A meeting of the Court was held on Monday 13 June 2011.

Present: Mr EF Sanderson (in the Chair), Principal Professor CP Downes, Professor RJ Abboud, Mr WI Ball, Miss K Brown (Acting Deputy President, Students’ Association), Mr C Browne (Acting President, Students’ Association), Emeritus Professor A Burchell, Mr R Burns, Mr D Cathcart, Mr J Elliot, Dr J Lowe, Dr LI McLellan, Dr H Marriage, Professor GJ Mires, Ms CA Potter, Mr KA Richmond, Dr AM Roger, Professor J Taylor, Mr IDM Wright

In Attendance: Vice-Principal Professor J Calderhead, Vice-Principal Professor IM Leigh and Professor AD Morris (Minute 61), University Secretary, Directors of Finance, Human Resources, Strategic Planning and External Relations, Mr G Spowart (President, Sports Union; Minute 60), Mr I Kennedy (President-elect, Students’ Association), Mr M Kendrick (Court Member-elect) and Clerk to Court

59. **Dr BRUCE JOHNSTON**

The Court formally learnt of the death in early May of its former member, Dr Johnston, who had also been immediate former Convener of the Finance & Policy Committee and was an Honorary Graduate of the University. Members recalled fond memories of him and in particular praised his dedication, industry and friendship to the University.

**The Court decided:** to observe a minute’s silence in honour of Dr Johnston’s memory.

60. **ANNUAL REPORT OF THE SPORTS UNION**

The Sports Union President, Mr Graeme Spowart, presented the Union’s annual report. In doing so, he pointed out a number of milestones during the year, including the adoption of a mascot, the successful completion of the first year of the formation of Dundee University Sport Management, the completion of a coaching audit and the increased membership. It had been a difficult year for the Union, not least because the Union’s administrative officer had left the University after many years of service leaving the executive with no support for six months. A new administrator was now in post.

Mr Spowart also pointed to the highlights of the sporting year: the Inter-Varsity Challenge with the University of Abertay Dundee, which the University of Dundee had won convincingly; the finals of the British Universities & Colleges Sport (BUCS) Championships at which the University won 10 medals, including 5 gold; and the University’s hosting of the BUCS conference cup finals.
The Court praised the work of the Union, particularly given the difficulties resulting from the staff departure, and re-affirmed its commitment to the importance of sport within the University.

There was some discussion about how the Union and indeed the wider University might make best use of its vehicles to ensure value for money for clubs and societies who needed access to transport facilities, whilst ensuring the University’s fleet was appropriate in size and managed in an environmentally sensitive manner. The closer interaction between the Union and the Institute of Sport and Exercise would help to address this issue.

The Court decided: to thank Mr Spowart for his report, congratulate him on a successful year and to wish him well for the future.

61. DASMAN DIABETES INSTITUTE, KUWAIT

The Court received a presentation from Professors Leigh and Morris on the development of a collaborative project between the University and the Dasman Institute in Kuwait. Diabetes was one of the core research focus areas of the University and the project would build on this expertise, translating it into an overseas setting where the growth of cases of diabetes required urgent attention to ensure the appropriate education of the population and of healthcare professionals, but also to improve the clinical skills base in Kuwait. The project also provided many opportunities for research partnerships both in diabetes and in health informatics in which the University also had an increasing international reputation.

The presentation set out how the potential risks of the project had been identified and addressed, and how quality assurance arrangements for the postgraduate teaching and continuing professional development programmes emanating from the project would be discharged. If successful, the collaboration would provide a model for other similar projects elsewhere in the world or indeed in addressing other chronic diseases.

The Court decided: to record its support for the project, requesting that the Senior Management Team pay close attention to the further development of the project and in particular to the detailed business plan currently in preparation.

62. MINUTES

The Court decided: to approve the minutes of the meeting on 26 April 2011.

63. MATTERS ARISING

(1) Senior Appointments (Minute 37(3))

The Court decided: to approve the appointment of Professor Doreen Cantrell as Wellcome Trust Principal Research Fellow
(2) Membership of Court (Minute 53)

The Court decided: to congratulate Professor Rami Abboud and Dr Alison Reeves on their election by the Senate to serve on Court for the period 1 August 2011 to 31 July 2015.

(3) Communications from the Senatus Academicus (Minute 54)

The Court decided: to ratify the following decisions taken at its meeting on 26 April 2011:

(i) to change Statute 10 (The Senate) as set out in paragraph 4 of Appendix 6 of the Court minutes of 26 April 2011, subject to the approval of, and to any further changes required by, the Privy Council;

(ii) to change Ordinance 18 (Election of Members of the Court and Senatus), as set out in paragraph 4 of Appendix 6 of the Court minutes of 26 April 2011; and

(iii) to change Ordinance 43 (Tuition and Other Fees), as set out ibidem in the Court minutes of 26 April 2011.

64. CHAIRMAN’S BUSINESS

The Chairman noted that he had been continuing his programme of individual meetings with members of Court, and over the summer would be concluding with meetings with recently appointed members.

He reported that he had recently met with the Chair of the Court of the University of Abertay Dundee, Mr Nigel Hawkins.

65. PRINCIPAL’S REPORT

The Court considered a report from the Principal (Appendix 1). In presenting his report, the Principal drew particular attention to the need for the University now to take the opportunity to explore areas for growth and diversification. In the period of funding uncertainty within which the University found itself and yet in a relatively stable position, having achieved the majority of the targeted savings under the Strategic Review, the University must now consider the consequences of the developing funding situation within Scotland and in the rest of the UK.

The Principal reported that the Senior Management Team had now decided that the College structure should remain and that it should retain the current constellation of
four Colleges, although consultation was underway with the Colleges of Art, Science & Engineering and Arts & Social Sciences on the most appropriate groupings of Schools.

The Principal praised the hard work and considerable efforts of Professor Jill Belch and her team in preparing for the recent inspection by the Medicines & Healthcare Products Regulatory Agency. The inspection team had made a series of positive findings, and had determined that they had confidence that clinical trials were being carried out in accordance with the relevant regulations.

The Court spent some time considering the potential effects of increased tuition fees that would be introduced in England with effect from September 2012. In particular, it discussed the possible scenarios for Scotland in its treatment of students from the rest of the UK within the context of the SNP’s anticipated Scottish Solution for higher education funding and the effects this might have on the way the University both priced and marketed its programmes.

66. **FINANCE & POLICY COMMITTEE**

The Court received a report from a meeting of the Committee on 16 May 2011 (Appendix 2). In presenting the report, the Director of Finance reported that changes to the University of Dundee Superannuation Scheme had now been agreed by the Trustees, and would be implemented with effect from 1 August 2011. In relation to the Universities Superannuation Scheme, he reported that the changes had now been approved and agreed by the Trustees, and whilst a firm date for implementation had not been published, this was expected to be 1 October 2011. Court noted that the USS changes remained an issue of significant tension with the UCU nationally.

The Court decided: to approve the report.

67. **BUDGET 2011/12 & FINANCIAL PROJECTIONS**

The Director of Finance set out the proposed budget for 2011/12, which had previously been discussed by the Finance & Policy Committee at its meeting on 16 May 2011. He began by reviewing the forecast position for the year ending 31 July 2011, which was expected to be an operating surplus of around £4m. This sound performance had been achieved following significant increases over the previous four years in research income, research overhead recovery and in non-home tuition fees. Alongside these income increases, the University had exercised careful control of its cost base and had benefitted from the early action taken as a result of Strategic Review. The immediate future, however, was uncertain, with reductions in funding from the Scottish Funding Council (SFC), a sluggish research funding environment and with challenges facing the University in the recruitment of overseas students as a result of changes to the UK Borders Agency’s immigration regulations. Against this background, the University felt that a breakeven budget for 2011/12 was both credible and achievable.

The forecasts for subsequent years were likewise for a breakeven position or a modest surplus, thereby continuing to reflect the generally held assumptions of a challenging funding landscape in the years to come. The Director pointed out that
the budget and the projections assumed that the savings target of £10m, identified in the Strategic Review, would be met, noting that £8.7m of savings had already been achieved.

In discussion, the Court sought clarification on a number of areas, including the likely effects of working capital movements, the scope for further property disposals, the range of possible funding scenarios and the extent to which the University might need recourse to its borrowing facilities in any given scenario.

The Court was reassured that the Senior Management Team was fully engaged in considering likely funding scenarios depending on external factors such as the SFC, research funding and tuition fees.

The Court decided:

i) on the recommendation of the Finance & Policy Committee, to approve the proposed budget for 2011/12; and

ii) to approve the Strategic Plan Forecast and commentary for submission to the Scottish Funding Council.

68. GOVERNANCE

(1) Governance & Nominations Committee

The Court received a report from a meeting of the Committee on 16 May 2011 (Appendix 3). In presenting the report, the University Secretary noted the decision of the Remuneration Committee to draft a revised remit and a Remuneration Policy. He also pointed out that the Governance & Nominations Committee had endorsed the notion that the Chairperson of Court should conduct a formal objective-setting and review meeting on an annual basis with the Principal. In this regard, the Chairperson had undertaken to consult with Court members prior to such a meeting.

The Court decided: (i) to approve the recommendation that the Court hold annually a meeting in the absence of the Chairperson as part of a scheduled Court meeting to review the performance and effectiveness of the Chairperson; and

(ii) to approve the recommendation that the Court set aside time annually to reflect on its own performance and operation;

(2) Court and Committee Membership 2011/12

The Court received confirmation of its membership for 2011/12 as well as the proposals from the Governance & Nominations Committee relating to the memberships of individual Court Committees. The Court heard oral reports from members of a recent panel that had interviewed a candidate for appointment as a co-opted member of the Audit Committee.
The Court decided:

(i) to note that a vacancy remained for a co-opted lay member of Court in terms of Statute 9(1)(l) and to request existing members to forward any suggestions to the Clerk to Court;

(ii) to approve the appointment of Mr Iain Stewart as a co-opted lay member of the Audit Committee to serve for the period 1 August 2011 to 31 July 2011; and

(iii) otherwise to approve the proposed memberships of the Court Committees, subject to minor amendment (Appendix 4 refers).

(3) Review of Charter & Statutes

The Court received final proposals to amend the Charter and a number of Statutes. These had emerged from a full-scale review of the instruments, which had begun in August 2010 and which had included consideration by the Governance & Nominations Committee and consultation with and endorsement by the Senatus.

The Court decided:

(i) to approve the proposed changes to the Charter (Appendix 5 refers), subject to:
   a. amendment of the mechanism for amending, creating or repealing Ordinances, such that decisions to amend, create or appeal Ordinances should be passed by a Special Resolution, provided that, should the Special Resolution fail to achieve the required three-fourths majority but be able to command a simple majority, they may be passed at a subsequent meeting of the Court by a simple majority;
   b. approval by, and any further changes required by, the Privy Council; and
   c. ratification at a subsequent meeting of the Court;

(ii) to approve the proposed changes to the following Statutes (Appendix 6 refers):
   a. Statute 1 (Definitions), subject to minor amendment;
   b. Statute 2 (Members of the University);
   c. Statute 3 (The Chancellor);
   d. Statute 4 (The Rector);
   e. Statute 5 (The Principal);
   f. Statute 6 (The Secretary); and
   g. Statute 8 (The Auditors);
all changes subject to approval by, and any further changes required by, the Privy Council, and to ratification at a subsequent meeting of the Court;

(iii) to approve the repeal of Statute 7 (The Librarian), subject to approval by, and any further changes required by, the Privy Council, as well as to ratification at a subsequent meeting of the Court; and

(iv) to approve the creation of the following new Ordinances (Appendix 7 refers):
   a. Ordinance 60 (Members of the University), subject to amendment;
   b. Ordinance 61 (Appointments of the Chancellor, the Principal and the Secretary); and
   c. Ordinance 62 (The Election of the Rector)
   all subject to ratification at a subsequent meeting of the Court.

(4) Statute 16 – Staff of the University / Ordinance 59 – Academic Freedom

The Court received final proposals for amendment to Statute 16 and for the creation of a new Ordinance setting out the procedure to be followed if a member of academic staff felt his or her academic freedom had been adversely affected (Appendix 8 refers). The proposals had been considered by the Governance & Nominations Committee and by the Senate, which had given its endorsement to the proposals.

The Court decided:  (i) to approve the proposed changes to Statute 16, subject to the approval of, and any further changes required by, the Privy Council, and to ratification at a subsequent meeting of the Court; and

(ii) to approve the creation of Ordinance 59, subject to the amendment of ‘Academic Freedom Committee’ to ‘Academic Freedom Assessment Committee’ and to ratification at a subsequent meeting of the Court.

(5) Emergency Committee

The Court decided: to remit the transaction of any urgent Court business over the summer to an Emergency Committee, comprising the Principal or a Vice-Principal (Convener), two lay members (normally the Chairman of Court and the Convener of the Finance & Policy Committee) and one other academic member; the
precise composition would be subject to availability. A report on any action taken would be submitted to the first business meeting of 2011/12.

69. DUNDEE UNIVERSITY STUDENTS’ ASSOCIATION – ANNUAL REPORT

The Court received a report from the Acting President of the Students’ Association (DUSA). This set out the major achievements and milestones of the 2010/11 session. Significant events during the year were: the resignation of the President in October 2010; the increased level of engagement in the student elections in March 2011; visits by Gordon Brown and Northern Ireland politicians; and the student-led teaching awards in May 2011. The Acting President talked of the engagement of DUSA with the National Union of Students (NUS), despite its non-affiliation, and the cementing of a strong relationship in particular with the NUS’s President-elect, Liam Burns.

The Acting President spoke of the positive changes being made through the interaction between DUSA and the new Directorate of Student Operations. This would, in his view, enhance the student experience at Dundee. He also set out the DUSA strategy. This had been developed in response to the perceived lack of continuity between executive teams, who each hold office for just one year. The adoption of a more forward-looking strategy, with clear objectives, should help DUSA manage long-term projects much more effectively and ensure that students understand fully the role of DUSA.

The Court decided: to thank the Acting President for his report and, moreover, to congratulate him and his executive team on a successful year.

70. STRATEGIC FRAMEWORK – BENCHMARKING REPORT

The Court received a report from the Director of Strategic Planning, which set out the University’s performance across a selection of performance indicators in comparison with a number of other universities. He highlighted improvements in absolute terms for postgraduate recruitment, although there remained further room for improvement when compared to the performance of other universities. Research overhead recovery was also on an upward trend and gaining ground against comparator institutions. The Court noted that while academic efficiency was improving, measured in terms of income per academic fte, when compared with other institutions, the University was not performing as well as it could. Areas of concern remained building condition, space utilisation and energy efficiency.

The Court decided: to note the trends identified through the report.

71. ANNUAL REVIEW OF PERFORMANCE & EFFECTIVENESS: CHAIRPERSON & COURT

[Officers (except for the Secretary and the Clerk to Court) and the two student observers (Mr Kennedy and Mr Kendrick) withdrew from the meeting for this item. Notwithstanding its decision above (Minute 68(1) refers) and following discussion among its members, the Court decided to allow the Chairman to remain.]
The Court considered the performance of the Chairman of Court under the following four sub-headings: Stewardship, Communication, Challenge and Sectoral Awareness. The Chairman was provided with some useful feedback, particularly in relation to his one-to-one meetings with Court members. In this regard, it was suggested that he should meet with student members twice annually: at the beginning and at the end of their year’s period of office.

The Court decided: (i) to request that the Chairman provided the Court with a written annual statement on his activities that would help form the basis for future performance reviews;

(ii) given the fullness of the agenda, to defer consideration of its own performance and effectiveness until its next meeting.

72. COMMUNICATIONS FROM THE SENATUS ACADEMICUS

The Court received a report of a meeting of the Senate on 1 June 2011 (Appendix 9).

The Court decided: (i) to note the views of Senate in relation to the proposed changes to the Charter and Statutes and to the introduction of new Ordinances (Minute 68 above refers);

(ii) to approve the recommendations concerning conferment of the title of Professor Emeritus; and

(iii) otherwise, to note the report.

73. REMUNERATION COMMITTEE

The Court received a report of a meeting of the Committee on 26 April 2011 (Appendix 10). The Court requested a gender analysis of decisions of the Committee over the recent past and received clarification on a series of points contained in the report.

The Court decided: to approve the report.

74. COMMITTEE REPORTS

The Court received reports from the following:

Human Resources Committee 23 May 2011 Appendix 11
Audit Committee 25 May 2011 Appendix 12

The Court decided: to approve the reports.
75. **STAFF**

(1) **Professorial and Other Grade 10 Staff**

The Court noted the appointment of the following:

Colin McNally  Director of Campus Services  1 April 2011

(2) **Statute 16 – Part III – Discipline, Dismissal & Removal from Office**

The Court decided: to appoint the following members of a Tribunal to hear charges against an unnamed member of staff under Statute 16:

Professor John Connell (Chairman)  
Emeritus Professor Ann Burchell  
Professor Margaret Smith

(3) **Director of Finance**

The University Secretary advised Court of the arrangements being put in place to recruit a successor to Mr Robert Kennedy as Director of Finance. The Court noted that work was underway to identify an appropriate external search agency to assist in the recruitment process. Ms Catriona Blake, Deputy Director of Finance, had agreed to assume the role of Acting Director of Finance upon the departure of Mr Kennedy on 31 July 2011.

The Court decided: to endorse the appointment of the following to the appointment panel for the Director of Finance:

Principal (Chairman)  
Mr EF Sanderson  
A Vice-Principal (to be confirmed)  
Mr R Burns  
Dr LI McLellan  
Dr H Marriage  
University Secretary

76. **FAREWELLS**

The Chairman paid tribute to the work of Mr Browne and Miss Brown in representing the opinions and interests of the University’s student body. In particular he praised the way in which Mr Browne had assumed the role of Acting President of the Students’ Association following the difficult circumstances at the beginning of the year. The Court joined the Chairman in congratulating both on their successes and wishing them well in their future careers.

The Chairman also praised the contributions of Mr Ian Ball, who was leaving the Court at the end of July 2011 and who had been an active and vocal member on the Finance & Policy Committee as well as on Court. He would be missed.
The Court also paid tribute to two other members of the University staff who attended Court meetings: Professor James Calderhead and Mr Robert Kennedy.

Professor Calderhead’s helmsmanship of the University’s learning and teaching strategy and of the preparations for the two Enhancement-Led Institutional Reviews had been impressive, and his contribution to the life of the University would be missed. Professor Calderhead’s accomplishments as Vice-Principal (Education Development) had been supplemented by a term as Acting Dean of the School of Education, Social Work & Community Education, and currently also by his Acting Headship of the College of Art, Science & Engineering. The Court wished him well in his retirement.

Mr Kennedy had been Director of Finance since joining the University in 2007. During that time he had played a key role in reviewing and improving the financial management of the University. The Court wished him well in his new post in the private sector.
APPENDIX 1

PRINCIPAL’S REPORT

Review of the Year

As we approach the end of another academic session, it’s a good time to take stock. This year has seen considerable headway made in reducing core costs as we attempt to position ourselves as strongly as possible for the tighter funding regimes of the future. These reductions have come from natural turnover and the significant numbers of applications approved under the voluntary severance scheme, as well as from other projects to create efficiency and economy across the University. There are a few applications outstanding, but to date projected total savings from the scheme and from other strategic review measures stand at £8.7m. This means that ongoing organisational change projects and other identified efficiencies make us hopeful that we will achieve the overall target of £10m in savings set at the outset of the Strategic Review.

The year has seen all parts of the University carefully managing their finances so that we anticipate a year-end position of around £3.6m, which will provide a sound basis for dealing with the cuts already imposed for 2011/12 and the uncertainties for 2012/13, where we await the SNP’s plans for higher education funding. The budget for next year is credible, but tight, and of course does not provide the kind of surplus necessary (3-5%) if we are to become truly sustainable into the future, but it should enable us, if we are disciplined and continue to implement the strategic review, to weather the impending funding uncertainties.

The Strategic Review was based on three key drivers: excellence, focus and impact. And as we draw close to the target savings of £10m, it has to be emphasised that these drivers will not lose any of their importance. They become the watchwords by which we assess our performance in all that we do and which will drive us to becoming the world-class university that we aspire to be. Recognising this is especially important as the emphasis shifts from cutting our costs to deciding where and how we will invest in the future.

The next stage of the review is about identifying the points for growth and development and ensuring they can succeed. In uncertain financial times this will need to balance fiscal control with a visionary future for the University. This is in part the reason for the emergence of the four academic themes that I have trailed at previous Court meetings. It is clear, as has been noted before, that these themes require some refinement and sharpening, and their purpose needs to be made clear to the academic community, but I am convinced that focusing activity in this way will provide the platform for growth, financially and reputationally. The four areas (biomedical and clinical sciences; creative arts and cultural understanding; sustainability and the environment; and business and professional education) are not arbitrary; they reflect existing strengths within the University, but more importantly they reflect national and international priority areas. Work is underway to refine the themes in order that I may report back to Court early in the next session.

Work is also well underway on developing a new strategic plan for the University. As we edge towards 2012, the existing Strategic Framework (on which Court receives regular progress reports) must be reviewed, redeveloped, enhanced and refreshed. Following widespread consultation during 2011/12, we expect to present a new plan, setting our goals for the years to come, for approval by the Court at this time next year. And Court will of course be invited to play its part in assisting the development of the plan, starting with a discussion at the Retreat in September.

But that does not mean we have to sit and wait for the plan. The benchmarking paper that Court will consider later in the agenda provides evidence enough of the areas and types of activity that require attention if we are to compete with Scottish, UK and international comparator institutions. The report shows improvements and growth against a number of key performance indicators, but also identifies that there remains potential for further growth: for instance in levels of income per academic fte; in numbers of taught postgraduate students; in increasing research students; and in better and more efficient use of our estate and energy consumption. In addition, it is clear that we need to diversify our income streams. In research terms, this means looking beyond charities and research councils to developing stronger collaborations and links with industrial partners, many of whom have been closing or downsizing in-house research and development operations, and to playing a savvier game in respect of European funding opportunities, whether through the European Research Council or through the Framework Programmes. To do these things effectively will require a much more innovative approach and we will need our Research & Innovation Services to be fully engaged and wired into appropriate networks.

On the whole, I believe this year marks a watershed. Thanks to the engagement and professional approach of our Schools, Colleges and support service directorates in implementing the principles of the Strategic we have created the foundations for sustainable growth. And that means that we can begin the process of really defining
our strategic priorities for the future and of engaging the entire University community in helping to develop a
ew vision. And this, for me, is an exciting prospect.

**MHRA Inspection**

Court members may remember that the University’s clinical trials were subject to an inspection by the Medicines & Healthcare Products Regulatory Agency (MHRA) in August 2009, and the University’s Audit Committee received a report on the outcomes of that inspection at its meeting on 1 December 2009 (Court Minute 27 of 14 December 2009 refers). As part of that inspection, the team from the MHRA had uncovered a series of issues in historical trials which led them to recommend a re-inspection within two years as a means of re-assuring themselves that the new systems and processes developed for clinical trials had been successfully implemented, and to allow time for implementation of their recommendations as part of the inspection. A significant objective of the resulting implementation plan was to enable the University to have oversight of processes delegated to the NHS - processes which the original inspection had recommended should be improved. To do this effectively the University and NHS Tayside agreed to create joint appointments for the areas of clinical trial governance and infrastructure and a Joint R&D Director was appointed in January 2010 as part of the wider Tayside Medical Science Centre (TASC).

The MHRA indicated earlier this year that it would visit to re-inspect the University’s trials alongside those of NHS Tayside in March 2011. The University has now received the findings of this re-inspection. The inspectors concluded that:

- There had been a sea change in procedures since the advent of TASC; most procedures were excellent (eg in medical records) and archiving especially was to be commended;
- Quality systems processes had improved significantly;
- The operation of the sponsorship committee was innovative and robust; and
- Contract management and documentation were on the whole excellent.

The Inspection Team did find two areas of concern, but both related to historical NHS Tayside trials, and, on the evidence of subsequent new trials, the Team were confident that such concerns could not recur in future.

This is good news for the University, and it marks a ringing endorsement for the procedures and structures introduced and implemented within the TASC framework and spearheaded by Professor Jill Belch (Joint R&D Director) and her team. I would invite Court to join me in thanking Professor Belch for her formidable efforts and for those of her team in ensuring that the University’s, and NHS Tayside’s, clinical trials are being conducted properly and safely.

**Graduation**

As usual for my June report, I’d like to encourage all Court members to attend one of the graduation ceremonies (we’ll even throw in an invitation to lunch!). These are a wonderful occasion to join with our students in celebrating their achievements and it serves to remind us all what the University is about. The dates of the ceremonies are as follows:

<table>
<thead>
<tr>
<th>Time &amp; Date</th>
<th>College</th>
<th>School</th>
<th>Honorary Graduands</th>
</tr>
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<tbody>
<tr>
<td>10am, Wed 22 June</td>
<td>CASS</td>
<td>Humanities Archives &amp; Records Management Life Sciences</td>
<td>Dr Martin Mackay Dr Nick Lydon</td>
</tr>
<tr>
<td>2.30pm, Wed 22 June</td>
<td>CASS</td>
<td>Law Graduate School Psychology</td>
<td>Jim McLean</td>
</tr>
<tr>
<td>10am, Thu 23 June</td>
<td>CASS</td>
<td>Business Environment</td>
<td></td>
</tr>
<tr>
<td>2.30pm, Thu 23 June</td>
<td>CASE</td>
<td>Computing DJCAD Engineering, Physics &amp; Maths</td>
<td>Professor James Murray John Byrne</td>
</tr>
<tr>
<td>10am, Fri 24 June</td>
<td>CASS</td>
<td>ESWCE Nursing &amp; Midwifery</td>
<td>Dr Andom Ogbamariam</td>
</tr>
<tr>
<td>2.30pm, Fri 24 June</td>
<td>CMDN</td>
<td>Dentistry Medicine</td>
<td>Professor Sir David Lane Dr Kazem Behbehani Professor Douglas Hanahan</td>
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And finally, I’d like to wish you all a refreshing summer!

Professor Pete Downes
Principal & Vice Chancellor
Senior Management Team Meetings (SMT)

The SMT formally met on 11 May and 1 June 2011. Full minutes for 11 May are available online via the intranet and those for 1 June will become available on 6 July 2011. Visit: http://www.somis.dundee.ac.uk/court/com/smt/welcome.htm

In addition the Senior Management Team met for briefing meetings on the following dates: 27 April, and 3, 18, 25 and 27 May. A note of any resulting actions from these briefings is appended to the minute of the preceding formal SMT meeting.

Discussions at these meetings included consideration of the following issues:

- Strategic Review and the University Structure
- Budget 2011/12 and Financial Projections
- Programme and Module Review
- Research Grants and Contracts – Awards Update
- Preparations for the Research Excellence Framework
- University fundraising
- Consideration of draft report on the Strategic Framework: Benchmarking
- Changes to the UK Borders Agency’s rules governing English language requirements
- Preparations for the Senior Staff Workshop
- Review of CAHid and anatomy teaching
- Human Resources Issues
  - Statute 16
  - Generic Skills & Staff Development
- Universities Superannuation Scheme and the University of Dundee Superannuation Scheme
- Routine Matters:
  - Monthly Management Accounts;
  - Consideration of proposals for the award of Honorary Professorships for endorsement by the Senate;
  - Consideration of applications for Voluntary Severance;
  - Staff recruitment cases.
Annex B

Major Grants and Awards

- £2.1m from the Wellcome Trust to Professor Tom Owen-Hughes for Mechanisms for Remodelling Chromatin (Senior Fellowship Renewal)
- £1.5m from the Wellcome Trust to Professor Alan Fairlamb for Target Assessment for Drug Discovery against the Kinetoplastida
- £0.8m from the Wellcome Trust to Professor Bill Hunter for State-of-the-art facilities for Structural Biology at the University of Dundee
- £0.6m from the Scottish Funding Council to Professor Paul Wyatt for Accelerating Drug Discovery into Therapeutics and Commercial Benefit (Horizon Fund)
- £0.3m from the Scottish Government to Dr Jon Rowan for Centre of Excellence – Climate Control – Adaptation Module.

Annex C

People & Prizes

- Professor Doreen Cantrell, Vice-Principal and Head of the College of Life Sciences, has been elected a Fellow of the Royal Society, bringing the total number of Fellows at Dundee to 10
- Professor Allan Struthers has been elected a Fellow of the Academy of Medical Sciences
- Emeritus Professor Alan Newell has been given a Social Impact Award by the Association for Computing Machinery Special Interest Group on Computer-Human Interaction (ACM SIGCHI) at their 2011 conference in Vancouver
- University of Dundee student Kirstin Daly has been awarded one of the top prizes in Scottish rugby, receiving the Women’s Premier 1 Player of the Season trophy
A meeting of the Committee was held on 16 May 2011.

Present:  Mr R Burns (Convener), Principal Professor CP Downes, Mr WI Ball, Mr C Browne (Acting President, Students’ Association), Professor J Calderhead, Dr J Lowe, Dr LI McLellan, Mr KA Richmond, Mr EF Sanderson, Mr IDM Wright

In Attendance:  Dr H Marriage, University Secretary, Director & Deputy Director of Finance, Director of Campus Services and Clerk to Court

Apologies:  Director of Strategic Planning

1. MINUTES

Resolved:  to approve the minutes of the meeting on 28 March 2011.

2. MATTERS ARISING

(1) University Superannuation Scheme (USS)

The Director of Finance reported that the Joint Negotiating Committee (JNC) charged with finalising proposals for amending the scheme had met on 10 May 2011. Previous meetings had been inquorate, meaning that the proposals could not be agreed. At the meeting on 10 May, which was quorate, the Chair of the JNC, Sir Andrew Cubie, had used his casting vote to agree the proposals which would now be considered by the Board of Trustees in June. It was anticipated that a timetable for implementation of the proposed changes would emerge after the June meeting.

University of Dundee Superannuation Scheme (UoDSS)

The Director of Finance reported that the period of consultation on proposed changes to the University’s own pension scheme had closed on 10 May 2011. Final proposals that took this feedback into account were now being prepared for consideration by the Trustees at the end of May. It was anticipated that, assuming the proposals were adopted, implementation could begin from 1 August 2011.

(2) Dundee University Press (DUP) Ltd (Minute 5(2))

The Director of Finance reported that a board meeting of DUP would take place in June, at which a revised business plan would be considered. By the time of the next Committee meeting, DUP would have adopted a new plan, which would be provided to the Committee.

(3) West Park Conference Centre Ltd (Minute 5(3))

The Committee received a paper from the Director of Finance which set out the terms of the buyback option, in the event that WPCC were to cease trading. It was stressed that despite concerns about the performance of WPCC the overarching business model of Dundee Student Villages Ltd, of which WPCC was a subsidiary, was performing in line with expectations, indeed occupancy levels were exceeding the targets contained in the DSV business model.

Resolved:  to note the paper and to continue to monitor the performance of WPCC closely through the established routine reports to the Committee.

3. MANAGEMENT ACCOUNTS – PERIOD 9

The Deputy Director of Finance presented the management accounts to the end of April 2011. These showed an operating surplus to date of £7.7m, although the full-year forecast was for an operating surplus of £4.1m. In terms of voluntary severance, the costs for 2010/11 were forecast to be £4.5m, with £3.8m already incurred. In terms of capital expenditure, current spend stood at £6.9m with a year-end
forecast of £14.3m. It was therefore possible that, depending on the timing of expenditure over the
summer period, there might be some slippage into 2011/12. Net funds at the year-end were projected to
be £5.2m, reflecting working capital movements of £12m, although there were indications that such an
estimate was conservative, and that the cash position might improve.

4. BUDGET 2011/12 & FINANCIAL FORECASTS

The Committee received the proposed budget for 2011/12 along with associated projections for
subsequent years. The budget was for an operating surplus of £0.2m, which included the effects of a
£5.5m reduction in funding from the Scottish Funding Council (SFC). In presenting the budget, the
Director of Finance highlighted the remaining risks: there was a possibility that the SFC might be
required to claw funds back from institutions, depending on the funds made available to them by the
Scottish Government for the period beyond April 2012; the outcome of the 2011 pay negotiations was
not yet known; student recruitment figures for September 2011 were uncertain, both in terms of home
undergraduate students, where over-recruitment might lead to clawback from the SFC, and in terms of
overseas students, where UK Border Agency visa restrictions might jeopardise recruitment targets; and
finally the research funding environment was challenging. The Director noted that the budget had seen
reductions in both staff and non-staff costs, the former primarily as a result of departures under the
voluntary severance scheme.

In discussion, the Principal placed emphasis on the effects of the strategic review in focussing activity
on the University’s strengths, both in teaching and research. This had created a degree of resilience for
the institution, whilst at the same time retaining strategic thrust.

On the whole the Committee felt the budget was a solid one, which while it left some small room for
manoeuvre, would require careful management throughout the year. The Committee discussed at
length the likely funding consequences of the newly elected Scottish Government and the extent to
which it would be able to hold its promise to close the funding gap. In particular there was discussion
of efficiency and a recognition that the imminent higher education white paper in England was also
likely to contain challenging efficiency targets.

Resolved: to recommend to Court that it approve the budget for 2011/12 as presented.

5. ESTATES & BUILDING REPORT

The Committee received a progress report on current capital projects from the Director of Campus
Services. It was noted that the refurbishment of the Centre for Anatomy and Human Identification was
hoped to be completed at the latest by January 2012. The Committee also noted ongoing discussion
between the University and NHS Tayside on respective space requirements on the Ninewells campus.

6. PROCUREMENT

(1) Procurement Report

The Director of Finance introduced a report from the University’s Procurement Manager, who
would be invited to present future reports in person. The Committee provided some helpful
comments on the layout and content of the report, but on the whole welcomed the report as
informative and re-assuring in terms of creating economies of scale through rationalised
procurement activity.

Resolved: to note the report and request that similar reports be presented to the
Committee on an annual basis.

(2) Advanced Procurement for Universities & Colleges (APUC)

The Director of Finance presented a paper which sought approval for the proposal that the
University of Dundee collectively with a group of other large Scottish universities provide a
permanent guarantee to the Universities Superannuation Scheme (USS) in respect of those
members of staff of APUC who were also members of USS. The guarantee would cover
liabilities caused by APUC’s ceasing to exist or in some other way failing to meet its obligations
under the scheme.

The Committee noted that the SFC had confirmed to institutions its approval of such a
guarantee, which it saw as a pragmatic and efficient measure to resolve the issue.
Resolved: to approve the proposal, subject to satisfactory safeguards and to sufficient other institutions agreeing to it.

7. DIRECTOR OF FINANCE

The Committee noted with some sadness that Mr Robert Kennedy would be leaving the University to take up a new appointment outside the sector. The Convener praised Mr Kennedy for his dedication to the role and for his achievements over the last three years, which had seen great improvements in the financial performance of the University.
A meeting of the Committee was held on 16 May 2011.

Present: Mr EF Sanderson (Convener), Principal Professor CP Downes, Professor RJ Abboud, Mr WI Ball, Emeritus Professor A Burchell, Mr R Burns, Dr J Lowe, Mr IDM Wright

In Attendance: University Secretary and Clerk to Court

1. MINUTES

Resolved: to approve the minutes of the meeting on 4 October 2010.

2. MATTERS ARISING

(1) Corporate Governance: Chairman of Court (Minute 4)

The Committee considered the means whereby Court members could collectively discuss the performance of the Chair of Court.

Resolved: (i) to recommend to Court that it hold annually a meeting in the absence of the Chairperson, to be chaired by the Chancellor’s Assessor, at which the performance of the Chairperson could be discussed under a range of headings to be agreed by the Governance & Nominations Committee;

(ii) to recommend that such a meeting be held as part of a scheduled meeting of Court, with the first such meeting to take place on 13 June 2011; and

(iii) to ask officers to draft appropriate subject headings for use at the first such meeting to enable a structured and focused discussion to take place and to ensure that meaningful feedback could be provided by the Chancellor’s Assessor to the Chairperson.

(2) Corporate Governance: Operation of Court (Minute 4)

The Committee considered the means whereby the Court could collectively reflect on its own performance on an annual basis.

Resolved: (i) notwithstanding Court’s commitment to undertake a comprehensive and wide-ranging review of its, and its Committees’, effectiveness at least every five years, to recommend to Court that, as part of its next meeting on 13 June 2011 and annually thereafter, it set aside time to reflect on its own performance and operation; and

(ii) to ask officers to draft a series of headings to assist in structuring and focusing such a discussion.

3. REMUNERATION COMMITTEE

(1) Policy and Remit

Resolved: to note that the Remuneration Committee had recommended that the Director of Human Resources draft a revised remit and draft Remuneration Policy in line with best practice and consistent with the recommendations of a recent CUC report.
(2) Objective-Setting and Review (OSR) of the Principal

Resolved: to endorse the notion that the Chairperson of Court should conduct a formal OSR meeting with the Principal annually, noting that the Chair of Court would canvass the views of Court members prior to such a meeting.

4. COURT & COMMITTEE MEMBERSHIP

(1) Meetings with Court Members

The Chair of Court reported on his meetings with individual Court members. A number of meetings had still to take place, but he was hopeful that these would be held in advance of the Court meeting on 13 June 2011. On the whole, feedback from these meetings showed that Court members were positive about the University and its development. Initially, he had had concerns about a perception that Court was divided, but from his meetings the Chair found that this was not the case. Some members had wondered whether the role of finance in decision-making was unduly influential (if understandable given the economic circumstances) and the Committee acknowledged that it was important that decisions were reached following a full analysis of academic and other factors, as well as financial ones.

(2) Court & Committee Attendance 2010/11

The Committee received an interim report on the attendance of members at Court and Committee meetings during the current session. The Committee recognised the generally high levels of attendance, and also noted the additional duties undertaken, often on an ad hoc basis by individual members, and which were not reflected in the report (such as, for example, participation in interview panels).

Resolved: to ask officers to consider in such future reports recognition of additional duties undertaken by Court members.

(3) Court Membership 2011/12

The Committee received the Court membership list for 2011/12 (annex), and noted in particular that it would need to consider carefully over the next two years succession issues in relation to the convenerships of both the Human Resources and Audit Committees, since their existing conveners’ terms of office on Court would end on 31 July 2013.

(4) Elections: Voting Information

The Committee received a report setting out the results of the various recent elections to Court: from the Academic Council, the Senate, the Graduates’ Council and the Students’ Association. In relation to the latter two, the Committee was disappointed at the low levels of turnout. In relation to elections from the Academic Council and the Senate, where turnout was high, it was acknowledged that work nevertheless continued to be required to encourage greater engagement in the process, in particular in encouraging nominations from across all parts of the institution.

(5) Committee Membership 2011/12

The Committee considered the membership for Court Committees for the session 2011/12, noting that Dr Alison Reeves had been elected to serve on Court in place of Mr Ian Ball, and also that Mr Matthew Kendrick had been elected to Court as the first independent student member.

Resolved: (i) to recommend to Court that Dr Reeves be invited to join the Finance & Policy Committee;

(ii) to recommend to Court that Professor Taylor be invited to join the Governance & Nominations Committee;

(iii) to recommend to Court that Mr Kendrick also be invited to join the Governance & Nominations Committee; and
(iv) noting that a vacancy for a co-opted lay member of Court remained, to review the membership of the Human Resources Committee in due course.

5. LAY VACANCIES

(1) Court

The Committee received an update on the search to identify a suitable candidate for the remaining co-opted lay vacancy on the Court.

Resolved: (i) to ask officers to approach informally a proposed candidate to ascertain that person’s interest in serving as a member of the Court; and

(ii) if that person were willing, to authorise an interview process with a panel consisting of Mr Sanderson, Mr Burns and Professor Abboud, supplemented by a separate meeting with the Principal and University Secretary.

(2) Audit Committee

The Committee considered the curriculum vitae of a proposed candidate to replace Miss Jacqui Thomson, whose term of office on the Audit Committee would cease on 31 July 2011. Following informal soundings, the candidate had indicated his interest in taking up the role.

Resolved: to invite the candidate to an interview with a panel consisting of Dr Howard Marriage (Convener of the Audit Committee), Professor Burchell and Ian Ball, likewise supplemented by a separate meeting with the Principal and the University Secretary.

6. REVIEW OF CHARTER & STATUTES

The Committee received a report from the Clerk to Court which set out the progress to date in implementing the recommendations made at the previous meeting of the Committee, subsequently endorsed by the Court at its meeting on 21 October 2010. In addition, the Committee considered draft proposals for amendments to the Charter and to a number of Statutes, as well as proposals for introducing a number of new Ordinances. Members of the Committee made a number of helpful suggestions for amendment to the proposed drafts, in particular to those of the Charter and the new Ordinance relating to Academic Freedom. Concern was raised by some at the proposal to remove the two-stage approval process for resolutions to change, amend or repeal the Charter, Statutes or Ordinances, although the majority view was that the proposal as presented be recommended to Court.

Resolved: (i) to recommend to Court that, subject to minor amendment and consultation with the Senate, it approve proposals to change:

- The Charter
- Statute 1 – Definitions
- Statute 2 – Members of the University
- Statute 3 – The Chancellor
- Statute 4 – The Rector
- Statute 5 – The Principal
- Statute 6 – The Secretary
- Statute 7 – The Librarian
- Statute 8 – The Auditors
- Statute 16 – Academic Staff;

(ii) to recommend to Court that, subject to minor amendment and consultation with the Senate, it approve proposals to introduce Ordinances to cover the following areas:

- Membership of the University
- The Appointments of the Chancellor, Principal and University Secretary
The Election of the Rector

(iii) to note that, subject to the approval by Court of changes to Statute 16 and of the revised human resources procedures in support of the revised Statute 16, Ordinances 49 (Academic Staff – Discipline, Dismissal and Removal from Office) and 50 (Academic Staff – Discipline, Dismissal and Removal from Office – Appeal Procedure) would require to be repealed;

(iv) to note that, following further discussions with the Graduates’ Council, the Academic Council and the Students’ Association, proposals for change to relevant articles in the Charter and to relevant Statutes and Ordinances would be brought forward in due course; and finally

(v) to note the recent decisions of Court to approve changes to Statute 10 (The Senate), Statute 17 (Retirement of Members of Staff) and to Ordinances 18 (Election of Members of the Court and the Senatus) and 43 (Tuition and Other Fees).

7. REVIEW OF SENATE EFFECTIVENESS

The Committee received a copy of a report considered by the Senate on improving its effectiveness. The Committee noted that under the proposals for change, the President of the Students’ Association would be preparing an annual report for Senate. The Convener indicated that the President had agreed to provide the Court with a similar report at its meeting on 13 June 2011.

Resolved: to note the report.
### UNIVERSITY COURT

#### COURT MEMBERSHIP 2011/12

(ranked ascending by end of current term)

<table>
<thead>
<tr>
<th>Name</th>
<th>Category</th>
<th>Start Date on Court</th>
<th>Start Date in this Category</th>
<th>End of Current Term</th>
<th>Max End Date</th>
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<td>Letford, John</td>
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*Subject to re-election or renewed co-option*
APPENDIX 4

MEMBERSHIP OF COURT COMMITTEES 2011-12
(Minute 68(2)(iii))

Note: The Secretary of the University is responsible for ensuring that each Committee is provided with secretarial services by a member of the University’s administrative staff. In addition other officers may attend for all or part of a meeting to provide information and/or to contribute to discussion. No officer, however, shall have voting rights on any Committee unless identified in this list as a member.

1. **Audit Committee**

   **Members**
   
   Mr Howard Marriage (Convener)
   Mr John Barnett
   Emeritus Professor Ann Burchell
   Mr Jo Elliot
   Mr Keith Swinley
   Mr Ian Stewart

   **Officers normally in attendance**
   
   Convener of Finance & Policy Committee
   University Secretary
   Director of Finance
   Clerk to Court (Secretary)
   Other officers at the discretion of the Director of Finance

2. **Ethical Review Committee**

   **Members** (note: most of the membership comprises a pool, from which members are drawn for each meeting)
   
   Professor John McEwen (Convener)
   Dr Simon Arthur
   Professor David Balfour
   Dr Delia Belelli
   Professor Mark Chaplain
   Rev Dr Fiona Douglas
   Dr Jodi-Ann George
   Dr Colin Henderson
   Professor Aleksandar Jovanovic
   Dr Alasdair Maclean
   Dr Luke Newman
   Dr Kevin Read
   Dr Angela Roger
   Dr K Sakamoto
   Professor Julie Taylor
   Professor Colin Watts
   Secretary to the College of Medicine, Dentistry & Nursing

   **Officer normally in attendance**
   
   Ms Edna Finnie (Secretary)

3. **Finance & Policy Committee**

   **Members**
   
   Mr Richard Burns (Convener)
   Principal
   Dr Janet Lowe
Dr Lesley McLellan
Dr Alison Reeves
Mr Andrew Richmond
Mr Eric Sanderson
Mr Iain Wright
President of the Students’ Association – Mr Iain Kennedy

Officers normally in attendance

Convener of Audit Committee
University Secretary
Director of Finance
Deputy Director of Finance
Director of Campus Services
Director of Information Services
Director of Strategic Planning

Clerk to Court (Secretary)

5. Governance & Nominations Committee

Members

Mr Eric Sanderson (Convener)
Principal
Professor RJ Abboud
Professor Ann Burchell
Mr Richard Burns
Mr Matthew Kendrick
Dr Janet Lowe
Professor J Taylor
Mr Iain Wright

Officers normally in attendance

University Secretary
Clerk to Court (Secretary)

4. Human Resources Committee

Members

Dr Janet Lowe (Convener)
Vice Principal (Professor Christopher Whatley)
Professor Rami Abboud
Mr Donald Cathcart
Mr Ian Leith
Professor Gary Mires
Dr Howard Marriage
Ms Christina Potter
Dr Angela Roger

Officers normally in attendance

University Secretary
Director of Human Resources
Deputy Director of Human Resources (Secretary)
Other officers at the discretion of the Director of Human Resources

6. Remuneration Committee

Members

Mr Richard Burns (Convener)
Mr Jo Elliot
Dr Janet Lowe
Mr Eric Sanderson

Officers normally in attendance

Principal (as required)
University Secretary (as required)
Director of Human Resources (as required)

7. **Senior Management Team**

**Members**

Principal (Convener)
Vice-Principals
University Secretary
Director of Finance

Officers normally in attendance

Director of Human Resources
Director of Strategic Planning
Director of External Relations
Other Directors of Student & Academic Support Services (at the discretion of the University Secretary)
Clerk to Court (Secretary)
APPENDIX 5

REVIEW OF CHARTER
(Minute 68(3i))

ELIZABETH THE SECOND by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith:

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING!

WHEREAS an humble Petition has been presented to Us by the University Court of the University of St Andrews and the Council of Queen’s College, Dundee, in the University of St Andrews, praying that We should constitute and found a University within Our City and Royal Burgh of Dundee for the advancement and diffusion of knowledge, wisdom and understanding and to grant a Charter with such provisions in that behalf as shall seem to Us right and suitable.

AND WHEREAS We have taken the said Petition into Our Royal Consideration and are minded to accede thereto:

NOW THEREFORE KNOW YE that We by virtue of Our Prerogative Royal and of Our especial grace, certain knowledge and mere motion have willed and ordained and by these Presents for Us, Our Heirs and Successors do will and ordain as follows:

1 The Chancellor, the Principal and Vice-Chancellor, and all other persons who are, pursuant to this Our Charter and the Statutes of the University for the time being, members of the University are hereby constituted and from hence-forth for ever shall be one body politic and corporate with perpetual succession and a Common Seal by the name and style of ‘The University of Dundee’ (hereinafter called ‘the University’).

2 The objects of the University shall be to advance and diffuse knowledge, wisdom and understanding by teaching and research and by the example and influence of its corporate life.

3 The University shall be both a teaching and an examining body and shall, subject to the provisions of this Our Charter and the Statutes of the University (hereinafter called ‘the Statutes’), have the following powers:

   (a) To provide instruction in such-branches of learning as the University may think fit, whether for members of the University or for others, and to make provision for research and for the advancement and dissemination of knowledge in such manner as the University may determine.

   (b) To prescribe in the Ordinances of the University (hereinafter called ‘the Ordinances’) the conditions under which any person may be admitted as a student of the University or to any particular course of study provided by the University.

   (c) To grant, under conditions laid down in the Statutes or Ordinances, a degree, diploma, certificate or other academic award to any person who shall have pursued a course of study approved by the University and shall have passed the examinations or other tests prescribed by the University.

   (d) To grant, under conditions laid down in the Statutes or Ordinances, any degree of the University to any person who holds office in the University or who shall have carried on research therein.

   (e) To grant to any approved person, under conditions laid down in the Statutes or Ordinances, an honorary degree or other academic award.

   (f) On what the Court and the Senatus Academicus of the University shall after due enquiry deem to be good cause, to deprive any person of any degree, diploma, certificate or other academic award granted to him by the University.

   (g) To accept any examination or period of study passed by any student of the University at another university or place of learning as equivalent to such examination or period of study in the University as the Senatus Academicus of the University may determine, and to withdraw such acceptance at any time.

   (h) To admit to any of the privileges of the University or to recognise for any purpose, and either in whole or in part, any college or institution or any member of staff or student thereof, on such terms and conditions as may from time to time be prescribed by the Statutes or Ordinances.
(i) To take over such of the property, rights, liabilities and functions now vested in or attaching to the University Court of the University of St Andrews, that University, the Council of Queen's College, Dundee, in that University, or that College, as may be prescribed by, or under powers conferred by, Act of Parliament, and to enter into any agreement with respect to such matters.

(j) To enter into any agreement for the incorporation within the University of any institution and for taking over its property, rights, liabilities and functions and for any other purpose not repugnant to this Our Charter.

(k) To accept the transfer to the University of any property of whatever description and to enter into any agreement with respect thereto.

(l) To join with any other University or with any other public or private body, institution, authority or association having in view or promoting any purpose the same as or similar or related to any purpose of the University, or to appoint one or more representatives to act upon any such body, institution, authority or association, in either case for such purposes as may be agreed upon or as may be provided for or permitted by law, on such terms and conditions as may from time to time be prescribed by the Statutes or Ordinances.

(m) To institute such offices as the purposes of the University may require, to appoint persons to and to remove them from such offices, and to prescribe their terms and conditions of service.

(n) To prescribe rules for the discipline of the students of the University and to prescribe by Ordinance the procedure by which any infractions of discipline shall be investigated and judged.

(o) To institute and award fellowships, scholarships, studentships, exhibitions, bursaries, prizes and other aids to study and research.

(p) To make provision for research, design, development, testing and advisory services and with these objects to enter into such arrangements with any other institution or with any public or private body or with any person or persons as may be thought desirable and to charge to any user of such services such fee as may be thought desirable.

(q) To print, reproduce and publish or to provide for the printing, reproduction and publication of research and other works to be issued by the University.

(r) To sell, provide for reward or otherwise such books, stationery and other goods and services as may be deemed expedient and consistent with the objects of the University as a place of education, learning and research.

(s) To demand and receive fees, to procure contributions to the funds of the University and to raise money in such other manner as the University may deem fit.

(t) To act as trustees or managers of any property, legacy, endowment, bequest or gift for purposes of education or research or otherwise in furtherance of the work and welfare of the University and to invest any funds representing the same in accordance with the provisions of the Statutes.

(u) To give guarantees for the payment of any sums of money on the performance of any contract or obligation by any company, body, society or person if in the interests of the University to do so.

(v) To borrow money and for that purpose to grant securities over, to mortgage or charge all or any part of the property of the University, whether heritable or moveable, real or personal, and to give such other security as the University may deem fit.

(w) To acquire armorial bearings which shall be duly matriculated in Our Public Register of Arms and Bearings in Scotland.

(x) To establish and maintain and to administer and govern institutions for the residence of the students of the University whether Colleges, Halls or Houses and to license and supervise such institutions and other places of residence whether or not maintained by the University.

(y) To do all such acts and things (including the promotion of a Bill or Bills in Parliament) whether incidental to the powers aforesaid or not as may be requisite in order to further any one or more of the objects or the interests of the University.

4.1 There shall be a Chancellor of the University who shall be the head of the University, shall preside over all Academic Ceremonies of the University at which he is present and shall be President of the Graduates' Council of the University.
4.2 The first Chancellor shall be Our most dearly beloved Mother, Queen Elizabeth, the Queen Mother.

4.3 The manner of appointment of the successors to the first Chancellor and the period of office of the Chancellor shall be as prescribed in the Statutes or Ordinances.

5 There shall be a Rector of the University who shall be elected by the matriculated students of the University in such manner and for such period as may be prescribed by the Statutes or Ordinances.

6.1 (a) There shall be a Principal of the University who shall also be the Vice-Chancellor of the University. The Principal shall be the chief Academic and Administrative Officer of the University and shall, when present and unless otherwise provided in the Statutes, preside over meetings of the Senatus Academicus of the University and shall, as the Vice-Chancellor, in the absence of the Chancellor or during a vacancy in that office, exercise and perform all the functions of the Chancellor including the conferment of Degrees.

(b) The first Principal shall be Our trusty and well beloved James Drever, Esquire, Master of Arts and Fellow of Our Royal Society of Edinburgh.

(c) The manner of appointment of the successors to the first Principal shall be as prescribed by the Statutes or Ordinances.

(d) The powers and duties of the Principal shall be as prescribed in the Statutes.

(e) During a vacancy in the office of Principal or during his inability through illness or any other cause to perform; his duties, as to which the Court of the University shall be the sole judges, the said Court may appoint one or more persons to perform the duties of the Principal, including his functions as Vice-Chancellor.

6.2 The Court of the University may, if it shall deem it appropriate, appoint one or more Vice-Principals with such powers and duties as the said Court may determine.

7.1 There shall be a Court of the University (hereinafter called 'the Court') which, subject to the provisions of this Our Charter and the Statutes, shall be the Governing Body of the University.

7.2 The Court shall direct the form, custody and use of the Common Seal.

7.3 The Court shall be responsible for the management and administration of the whole of the revenue and property of the University and, except as may be otherwise provided in this Our Charter, shall have general control over the University and all its affairs, purposes and functions and all such other powers and duties as may be conferred upon it by the Statutes or Ordinances.

7.4 The constitution of the Court, its powers and functions, the manner of election and period of office of its members, the manner of filling vacancies in its membership and all other matters relative to the Court which it may be thought proper so to regulate, shall be as prescribed in the Statutes.

8.1 There shall be a Senatus Academicus of the University (hereinafter called 'the Senatus') which, subject to the provisions of this Our Charter and the Statutes and to the general control and approval of the Court, shall be responsible for the academic work of the University, both in teaching and in research, and for the regulations and superintendence of the education and discipline of the students of the University.

8.2 The constitution of the Senatus, its powers and functions, the manner of election and period of office of its members, the manner of filling vacancies in its membership, and all other matters relative to the Senatus which it may be thought proper so to regulate, shall be as prescribed in the Statutes.

9 The organisation and management of the academic disciplines of the University, and all matters pertaining thereto which the University may think proper to regulate, shall be as prescribed in the Statutes or Ordinances.

10.1 There shall be a Students' Association in the University.

10.2 The method of approval of the regulations of the Students' Association its powers and functions, and all other matters relative to such Association which it may be thought proper so to regulate shall be as prescribed in the Statutes or Ordinances.

10.3 The University shall in no way be liable for the debts, liabilities and other obligations incurred or for any act done or omitted to be done by the Students' Association.

11.1 There shall be a Graduates' Council of the University.

11.2 The constitution of the Graduates' Council, its powers and functions, and all other matters relative thereto which it may be thought proper so to regulate, shall be as prescribed in the Statutes or Ordinances.
There shall be an Academic Council of the University which shall consist of the Principal, the Vice-Principals, if any, the Professors, Readers, Senior Lecturers, Lecturers, Assistant Lecturers, and all other members of the Academic Staff and such other members of the University as shall be designated by the Senatus. The Principal shall be the Chairman of the Academic Council.

The powers and functions of the Academic Council and all other matters relative thereto which it may be thought proper so to regulate shall be as prescribed in the Statutes or Ordinances.

The University shall not make any dividend, gift, division or bonus in money unto or between any of its members, except by way of prize, reward or special grant.

The University shall embed the principles of equality and diversity in all aspects of its activity and shall promote and foster a diverse, fair and inclusive environment in which to pursue its objects.

The Statutes may contain, in addition to all such matters as are in the foregoing provisions of this Our Charter require to be prescribed or regulated by Statutes, all such other provisions consistent with this Our Charter as it may be thought proper to make for the convenient and effective attainment and execution of the objects and purposes of this Our Charter.

The first Statutes shall be those set out in the Schedule to this Our Charter and they shall remain in force until they have been amended, added to or repealed in the manner hereinafter prescribed.

The Court may from time to time, after consultation with the Senatus, by Special Resolution amend, add to or repeal the Statutes: Provided that no such Statute shall be repugnant to the provisions of this Our Charter or have effect until approved by the Lords of Our Most Honourable Privy Council, of which approval a Certificate under the hand of the Clerk of Our said Privy Council shall be conclusive evidence.

The Statutes may direct that any of the matters prescribed or regulated by Statute as authorised or directed in this Our Charter shall be further prescribed or regulated by Ordinances: Provided that any such further prescription or regulation shall not be repugnant to the provisions of the Statutes or of this Our Charter.

The Ordinances shall be made by Special Resolution of the Court on the recommendation of, or after consultation with, the Senatus.

Ordinances may be added to, amended or repealed by Special Resolution of the Court on the recommendation of, or after consultation with, the Senatus.

In the event that a Special Resolution to make, add to, amend or repeal an Ordinance is not passed but is nevertheless supported by a simple majority of those present and voting, the same matter may be resolved at a subsequent meeting of the Court by a simple majority of those present and voting: Provided that such a subsequent meeting is held not less than one calendar month and not more than three calendar months after the meeting at which the Special Resolution was not passed.

Subject to the provisions of this Our Charter, the Statutes and Ordinances, the Court, the Senatus, the Graduates’ Council and the Academic Council respectively may from time to time make regulations for governing their proceedings, and may amend, add to or repeal any regulations theretofore made.

The Court may at any time, after consultation with the Senatus, amend, add to or repeal this Our Charter by a Special Resolution passed in that behalf and such amendment, addition or repeal shall when allowed by Us, Our Heirs and Successors in Council, have effect so that this Our Charter shall thence-forward continue and operate as though it had been originally granted and made as so amended, added to or repealed.

This Article shall apply to this Our Charter as amended, added to or repealed in the manner aforesaid.

Every resolution of the Court to amend, add to or repeal this Our Charter or the Statutes or the Ordinances shall be communicated to the Senatus and shall be displayed publicly within the University for not less than twenty-eight days as soon as may be after the said resolution has been passed.

Every special Resolution of the Court when allowed or approved as hereinbefore provided, and every Ordinance made, amended, added to or repealed by the Court shall forthwith be published within the University.

For the purpose of this Our Charter, a Special Resolution means a resolution passed at a meeting of the Court by a majority of not less than three-fourths of those present and voting.

In this Our Charter 'Statutes' means the Statutes set forth in the Schedule hereto and any Statutes amending, adding to or repealing the same or any of them which may hereafter be made and may be approved by the Lords of Our Most Honourable Privy Council; 'Ordinances' means Acts of the Court.
under the powers conferred by this Our Charter to which Our further sanction is not hereby or by Statute required; 'Regulations', except when otherwise required by the context, means Regulations made pursuant to this Our Charter, the Statutes or the Ordinances.

22 Our Royal Will and Pleasure is that this Our Charter shall ever be construed benevolently, and in every case most favourably to the University and the promotion of the objects of this Our Charter.

23 This Our Charter shall, notwithstanding the date thereof, come into force and effect on such day as We may by Order in Council appoint for the provisions of Section 13 of the Universities (Scotland) Act, 1966 to take effect.

IN WITNESS whereof We have ordered the Seal appointed by the Treaty of Union to be kept and used in Scotland in place of the Great Seal of Scotland to be appended hereto.

GIVEN at Our Court at St James’s the twentieth day of July, One thousand nine hundred and sixty seven in the sixteenth year of Our Reign.

PER SIGNATURAM MANU S.D.N. REGINAE SUPRA SCRIPTAM.

Written to the Seal and Registered and Sealed at Edinburgh the twenty-seventh day of July in the year one thousand nine hundred and sixty seven.
APPENDIX 6

REVIEW OF STATUTES
(Minute 68(3ii))

1 Definitions

In these Statutes:

‘University’ means the University of Dundee
‘Charter’ means the Charter of the University
‘Chancellor’ means the Chancellor of the University
‘Rector’ means the Rector of the University
‘Principal’ means the Principal and Vice-Chancellor of the University
‘Vice-Principal’ means a Vice-Principal of the University
‘Court’ means the Court of the University
‘Senatus’ means the Senatus Academicus of the University
‘Graduate’ means a person to whom a degree, other than an honorary degree, of the University has been granted or a person to whom a degree of the University of St Andrews has been granted and who pursued the whole or part of his studies at that University, in the Queen’s College, Dundee, or in the former University College, Dundee
‘Honorary Graduate’ means a person to whom an honorary degree of the University has been granted
‘Professor’, ‘Reader’, ‘Senior Lecturer’, ‘Lecturer’ and ‘Assistant Lecturer’ mean (except where the context otherwise requires in Statute 21) respectively a Professor, Reader, Senior Lecturer, Lecturer and Assistant Lecturer in the University
‘Secretary’ means the Secretary of the University
‘Student’ means a person pursuing any course of study in the University
‘Academic Staff’ means the Professors, Readers, Senior Lecturers, Lecturers and Assistant Lecturers and any other officers of the University with teaching or research duties therein
‘Officer’ means a person holding any office in the University established pursuant to the Charter or these Statutes
‘Ordinance’ means an Ordinance made pursuant to the Charter or these Statutes
‘Regulation’ means a Regulation made pursuant to the Charter, these Statutes or the Ordinances.

Except where the context otherwise requires, the singular includes the plural.

2 Members of the University

The University shall from time to time prescribe in the Ordinances those persons who shall be members of the University.

3 The Chancellor

(1) The successors to the first Chancellor shall be appointed by the Court after the consideration of a report of a joint committee of the Court and the Senatus. The Composition of such a committee and the manner of its operation shall be as prescribed in the Ordinances.

(2) The first Chancellor shall hold office during Her life or Her resignation. Any subsequent Chancellor shall hold office for such period as may be prescribed in the Ordinances or until his or her resignation.

(3) The Chancellor may resign by writing addressed to the Secretary of the University.

(4) The Chancellor shall be appointed for a period of five years from the date of the Court meeting at which the appointment was approved or from such future date as the Court may determine:
Provided that at the end of five years, the Chancellor may be re-appointed by the Court, after consultation with the Senatus, for a further period of five years but thereafter shall not be eligible for further re-appointment.

4 The Rector

(1) The Rector shall be elected by a general poll of the matriculated students.

(2) No member of staff of the University and no matriculated student of any university shall be eligible to be elected to the office of Rector.

(3) The Rector shall hold office for a period not exceeding three years from the date on which his or her election becomes effective: Provided always that he or she shall continue in office until the election of the next Rector, as regulated in the Ordinances, becomes effective. The Rector shall be eligible for re-election.

5 The Principal

(1) The successors to the first Principal shall be appointed by the Court after the consideration of a report of a joint committee of the Court and Senatus. The composition of such a committee and the manner of its operation shall be as defined in the Ordinances.

(2) The Principal shall hold office on such conditions as may be determined by the Court.

(3) The Principal shall, subject to such rules as may be framed by the Court, exercise general supervision over the University and shall be generally responsible for maintaining and promoting the efficiency and good order of the University.

(4) The Principal may exclude any person from any part of the University or its precincts, and may suspend any student from any class or classes, provided that any such exclusion or suspension shall be reported by the Principal to the Senatus at its next meeting. Students excluded from the University under this Statute are permitted a right of appeal to the Chairman of Court.

6 The Secretary

(1) The Court shall appoint a Secretary with such duties, at such remuneration and upon such terms and conditions as it shall think fit. The Court, however, shall make such an appointment only after considering a report from a Joint Committee of the Court and Senatus. The composition of such a committee and the manner of its operation shall be as defined in the Ordinances.

(2) The Secretary shall be responsible for providing secretarial services for the Court, the Senatus, the Academic Council, and the Graduates’ Council and, under the direction of the Principal, for the administration of the University.

7 The Librarian

[REPEALED 2011]

8 The Auditors

(1) The Court shall appoint an Auditor or Auditors who shall hold office for such period, and on such remuneration, as may be determined by the Court.

(2) Every such Auditor shall be a member of an appropriate professional body, but no person shall be appointed as Auditor who is, or any member of whose firm is, a member of the Court or an officer or employee of the University.

[(3) – (5) Unchanged]
APPENDIX 7

REVIEW OF ORDINANCES
(Minute 68(3(iv)))

Ordinance 59 – Academic Freedom

1. In determining and maintaining policies and procedures in relation to the University’s staff, the Court, in accordance with Statute 16, must ensure the academic freedom of those members of staff engaged in teaching, the provision of learning or research. Academic freedom, as defined in Statute 16(1)(b), is the freedom to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing oneself in jeopardy of losing one’s job or privileges, provided always that such freedom is exercised lawfully and respects the academic freedom of others.

2. This Ordinance sets out, in accordance with Statute 16(2), the procedure which applies to any such members of staff who believe that their academic freedom has been adversely affected.

3. Any member of staff engaged in teaching, the provision of learning or research who believes that their academic freedom has been adversely affected shall submit a written account of the specific matter to the University Secretary. The University Secretary shall arrange for the matter to be assessed to ascertain whether it should properly be investigated under this Ordinance.

4. Such an initial assessment shall be carried out by a committee of three senior members of academic staff, all of whom shall be members of the Senatus. The committee shall be known as the Academic Freedom Committee (the ‘Committee’) and its membership shall be drawn from a pool to be determined annually by the Senatus: Provided that its membership shall not include more than one member from any given College, nor a Vice-Principal, Head of College or Dean.

5. If the Committee determines that the member of staff’s academic freedom has not been adversely affected, then the Committee shall recommend that the matter be considered under the appropriate general procedure as approved and maintained under Statute 16(3).

6. If the Committee determines that the member of staff’s academic freedom may have been adversely affected, then the matter shall be considered by a panel which shall comprise:
   a) a Vice-Principal with no prior involvement in the case, who shall be Chair;
   b) a professor nominated by, but not necessarily a member of, the Senatus with no prior involvement in the case;
   c) a member of staff engaged in teaching, the provision of learning or research who has an understanding of the area of expertise of the member of staff raising the matter and who has no prior involvement with the case. In cases where there is no suitable member of the University’s staff, an external assessor may be appointed to the panel.

7. The member of staff raising the matter shall have the right to be accompanied by a work colleague or trade union representative at any meeting convened as part of the investigation under this Ordinance.

8. The member of staff shall have the right of appeal against the decision of the panel established under paragraph 6 above. Such an appeal shall be heard by an appeal panel which shall comprise:
   a) a lay member of Court with no prior involvement in the case, who shall be Chair;
   b) a member of Senate with no prior involvement in the case;
   c) an external assessor with an expert understanding of the academic discipline of the member of staff raising the matter.

9. The procedures and timescales to be followed in determining the matter shall in all other respects be in accordance with those set out for the consideration of matters as approved and maintained under Statute 16(3).
10. If the member of staff is subject to any other procedures as approved and maintained under Statute 16(3), these shall be suspended until the procedures under this Ordinance have been exhausted.

**Ordinance 60 – Members of the University**

(1) The following persons shall be members of the University:
   a) the Chancellor;
   b) the Rector;
   c) the Principal, the Secretary and all members of staff and honorary members of staff of the University, including the honorary fellows;
   d) all members of the Court;
   e) all staff granted the title emeritus upon retirement or departure from the University;
   f) the graduates, including the honorary graduates;
   g) the students.

(2) Membership of the University shall continue so long only as one at least of the qualifications above enumerated shall continue to be held by the individual member.

**Ordinance 61 – Appointments of the Chancellor, the Principal and the Secretary**

1. Under the provisions of Statutes 3, 5 and 6, the appointments of the Chancellor, Principal and Secretary shall be made by the Court after consideration of a report of a joint committee of the Court and the Senatus. This Ordinance sets out the membership and operation of that committee in each case and also specifies the term of office for the Chancellor.

2. This Ordinance shall have effect to the appointment of successors to the fourth Chancellor, the Lord Patel, and of the successors to those incumbents of the roles of Principal and Secretary in post at the time of approval of this Ordinance.

3. Upon intimation of a vacancy in any of the offices of the Chancellor, Principal or Secretary, the Court shall direct the setting up of a joint committee of the Court and Senatus with the following membership:
   a) the Chairperson of Court, who shall be the Chair: Provided that in the case of the appointment of the Secretary, the Chairperson of Court may, with the approval of the Court, nominate another lay member of Court to perform this function;
   b) the Principal: Provided that in the case of the appointment of the Principal, this role shall be performed by one of the Vice-Principals;
   c) the President of the Students’ Association;
   d) two lay members of the Court, at least one of whom shall be a graduate of the University;
   e) three members nominated by the Senatus from its number, at least one of whom shall not be a professor.

4. The joint committee shall in each case determine how the appointment process shall be conducted, including the preparation of any documentation. Upon conclusion of its work, the joint committee shall in each case submit a report to the Court in which it shall recommend a sole candidate for appointment. This report shall also be submitted to the Senatus for information.

**Ordinance 62 – The Election of the Rector**

1. (1) An election of a Rector shall be held in the third year after each year in which any such election is held: Provided that in the event of a Rector ceasing for any reason to hold office before the expiry of his or her full term an election shall be held on the next practicable date fixed in accordance with clause (2) of this paragraph.

   (2) The election of a Rector shall take place on such day or days of the months of January or February as may be fixed by Court after consultation with the Senatus and the Students’ Association.

   (3) The Senatus shall appoint one or more of its members to preside at the election and ensure its smooth running. In so doing, the Senatus shall make such other arrangements for the conduct of the election as may seem to it expedient.
2. (1) Nominations for the office of Rector shall be lodged with the Senatus at least two weeks before the date of the election.

(2) Each nomination shall be signed by fifty electors. No elector shall subscribe to more than one nomination.

(3) Each nomination shall be accompanied by a signed statement by the person nominated that he or she consents to the nomination.

3. In the event of an equality of votes between two or more candidates in the election of a Rector, the election shall be determined by lot, in a manner to be decided at the time by the member or members of the Senatus appointed at clause 2(3) above.
APPENDIX 8

AMENDMENT TO STATUTE 16
(Minute 68(4))

Statute 16: Staff of the University

(1) This Statute and any Ordinance, policy or procedure adopted under paragraphs (2) and (3) shall in every case be construed to give effect to the following guiding principles, that is to say:

(a) to avoid unlawful discrimination and promote equality of opportunity, dignity at work and good relations within the University;

(b) to ensure the academic freedom of any member of staff who is engaged in teaching, the provision of learning or research. Academic freedom is taken to be the freedom to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing oneself in jeopardy of losing one’s job or privileges, provided always that such freedom is exercised lawfully and respects the academic freedom of others;

(c) to enable the University to provide education, promote learning and engage in research efficiently and economically; and

(d) to apply the principles of justice and fairness.

(2) The Court shall, following consultation with the Senatus, approve and maintain in Ordinance the procedures which apply to any member of staff engaged in teaching, the provision of learning or research who believes their freedom, as defined in sub-paragraph (1b) above, has been adversely affected.

(3) In relation to the University’s staff, the Court shall approve and maintain policies and procedures for:

(a) the handling of disciplinary cases and appeals against disciplinary action;

(b) the handling of grievances raised by members of staff and appeals against the outcome of grievance proceedings;

(c) the avoidance of redundancy; and

(d) the dismissal of members of staff, whether by virtue of redundancy, unsatisfactory performance, capability, misconduct, ill health or medical incapacity, and appeals against such dismissals.

(4) In approving Ordinances, policies and procedures under paragraphs (2) and (3), the University Court shall:

(a) undertake to consult with the recognised Trade Unions with a view to reaching agreement with them;

(b) ensure that such policies and procedures are at all times compliant with any requirement contained in employment legislation which is in force at the time. In the event that any such policy or procedure is not so compliant, the relevant employment legislation shall prevail;

(c) ensure that such policies and procedures shall provide the right to a panel hearing of two or more persons at the final appeal.

(d) ensure that any panel convened to hear a case brought by or against a member of staff engaged in teaching, the provision of learning or research shall include amongst its members another such member of staff not connected with the case brought.
(e) Oversee all cases of dismissal on the ground of redundancy of a person who is engaged in teaching or the provision of research or learning.

(f) Ensure that panels taking decisions on dismissals on medical grounds have available to them appropriate expert medical advice.

(g) Ensure that appeals against dismissal from a member of staff engaged in teaching, the provision of learning or research are heard by a panel that includes a lay member of the University Court as Convener.

(5) Any Ordinance, policy or procedure adopted under this Statute shall not be repugnant to the provisions of this or other Statutes or of the Charter.
ORDINANCE 59 – ACADEMIC FREEDOM

1. In determining and maintaining policies and procedures in relation to the University’s staff, the Court, in accordance with Statute 16, must ensure the academic freedom of those members of staff engaged in teaching, the provision of learning or research. Academic freedom, as defined in Statute 16(1)(b), is the freedom to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing oneself in jeopardy of losing one’s job or privileges, provided always that such freedom is exercised lawfully and respects the academic freedom of others.

2. This Ordinance sets out, in accordance with Statute 16(2), the procedure which applies to any such members of staff who believe that their academic freedom has been adversely affected.

3. Any member of staff engaged in teaching, the provision of learning or research who believes that their academic freedom has been adversely affected shall submit a written account of the specific matter to the University Secretary. The University Secretary shall arrange for the matter to be assessed to ascertain whether it should properly be investigated under this Ordinance.

4. Such an initial assessment shall be carried out by a committee of three senior members of academic staff, all of whom shall be members of the Senatus. The committee shall be known as the Academic Freedom Committee (the ‘Committee’) and its membership shall be drawn from a pool to be determined annually by the Senatus: Provided that its membership shall not include more than one member from any given College, nor a Vice-Principal, Head of College or Dean.

5. If the Committee determines that the member of staff’s academic freedom has not been adversely affected, then the Committee shall recommend that the matter be considered under the appropriate general procedure as approved and maintained under Statute 16(3).

6. If the Committee determines that the member of staff’s academic freedom may have been adversely affected, then the matter shall be considered by a panel which shall comprise:
   a) a Vice-Principal with no prior involvement in the case, who shall be Chair;
   b) a professor nominated by, but not necessarily a member of, the Senatus with no prior involvement in the case;
   c) a member of staff engaged in teaching, the provision of learning or research who has an understanding of the area of expertise of the member of staff raising the matter and who has no prior involvement with the case. In cases where there is no suitable member of the University’s staff, an external assessor may be appointed to the panel.

7. The member of staff raising the matter shall have the right to be accompanied by a work colleague or trade union representative at any meeting convened as part of the investigation under this Ordinance.

8. The member of staff shall have the right of appeal against the decision of the panel established under paragraph 6 above. Such an appeal shall be heard by an appeal panel which shall comprise:
   a) a lay member of Court with no prior involvement in the case, who shall be Chair;
   b) a member of Senate with no prior involvement in the case;
   c) an external assessor with an expert understanding of the academic discipline of the member of staff raising the matter.

9. The procedures and timescales to be followed in determining the matter shall in all other respects be in accordance with those set out for the consideration of matters as approved and maintained under Statute 16(3).

10. If the member of staff is subject to any other procedures as approved and maintained under Statute 16(3), these shall be suspended until the procedures under this Ordinance have been exhausted.
APPENDIX 9
COMMUNICATIONS FROM THE SENATUS ACADEMICUS
(Minute 72)

1. MATTERS ARISING

Statute 16 – Academic Staff (Minute 34(1))

The Senatus received a further version of Statute 16, revised to take account of various consultations with the Senatus, the Court, the Academic Council, University Committees and UCU. It was accompanied by a new Ordinance 59 to deal specifically with cases where members of staff believed their academic freedom had been adversely affected.

In the course of discussion members queried the meaning of the phrase “efficiently and economically” in paragraph 1(c) and, in response, were assured that the Statute contained statements of principle providing sufficient flexibility for specific definitions to be decided upon from time to time by the Court and the Senatus. The omission of an independent, external member from the original Statute’s appeal provisions was also queried and the Secretary responded that discussions were still in process concerning, in particular, the proposed new Ordinance 59 and that it would be possible to include external membership in the appeals process in academic freedom cases, though he felt it to be inappropriate for grievance and disciplinary cases given that they included lay members of Court as members.

On Ordinance 59, it was noted that paragraph 4 on initial assessment of cases was intended to be a speedy and effective means of deciding at an early stage in the process whether a grievance had or had not implications for academic freedom and therefore under which procedure it should be heard.

The Senatus decided: (i) for its part, to endorse the proposed revisions to Statute 16; and

(ii) on Ordinance 59, to report its views to the Court.

2. UNIVERSITY COURT

The Senatus received a communication from the meeting of the University Court held on 26 April 2011.

The Senatus decided: to note the report.

3. PRINCIPAL’S REPORT

The Senatus received a report from the Principal on issues arising from the most recent meetings of the Senior Management Team.

In introducing his report the Principal noted that it had been a difficult 18 months with the funding uncertainties crystallising into a reduction in funding of more than £7M. The University community was to be commended for reaching a break-even budget for 2011-12 with the prospect of hovering around break-even in the years up to 2014. However, he noted that there was still considerable uncertainty around the funding situation and risks associated with the University’s income projections. Concentrating upon the principles of the Strategic Review would ensure the strongest possible results across the University. It was also vital to consider how we might deliver the potential for growth and three particular elements affected this: the “Scottish solution” to funding to maintain national and international competitiveness, growing international taught postgraduate numbers and targeting external research funding through collaborations with other universities and commercial partners particularly in Europe.

In the course of discussion members noted the intention to retain the four colleges and also noted that discussions were taking place concerning possible School moves between CASS and CASE.

It was noted that the success of the VS scheme made it doubly important to ensure that websites were kept up to date so that staff knew where to go for advice and support.

Arising from the emphasis upon collaboration, the Dean of Humanities raised the issue of an incident earlier in the year where the University had mistakenly believed it could participate in two research
bids to the AHRC when this was not the case. As a result, a decision had required to be taken to withdraw one of the bids at a very late stage, with a consequent negative impact on the morale of those who had developed it.

The Principal accepted that what had occurred had been most unsatisfactory and that improvements needed to be made to processes and communication to ensure that such a situation could not recur in the future.

The Senatus decided: to note the report.

3. REVIEW OF CHARTER AND STATUTES
The Senatus received a paper from the Clerk to the Court.

The Senatus decided: for its part, to endorse the review documents.

4. PROFESSORES EMERITI
The Senatus decided: subject to the concurrence of Court, to confer the title of Professor Emeritus upon the following:

   Professor J Calderhead
   Professor H Jones
   Professor C McKeen
A meeting of the Remuneration Committee was held on 26 April 2011.

Present: Mr R Burns (Convener), Mr E Sanderson and Dr Janet Lowe.

In attendance: The Principal (for part of the meeting).

Other Officers also attended parts of the meeting to advise on specific items.

Apologies: Mr Jo Elliot

1. The Committee met to conduct a review of non-clinical Professorial and equivalently graded staff salaries.

2. The Committee considered and discussed a paper on ‘Remuneration Committee Practices’ produced by the Committee of University Chairs and a number of actions were agreed.

Resolved to recommend:

(1) That the HR Director should draft a Remuneration Committee Policy for consideration by the HR Committee and the Remuneration Committee which would subsequently be approved by Court.

(2) That while it was recognized that the Chair of Court did meet with the Principal to discuss strategic objectives, it was agreed that this should be formalised through the University’s Objective Setting and Review process.

(3) That the scheduling of the Remuneration Committee meeting should revert back to November/December time each year.

3. The Committee noted that the Principal and University Secretary had agreed that, given the current financial climate, their own salaries and those of the core Senior Management Team should not be reviewed in the current round. However, senior managers had been invited to consider the performance of their grade 10 staff and to bring forward to the Remuneration Committee a small number of cases where it was felt that genuinely exceptional performance merited consideration.

4. On that basis, salary increases in addition to the nationally agreed settlement were agreed as follows:

<table>
<thead>
<tr>
<th>College</th>
<th>2010/11 (£)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art, Science &amp; Engineering</td>
<td>3,000</td>
</tr>
<tr>
<td>Arts &amp; Social Sciences</td>
<td>16,000</td>
</tr>
<tr>
<td>Life Sciences</td>
<td>16,000</td>
</tr>
<tr>
<td>Medicine, Dentistry &amp; Nursing (non-clinical)</td>
<td>4,000</td>
</tr>
<tr>
<td>Student &amp; Academic Support Services</td>
<td>3,000</td>
</tr>
<tr>
<td>Principal and Vice-Chancellor’s Office</td>
<td>-</td>
</tr>
<tr>
<td>Principal and Vice-Chancellor</td>
<td>-</td>
</tr>
</tbody>
</table>

5. A total of £42,000, (cf £42,000 in 2009) was distributed selectively to 8 individuals from the eligible group of 164 members of staff. In reaching decisions on this matter, the Remuneration Committee took note of the current economic climate and the restraint demonstrated by the Principal, Secretary and Heads of College in being very selective with the nominations coming forward to the Committee. In addition, relevant college and support services salaries over the last five years, issues of gender equity and University sector comparators were also taken into account. The Committee adopted a highly
selective approach, also taking account of the level of pay increases resulting from national negotiations over recent years.

6. Approval was given for a number of “in-year” decisions which had been taken with the authority of the Principal and, where appropriate, the Chair of Court or another Court member.

(1) One case of Severance which required the approval of the Remuneration Committee was approved.

(2) An enhanced salary level, of an additional £11,191, was agreed during the year for a member of staff in the College of Arts and Social Sciences in order to retain that member of staff in Dundee.

(3) An enhanced salary level of £6,327 was agreed for a Professor who, while clinically qualified and paid on the NHS clinical scales, does not have access to the merit award system in the NHS. The increase is funded from an external source.

7. The Committee was reminded that under the “Schedule of Delegation” as approved by the University Court, the Committee had the responsibility for reviewing honoraria payments made to Deans and other members of staff. Having considered this, the Committee agreed that it was not appropriate to increase these payments at this time but also agreed that these payments should continue to be reviewed by the Committee at future meetings.
APPENDIX 11

HUMAN RESOURCES COMMITTEE
(Minute 74)

A meeting of the Committee was held on 23 May 2011.

Present: Dr J Lowe (Convener), Mr D Cathcart, Mr I Leith, Mr H Marriage, Professor G Mires, Ms C Potter

In Attendance: University Secretary, Director of Human Resources, Director of Finance, Deputy Director of Human Resources, Head of Safety Services (for Item 10)

Apologies: Professor R Abboud, Dr A Rogers, Professor C Whatley

The Committee was advised that this would be Mr Rob Kennedy’s last HR Committee as he was leaving the University to take up a new post. Mr Kennedy was thanked for his contribution to the Committee and wished all the best in his new appointment.

1. MINUTES

Resolved: to approve the minutes of the meeting on 1 February 2011.

2. MATTERS ARISING

(1) Change to Academic Terms and Conditions (Minute 2(2))

The Committee was reminded that a proposal to remove the clause in the academic contract of employment which provided for 12 months’ notice of redundancy had been discussed at previous meetings. However it was reported that work on this had not progressed as yet as the review of Statute 16 and the associated policies had been given priority.

Resolved: to note the position.

(2) Industrial Action (Minute 6(3))

The Committee was advised that technically DUCU was still in dispute with the University, but that no further notification had been received from them regarding this matter. This had been raised by the University at the recent Local Joint Committee and DUCU was considering its position. It was noted that at the national level there had been the threat of further industrial action however there had not been any formal notification of this.

Resolved: to note the position.

3. UNIVERSITY STRATEGIC REVIEW

The University Secretary reported that an update on Strategic Review had been submitted to the last meeting of Court, confirming that key strategic projects were being progressed across the University which aligned to the Principal’s vision of focus, impact and excellence. It was noted that the delivery of savings of £8.7m savings to date represented a significant achievement, but that further savings still needed to be made to achieve the 3-5% level of surplus that the University had identified as necessary for future investment and long-term sustainability, especially given the significant reduction in external capital funding.

The Director of Change and Project Management highlighted progress with specific projects confirming that the Deans were working on academic priorities relating to both research and teaching excellence; reviews of the University’s corporate systems and business processes were also well underway and opportunities in these areas had been identified to increase efficiencies and effectiveness. It was however recognised that further work was still required in order to achieve Strategic targets.

Resolved: to note that a HERMES message would be circulated to staff in due course to update on Strategic Review.
4. **VOLUNTARY SEVERANCE**

The Director of Human Resources confirmed that the total number of voluntary severance applications approved when Paper B had been circulated a week ago was 133 cases. This amounted to a potential saving of approximately 97 FTE which equated to just over £4 million. It was noted that 22 cases were currently on-hold and work was on-going trying to release these savings by backfilling the positions concerned. A breakdown of the voluntary severance cases by Colleges/SASS, staff group, gender, etc was also provided and the Committee was pleased to note that savings were coming from all parts of the institution and also that there were more cases being approved from the academic staff group compared to the previous VS scheme.

**Resolved:** to note recent figures relating to Voluntary Severance Scheme.

5. **FINANCE / PENSIONS**

(1) **Financial Update**

The Director of Finance gave a brief financial update to the Committee confirming that this year the University should deliver a surplus of approximately £4 million, which was slightly ahead of target as a result of one-off research gains. A credible, break-even, budget for 2011/12 would be submitted to Court, which was considered a significant achievement given the £5.5-£6m reduction in SFC funding. It was confirmed that £8.7m savings had been identified against the required £10m leaving £1.3m still to be achieved.

(2) **Pensions**

It was reported that, following consultation on the proposed changes to USS, certain elements of the original proposal had been amended to take account of the consultation process. The revised proposal would be submitted back to the Trustees around September. The UoD Scheme had also been subject to review and proposed changes to the scheme had also been considered through a consultation process with members. Changes to the original proposals had been made and following agreement with the Trustees would be implemented from 1 August 2011. It was recognised that the review of the UoD pension scheme had been a difficult process but had been necessary to ensure the sustainability of the scheme in the longer term.

**Resolved:** to note that a review of the UoD pension scheme had been well considered and the process had been open and transparent which appropriate consultation with members.

(3) **Financial Health and Sustainability of the HE Sector**

A report from the JNCHES Working Group on the financial health and sustainability of the HE Sector was considered. The Committee agreed that this was a useful document, which highlighted effectively the requirement to deliver consistent surpluses of 3-5% in order to deliver a sustainable strategy for the future.

**Resolved:** to encourage the report to be circulated widely.

6. **HUMAN RESOURCES**

(1) **Ballot for industrial action**

The Committee was advised that action short of strike had recently been taken by EIS in response to last year’s pay award and issues relating to job security. It was noted that this action (specifically the non return of marked exam papers) significantly impacted some institutions such as Queen Margaret University and Glasgow Caledonian University. However at Dundee, with only 17 members of EIS, there had been no reported impact.

(2) **Statute 16 and Associated Policies**

(a) **Statute 16 and Ordinance 59**

The University Secretary confirmed that good progress had been made towards developing a revised Statute and associated HR policies. Discussions with DUCU and the UCU full-time official had been on-going and a further meeting had been
arranged for early June. Proposals relating to the Statute had also been raised at the last meeting of Court. It was confirmed that a broader definition for Statute 16 had been developed and a new Ordinance had been proposed, outlining the process to handle academic freedom cases. It was hoped that a Special Resolution to change the Statute would be considered by Court in June and September. There was some discussion regarding the remit of Academic Freedom Committee and it was agreed that further clarification on this would be provided in the Ordinance.

**Resolved:**

(i) to request further clarification on the remit of the Committee in Paragraph 5 of the new Ordinance;

(ii) to recommend that, following further consultation with DUCU, the revised Statute and Ordinance go forward to Court for approval.

(b) **HR Policies and Procedures**

It was recognised that a significant amount of time had been spent on developing an up to date set of HR policies and procedures and although work was still ongoing on the redundancy and ill-health policies, it was noted that a number had now been approved by UNITE and UNISON (i.e. Grievance, Discipline, Avoidance of Redundancy, Capability and Fixed-term Contracts Policy). It was noted that DUCU’s attention up to now had very much been focused on Statute 16 and the Avoidance of Redundancy and Fixed-Term policies, but that it was anticipated that once these had been agreed, work could be progressed on the remaining policies. DUCU were aware that the University was aiming to have a set of unified policies and procedures in place. It was confirmed that if there were any changes to policies already agreed by UNITE and UNISON then these would go back to those unions for approval.

Some final suggestions were made regarding the standardisation of wording and formatting of the policies and it was highlighted that there did need to be some clarity around (i) arrangements for senior staff in the Grievance and Discipline procedures and (ii) arrangements relating to Protection of Salary (in the Avoidance of Redundancy Procedure) in the event that there was more than two grades of difference between posts.

**Resolved:**

(i) subject to some minor amendments to approve policies for Grievance, Disciplinary, Avoidance of Redundancy, Capability and Fixed term contracts and to recommend their use for the appropriate staff groups.

(ii) to progress work with DUCU on the remaining policies and to report to Court that good progress was being made.

(iii) to develop a summary document to detail the current stage of development and approval of each policy.

(3) **Facility Time for Trade Union Duties**

In response to DUCU’s request to formalise Facility Time for Trade Union duties a proposal had been put forward to each of the Local Joint Committees for consideration. It was highlighted that there would be an allocation of financial resources available to affected units if specific provision had to be made to release the union representative from their job, provided certain requirements were met.

**Resolved:**

to note that the proposal for Facility Time was currently being considered by the Unions.

(4) **Higher Education Career Barometer Survey 2010**

The Director of Human Resources highlighted the results from the recent survey which tracked staff perceptions about their careers and personal development in addition to exploring the role the University played in their working lives. It was noted that 3300 staff had been invited to take part in the survey and around one in five (18%) had responded, which was a higher
June 2011

proportion than most of the other institutions taking part. Overall it was noted that the University did compare well to the benchmark, but there were clearly areas identified to follow up on. A more detailed report had been made available to the Unions at the LJCs and Dr Christine Milburn and Gillian Jones were currently reviewing that report, considering any emerging themes and identifying proposed follow up actions that the University should take forward. The results from this analysis would be available in due course and be discussed with the unions at the next LJCs. It was noted that the University was also taking part in the CROS survey, which concentrated specifically on research staff and the work of the Concordat.

Resolved: that participation in the HE Careers Barometer had been a useful exercise and had provided valuable information and a baseline to work from when affecting change for the future.

(5) Audit Report: Human Resources and Payroll

The Committee was provided with a recent internal audit report on the effectiveness and efficiency of processes and controls around Human Resources and Payroll systems and data. The Committee felt that this was a very positive report and, as discussed earlier under the Strategic Review item, recognised the benefits of having an effective HR/Payroll system that was fit for purpose.

Resolved: to note the report.

7. EQUALITY AND DIVERSITY

(1) Equal Pay Audit

The Director of Human Resources confirmed that a Working Group had been set up and would be meeting in early June to take forward an Equal Pay Audit.

(2) A report from the Equality and Diversity Officer was received.

(a) Equality and Diversity in the Curriculum

It was noted that the Equality and Diversity in the Curriculum Working Group had completed the Higher Education Academy’s self-evaluation framework in relation to equality and diversity. The Group was congratulated on developing what was considered a very thorough, well structured and comprehensive toolkit. It was recognised that the toolkit had resulted in a large number of action points for various post-holders and groups and the Committee agreed that the Equality and Diversity Officer and the Director of Quality Assurance should decide on priorities and work with individuals to achieve these.

Resolved: (i) to commend the Working Group for a very comprehensive self-evaluation toolkit.

(ii) to recommend that the Equality and Diversity Officer and the Director of Quality Assurance decide on priorities for action and agree appropriate timescales with the staff involved.

(b) Research Excellence Framework (REF 2014)

It was highlighted that the Equality and Diversity Officer would play a key role as he had for RAE 2008, in preparing a Code of Practice to take account of equality and diversity issues in the process for selecting eligible research and researchers.

8. EARLY DISPUTE RESOLUTION

A report from the University Solicitor/Legal Counsellor was received. The report provided an update on the current status of the edr initiative and mediation at the University of Dundee. The Committee was very positive about the initiative and commended Fiona O’Donnell and her team of mediators for providing a highly professional and respected service. The Committee also acknowledged that the
University was recognised externally in the sector as a lead innovator in edr, and this was extremely positive in terms of reputational value.

Resolved: (i) to note the successful resolution of a high proportion of the cases referred to mediation and to recognise and commend the highly professional approach provided by the team of University mediators.

(ii) to recognise the very positive reputational value to the University in being able to offer mediation to other institutions.

9. PERSONAL AND PROFESSIONAL DEVELOPMENT

(1) Generic Skills Dundee/Organisational and Professional Development Unit

The Director of Human Resources confirmed that Dr Christine Milburn had been appointed to head up the new Organisational & Professional Development Unit which was being formed through the merger of Generic Skills Dundee and Management & Personal Development. The new unit would be operational from 1 August 2011. It was highlighted that the activities and programmes of the unit would be directed towards organisational and professional development requirements and supporting the strategic aims of the University.

Resolved: to note that the creation of the new Organisational & Professional Development Unit from 1 August 2011.

(2) Management and Personal Development

A report from the Director of Management and Personal Development, Dr Terry Vickers, was received. It was noted that this would be the last report from Dr Vickers due to his retirement in July.

Resolved: to thank Dr Vickers for his huge contribution to the University and to Staff Development and to wish him a happy and healthy retirement.

(3) Educational Development

A report from the Head of eLearning was received. A proposal to make a new ‘Teach at Dundee’ induction programme mandatory for all new academic staff (and as a possible alternative to the LTA module) was considered. However it was felt that the Committee was not the most appropriate body to make such a decision and that this was actually a matter for the Learning & Teaching Committee. The Committee did however agree that whatever was decided, certain principles should be emphasised, specifically the importance of teaching and learning at the University, that the programme would need to apply consistency to everyone and that it should avoid duplication. The Committee noted the recipients of the Teaching Awards for 2010-11.

Resolved: to note and to congratulate the winners of the Teaching Awards for 2010-11.

10. HEALTH & SAFETY

The Head of Safety Services was invited to highlight key health and safety issues detailed in the Health and Safety Annual Report.

Accident Statistics were considered for both staff and students and were noted to be fairly consistent with the sector average. The number of students with reportable injuries was slightly higher than the sector average, but this could be linked to the University’s disciplinary subject mix, with scalpel and needlestick injuries prevalent in the medical school and other scientific disciplines and a range of other types of injuries being associated with the craft and studio-based nature of the art school. For 2010 there were no reportable diseases and it was felt that this was due in part to having a very proactive health surveillance programme in place. It was highlighted that mental well-being was the cause of most work-related ill-health at the University however the number had reduced steadily over the last 3 years. It was confirmed that it would be difficult to attribute this decrease to anything in particular but it was hoped that increase input from Occupational Health, access to early dispute resolute procedures and generally a more co-ordinated approach to wellbeing were contributory factors. Memorable 'near
misses’ were reported and the fire statistics for 2010 compared to previous years were considered. It was noted that improvements to the fire detection system had resulted in more fire alarm activations.

A considerable amount of work had been invested in promoting competence in Health and Safety matters through training (including the use of on-line resources) and raising awareness (through briefing sessions and the circulation of HERMES messages). Work had also taken place to review and simplify the current safety policy arrangements and a new web site was designed to provide easier access to key documents. It was noted that new methods of web based training were being developed and that this was considered especially important for the student population.

The Head of Safety Services highlighted that currently a risk assessment audit was underway and Schools had been asked to report on three areas of high risk in their Schools/Units. One theme that had emerged from this exercise was the increasing amount of 24/7 working by undergraduates, postgraduates and staff in many locations. There was some discussion about the increased prevalence of 24/7 working and concern was expressed that condoning this way of working was not a good example to students who would need to prepare themselves for more standardised hours of working in the future. It also did not align well with the University’s promotion of the Healthy Working Lives agenda. However, it was recognised that in some areas such as CLS, staff and students did need access to building for research purposes outside normal working hours and that there were suitable control mechanisms in place.

Resolved:  
(i) to thank the Head of Safety Services for his work in progressing effectively the Health and Safety agenda and for the informative report he had presented to the Committee.

(ii) to approve the revised Health and Safety Policy (annex) and to note the minutes from the Health and Safety Sub-Committee.

11. LOCAL JOINT COMMITTEES

It was noted that the minutes from the Local Joint Committees were still to be agreed and that these would be circulated to Committee members in due course.

Resolved:  to note the position.

12. ANNUAL REVIEW/HERA MAINTENANCE PROCEDURE

The Deputy Director of Human Resources reported on the final outcomes from the 2010 HERA Maintenance Procedure and Appeals process. It was confirmed that the HERA Working Group had recently met to review the HERA procedure and guidelines and to agree the timetable for 2011. It was noted that future submissions to the HERA panels would be anonymised in order to provide further reassurance of equality of treatment for each case.

Resolved:  to note that under the 2010 HERA Maintenance Procedure, 24 posts had been regraded out of a total of 85 submissions.
Health and Safety Policy

1. **Policy Statement**

As the governing body of the University of Dundee, the University Court accepts its responsibility for the health, safety and welfare of staff, students and others affected by the University’s activities. To discharge this responsibility Court provides leadership and support to sustain the importance of health and safety as part of the University’s programme of good governance and risk control. The Court takes all reasonable steps to ensure that all staff are competent and accept their health and safety responsibilities.

The University Court has adopted this policy to promote excellence in the health and safety performance of the University’s activities of teaching, research and associated undertakings. The University will work proactively to ensure compliance with all health and safety legal requirements. The University aims to effect continual improvements in the health and safety of staff, students, and other people affected by the University’s activities.

The University Court requires all staff and students to co-operate in achieving a high standard of health and safety performance, and encourages and rewards all staff in pursuit of this goal.

The University Court will ensure that it is kept informed of health and safety risk management issues, and that overall health and safety performance is periodically reviewed. The Health and Safety Policy will be kept under annual review through the Health and Safety Sub-Committee.

This Health and Safety Policy Statement was approved by Human Resources Committee on 23 May 2011.

Professor Pete Downes  
Principal

Eric Sanderson  
Court Chairperson
2. **Policy Organisation**

The University Court has adopted this Health and Safety Policy Organisation to implement the policy statement above and to ensure effective management of health and safety issues. The organisation of health and safety is outlined in Appendix 1; these show the way health and safety are managed within the University of Dundee, and the inter-relationship between line management, committees and professional support services.

2.1 **Managerial Structure**

Within the line management hierarchy health and safety tasks can be delegated, but the responsibility for ensuring these are properly undertaken remains with the delegating manager. Ultimate responsibility for implementation of this policy and of legal compliance resides within the University Court.

The University Court is responsible for ensuring that all staff have a clear understanding of their health and safety responsibilities, and that they are adequately resourced and trained to fulfil these. It is responsible for identifying key health and safety priorities, setting performance targets, reviewing progress to meet these targets and taking further action if necessary. To fulfil these responsibilities, the Court receives regular reports from the Human Resources Committee on policy arrangements, training programmes and performance.

On behalf of the Court the Principal takes overall responsibility for the University’s health and safety management, and as such represents the corporate body of the University in compliance with health and safety legislation. The Principal has nominated the University Secretary as the senior manager who holds the specific responsibility for management of health and safety.

The Heads of College and University Secretary are responsible for the implementation of the University’s Health and Safety Policy in Colleges and Student and Academic Support Services, and for ensuring that adequate resources are made available for this. They are responsible for drawing up short, medium and long term plans in the drive to improve continuously health and safety performance and in response to reports that identify poor performance. They provide reports to the Health and Safety Sub-committee on the measures they have taken to implement Policy, and to continuously improve standards. They are also responsible within their Colleges or Support Services for ensuring that duties are shared between an adequate number of delegates who have been trained for this work. They or their nominees are Convenors of College Health and Safety Committee/ Directors’ Group which reports to the University Health and Safety Sub-Committee.

Deans/Heads of Directorate are responsible for the management of health and safety within their School/Directorate. They are responsible for the management of their staff and for resourcing the health and safety needs of their School/Directorate. They ensure that good performance by their staff is recognised and that staff who fail to meet standards receive additional support and appropriate encouragement. They ensure that a School/Directorate Health and Safety Policy detailing relevant local rules to control health and safety risks in their areas is written and updated regularly. Deans/Heads of Directorates chair School/Support Services Health and Safety Committee which report to the College Health and Safety Committee or Directors’ Group.

Where appropriate, some Deans of School and Directors of Support Services will establish local Safety Committees within specific units under their line of management, and will ensure that they are properly convened and recorded.

Academic Supervisors, and others with direct supervisory responsibility for staff or students must ensure the safe conduct of activities within their areas of control, and draw to their manager’s attention health and safety matters requiring action which they are unable to fulfil themselves.

All staff are legally required to conduct themselves at all times so as not to endanger their health and safety or that of any other person who may be affected by their acts or omissions. They must comply with all relevant health and safety requirements and follow the rules and guidance from their managers. They must report any health and safety concerns, including specific concerns about their health arising from work activities, to their manager or School Safety Representative. This includes deficiencies in safety standards or equipment.

All students must behave responsibly at all times, and comply with rules issued by teaching staff. They must report any concerns they have to teaching or supervisory staff.
2.2 Committee Structure
The University Court works through the Committee structure shown in Appendix 2 to ensure effective communication and consultation at all levels within the University regarding safety policy arrangements, training programmes and performance monitoring.

In outline, the Health and Safety Sub-Committee receives reports from College Health and Safety Committees and Directors’ Group, the Genetic Modification and Biological Safety Committees and the Radiological Safety Committee and may co-opt additional members for working parties as necessary. Health and Safety Sub-committee reports to the Human Resources Committee. The composition of the Committee is given in Appendix 2.

2.3 Professional Support Structure
The Head of Safety Services and his team provide competent advice and specialist expertise to School/Directorate Safety Personnel (i.e., School Safety Representatives, Biological Safety Advisers, Radiation Protection Supervisors, Fire Marshals), and strategic guidance to senior management to enable them to carry out their responsibilities effectively. They draft policy, arrange training and carry out monitoring at all levels in the University. Head of Safety Services provides an annual report to Court via the Human Resources Committee.

Heads of School/Directorate appoint suitable School/Directorate Safety Representatives and ensure they are competent, and that they are given adequate resource to fulfil their duties. Their key role is to advise Heads of School/Directorate on Safety Policy Arrangements, and the measures they must implement to comply with them. A list of Safety Representatives can be found at http://www.dundee.ac.uk/safety.

Heads of School/Directorate appoint suitable Unit Safety Personnel such as Radiation Protection Supervisors and Biological Safety Advisers and ensure that they are competent, and that they are given adequate resource to fulfil their duties. A list of Safety Personnel can be found at http://www.dundee.ac.uk/safety.

3. Policy Arrangements
The University Court has approved the Safety Policy Arrangements given at http://www.dundee.ac.uk/safety. These are intended to ensure all activities within the University comply with relevant legislation and accord with best practice. Policy Arrangements drafted by Safety Services, agreed by Health and Safety Sub-Committee are approved by Human Resources Committee on behalf of Court.

The Health and Safety Sub-Committee reviews Safety Policy Arrangements and alters them as necessary to comply with changing legislation.
Appendix 1: University of Dundee Safety Organisation

Key: Shading indicates level of accountability
Health and Safety Management Reporting Lines

University Court

Principal

Colleges (Vice Principals)

Student and Academic Support Services (Secretary)

Director of Finance

Commitment & Advanced Procurement Service
Finance
Procurement Office
Appendix 2

Committee Structure

1. University Court

1.1 Membership

A Chairman, elected by the Court from its lay members
The Principal or, in the absence of the Principal, a Vice-Principal
An Assessor nominated by the Chancellor
An Assessor nominated by the Rector after consultation with the Students’ Association
The Lord Provost of Dundee City Council or an Assessor nominated by him or her to serve throughout the Lord Provost’s term of office
Two Assessors elected by the Graduates’ Council
Two Professors and two Readers, Senior Lecturers or Lecturers elected from among its members by the Senatus
Two members of Academic Council elected by the Academic Council
A member of non-academic staff elected by the non-academic staff
The President of the Students’ Association of the University
A matriculated student elected by the student body, that failing the Deputy President of the Students’ Association
Seven other persons, not holding full-time appointments from Court, as may be co-opted by the Court

1.2 Responsibilities

The University Court is the governing body of the University and its powers and functions are set out in the University Statutes. It has particular responsibility for the employment of staff and the management and administration of property and finance. Through its Committee structure and appointed officers the Court manages health and safety by approving policy, providing visible and active leadership, developing plans and ensuring adequate resource to meet health and safety objectives, and reviewing progress toward their achievement.

2 Human Resources Committee

2.1 Membership

Lay member of Court (Convener)
Court Members (elected by Academic Council)
Court Member (elected by non-academic staff)
Court Member (elected by Senate)
Lay member of Court
Vice Principal (CASS)
Vice Principal (CLS)

Officers normally in attendance

University Secretary
Director of Human Resources
Deputy Director of Human Resources (Secretary)
Other officers at the discretion of the Director of Human Resources

2.2 Terms of Reference (with regard to health and safety matters)

1. To maintain and review a human resources strategy for the University in support of the institution’s wider objectives and to promote staff welfare
2. To monitor and review all health and safety arrangements within the University affecting staff, students and visitors and to advise the Court on statutory and other requirements relating to its responsibilities for health and safety
3. To sponsor programmes of action in support of the policy
4. To oversee the staff consultative process with the recognised trades unions and to advise the Court accordingly
3. **Health and Safety Sub-Committee**

### 3.1 Membership

- University Secretary
- Heads of College or their nominees
- Director of Human Resources
- Amicus Safety Representatives
- Unison Safety Representatives
- DUCU Safety Representatives

**Officers normally in attendance**

- DUSA president or nominee
- Director of Estates
- Director of Student Operations
- Head of Safety Services
- Other officers at the discretion of Head of Safety Services

### 3.2 Remit

1. Report to Human Resources Committee on measures being taken to ensure compliance with health and safety legislation
2. Formulate and approve safety policy arrangements
3. Revise safety policy arrangements after review of reports from Colleges and Support Services Committees, from specialist sub-committees, Enforcing Authorities, Safety Representatives, and accident, incident and notifiable disease statistics and trends
4. Advise on training needs and approve training programme
5. Approve programme to monitor performance, and review audit reports

4. **College Health and Safety Committee/Directors’ Group**

### 4.1 Membership

**Directors Group**

- University Secretary (Convener)
- Directors Support Services
- Separately minuted standing item on Directors Meeting.

**College Health and Safety Committees**

- Vice Principal or nominee (Convener)
- College Secretary
- School Secretaries
- School Safety Representatives
- Trade Union Representatives
- Student Representatives
- E&B Liaison Officer
- Personnel Officer

### 4.2 Remit

1. Report to Health and Safety and Sub-Committee on measures being taken by College/Support Services to implement University Safety Policy Arrangements
2. Ensure co-ordination between Schools/Directorates on health and safety issues
3. Ensure best practice is shared and adopted by Schools/Directorates
4. Identify health and safety objectives, develop plans to meet them and review progress to their achievement
5. Comment upon draft safety policy arrangements formulated by Safety Services

5. **School/Support Service Health and Safety Committees**

### 5.1 Membership

*Low risk Schools eg office based activities*

- Head of School/Support Service
- Heads of Group
School Safety Co-ordinator

*Standing item on staff meeting.*

**High risk Schools eg laboratory and workshop based activities**

- Head of School/Support Service
- Heads of Group
- School Safety Representative/Co-ordinators
- Biological Safety Adviser if appointed
- Radiation Protection Supervisor if appointed
- Laser Protection Officer if appointed
- Fire Marshal
- Staff representatives
- Trade Union Representatives
- Student representative

**5.2 Remit**

1. Report to College H&S Committee/ Directors Group on measures being taken to implement University Safety Policy Arrangements
2. Monitor implementation of University Safety Policy Arrangements through formal inspections, day to day checks, concerns raised and accident/incident investigations
3. Review and give advice on local rules to implement University Safety Policy Arrangements
4. Ensure best practice is shared and adopted by Units
5. Review training needs
6. Ensure co-ordination between Units on health and safety issues
7. Identify health and safety objectives, develop plans to meet them and review progress to their achievement
8. Comment upon draft safety policy arrangements formulated by Safety Services

**6. Genetic Modification and Biological Safety Committees**

Ninewells Medical School and City Campus Committees

**6.1 Membership**

- Head of School nominee (Convener)
- BSA
- Head of Safety Services
- Staff Representatives
- Student Representative
- NHS Tayside representative (Medical School only)

**6.2 Remit**

1. Report to Health and Safety Sub-committee on risks posed to people and the environment by biological hazards created by the undertakings of the University, and the safety measures adopted to control these risks to an acceptable level
2. Formulate, develop and revise biological safety policy arrangements
3. Monitor the implementation of safety measures to control biological hazards within all Units
4. Oversee the training requirements to control biological hazards within all Units and monitor the effectiveness of training programmes
5. Review accident/incident reports involving biological hazards and amend safety measures if required
6. Review risk assessments
7. Give authorisation for work involving genetically modified organisms to proceed after consideration of:
   - (a) Risk Assessment
   - (b) Laboratory facilities
   - (c) Staff and student training and supervision
   - (d) Local rules
   - (e) Arrangements for testing control measures such as microbiological safety cabinets and autoclaves
6. Assess and monitor the provision of occupational health for University employees exposed to biological hazards

7. Provide advice on safety implications of biological research within the University

7. Radiation Safety Committee

7.1 Membership

Head of School nominee (Convener)
University RPO's
NHS Tayside RPA
Radiation Protection Supervisors
Student representative

7.2 Remit

1. Report to Health and Safety and Sub-committee on risks posed to people and the environment by ionising and non-ionising radiation created by the undertakings of the University, and the safety measures adopted to control these risks to an acceptable level

2. Formulate, develop and revise radiation safety policy arrangements

3. Monitor the implementation of safety measures to control ionising and non-ionising radiation risks

4. Oversee the training requirements to control ionising and non-ionising radiation and monitor the effectiveness of training programmes

5. Review accident/incident reports involving ionising and non-ionising radiation and amend safety measures if required

6. Review risk assessments

7. Give authorisation for work involving ionising and non-ionising radiation to proceed after consideration of:
   (a) Risk Assessment
   (b) Laboratory Facilities
   (c) Staff and Student Training and Supervision
   (d) Local Rules
   (e) Statutory Notification and Consent Requirements

8. Assess and monitor the provision of occupational health for University employees exposed to ionising and non-ionising radiation
APPENDIX 12

AUDIT COMMITTEE

(Minute 74)

A meeting of the Committee was held on 25 May 2011.

Present: Dr H Marriage (Convener), Mr JE Barnett, Emeritus Professor A Burchell, Mr J Elliot, Mr KAC Swinley, Miss J Thomson

In Attendance: University Secretary, Director and Deputy Director of Finance, Mr S Reid and Ms A Taylor (KPMG), Ms L Paterson and Mr M Reid (PricewaterhouseCoopers), and Clerk to Court

Apologies: Mr R Burns, Mr M Timar (PricewaterhouseCoopers)

1. MINUTES

Resolved: to approve the minutes of the meeting on 8 March 2011, subject to minor amendment.

2. INTERNAL AUDIT

(1) Programme Development and the Cost of Course Delivery

The auditors presented a report which sought to review the process used to evaluate the development of new programmes and modules and the associated mechanisms for determining the cost of course delivery. The auditors recommended that programme approval documentation should show clear links with learning and teaching plans to avoid inconsistencies, that the University should give consideration to the development of a costing model for undergraduate programmes, and that the University require a financial evaluation of new activity to ensure its feasibility and sustainability. In discussion, it was noted that, alongside the audit review, officers had been carrying out their own review of programmes and modules, and it was reassuring that both exercises had uncovered similar issues. In terms of developing an undergraduate costing model, the Committee accepted that the income associated with undergraduate activity was fixed which made it difficult to operate such a model consistently, particularly given that there was little scope for increasing income in this area. It was noted that a better model for evaluating sustainability for this activity was to consider the total cost of delivering undergraduate provision. The Committee was satisfied by the management responses to the recommendations.

(2) Financial Controls Risk Self-Assessment

The auditors presented the outcomes of a self-assessment questionnaire completed by officers in the Finance Office, and set out a series of conclusions and recommendations emanating as a result. The results of the self-assessment had been benchmarked against an anonymous group of comparators from among the auditors’ client-base, and the University scored favourably against this group. The review had found that controls were on the whole appropriate for the risk areas being tested, and the recommendations were of generally low or moderate priority. Strengthening controls in areas relating to the operation of suspense accounts and in amendments to payroll data was recommended in particular. Despite the number of low-level recommendations, the auditors assured the Committee that there was no cause for concern, and the Committee was satisfied that the proposed management responses and actions would address all issues. The officers, for their part, had found the exercise helpful.

(3) Risk Management

The Committee received a report from the auditors which focused on the ways in which the risk management structures of the University could be revised to be more useful and to reassure the Committee and the Court that appropriate and effective mitigating controls were in place to address the most important risks. Three areas of high priority had been identified. These were: definition by the University of its risk appetite; monitoring of controls and actions to ensure their effectiveness; and reduction in the number of strategic risks. The auditors noted that work had begun to address the issues raised through the Risk Management Monitoring.
Group (RMMG), and at the previous meeting of the Committee. In discussion, the Committee welcomed the report, praised its usefulness in identifying areas for improvement, and noted that the Court had itself also developed a greater interest in risk, requesting a session devoted to risk at its annual retreat. Members did, however, warn against an overly mechanistic approach to risk management and encouraged officers to focus on actions and controls rather than on the identification and scoring of risks.

The Committee also discussed the issue of fraud, noting that its incidence was low. An internal audit review was planned on fraud for later in the session and it was suggested that the auditors might consider including an assessment of procedures relating to the identification and control of ‘academic’ fraud.

Resolved: noting the RMMG would be meeting during the summer to consider revisions to the structure and content of the risk register, to request that the Committee see the outputs of that meeting in advance of the Court Retreat on 2 September 2011.

(4) Staff Management and Retention

The auditors presented a report which assessed the degree to which the objectives of the University were being successfully cascaded down through the organisation via the setting and review of personal goals. It also sought to evaluate how the University recognised talent in the workforce and ensured such talent was retained. The report made a number of recommendations which focused on improvements to the system of Objective-Setting & Review (OSAR) which had been implemented and rolled out to all staff over the last three years. The auditors had noted that not all staff were engaging completely with the process, and so it was suggested that there should be a renewed focus on effective training in the OSAR process. Some concern was raised that not all objectives set through the process were ‘SMART’ (specific, measurable, achievable, realistic and timely), and officers agreed to give some consideration to improving this in future. In discussion, the Committee noted the cultural changes required for the process to be fully accepted and for staff to buy into the benefits successful implementation would bring. The Committee suggested that the auditors might carry out a follow-up review of the process in 1 to 2 years’ time.

(5) Status Update

The Committee noted the auditors’ progress in completing their audit plan for the session 2010-11. Five reports would be presented to the next meeting of the Committee on 4 October 2011.

3. EXTERNAL AUDIT PLAN 2010/11

The Committee received a paper from the University’s external auditors outlining the approach to be taken in carrying out the audit for the year ending 31 July 2011. In it the auditors set out the focus areas, as well as explaining recent legislation and accounting developments which would have an effect on the audit work.

Resolved: to approve the plan, subject to amendment downwards (to £50k) of the threshold for considering any misstatement as trivial.

4. TRANSPARENT APPROACH TO COSTING (TRAC)

The Deputy Director of Finance presented a report which the Committee had requested at its previous meeting and which provided a comparison of the University’s TRAC data against the average for its peer group. This showed that the University was broadly in line with similar institutions.

Resolved: to note the report and request similar reports annually following submission of the TRAC data.

5. RISK MANAGEMENT MONITORING GROUP

The Committee received a report of the Group’s meeting on 4 May 2011, and noted the work being done to revise the risk management arrangements for the University.
Resolved: to note the report.

6. HEALTH & SAFETY SUB-COMMITTEE

The Committee received a report of the Sub-Committee’s meeting on 9 May 2011, noting that the University’s position on 24 hour access and lone-working would be subject to review.

Resolved: to note the report.

7. INFORMATION COMPLIANCE

The Committee received an annual report from the University’s Records Manager. The report set out the number and type of requests for information under current information legislation, and set this in the context of the Scottish higher education sector. It was noted that requests continued to concentrate on expenses and pay information. The University Secretary reported that consideration was being given to making routine information more generally available.

Resolved: to note that the Committee was satisfied that the University was properly discharging its duties under relevant information legislation.

8. LEGAL MATTERS

The Committee received a routine update on legal matters.

Resolved: to note the report.

9. MISS JACQUI THOMSON

The Convener paid tribute to the dedication and commitment of Miss Thomson, for whom the meeting would be her last, having served on the Committee for nine years. For her part, Miss Thomson spoke of her enjoyment of the role and of the changes she had witnessed in the University through her term of office. The Committee wished her well.

10. DIRECTOR OF FINANCE

The Committee received the news that Mr Robert Kennedy would be leaving the University to take up a new appointment at the end of July 2011. The Convener thanked him for his hard work and dynamism in helping to steer the University through some challenging times.