

One member asked for clarification on a matter raised at a previous meeting relating to the conveyancing of a property on the Perth Road. The Secretary undertook to provide the member with the outstanding information.