

UNIVERSITY OF DUNDEE**UNIVERSITY COURT**

A meeting of the University Court was held on 10 December 2012.

Present: Mr EF Sanderson (in the Chair), Principal Professor CP Downes, Mr M Arnott, Professor SM Black, Mr R Burns, Emeritus Professor A Burchell, Ms SC Campbell, Lord Provost Mr R Duncan, Mr J Elliot, Mr IA Kennedy, Dr J Lowe, Dr H Marriage, Ms J McGovern, Professor GJ Mires, Ms CA Potter, Mr KA Richmond, Dr AM Roger, Mr KAC Swinley, Mr IDM Wright.

In Attendance: University Secretary; Vice-Principal & Head of the College of Medicine, Dentistry & Nursing (Minutes 32, 33 and 38); Director of Finance; Director of Human Resources; Director of Strategic Planning (Minute 24); Director of Policy, Governance & Legal Affairs; and Clerk to Court.

Apologies: Professor RJ Abboud, Professor TA Harley, Ms S Krawczyk, Dr AD Reeves.

Prior to the meeting of Court, members attended a training session led by Mr Finlay MacKay of Dundas and Wilson on approaches to appeals processes.

22. MINUTES

The Court decided: to approve the minutes of the meeting on 22 October 2012.

23. MATTERS ARISING**(1) SFC Investment Proposals 2013/14 (Minute 4)**

The University Secretary introduced a paper which outlined the University's investment proposals to the Scottish Funding Council (SFC) for additional funded places in 2013. The Court noted that the SFC had issued the call for proposals in response to the letter of Strategic Guidance from the Cabinet Secretary to SFC, with the call focussing on: widening access, expanding articulation and enhancing the supply of graduates and postgraduates to key sectors of the Scottish economy.

The University Secretary informed the Court that an initial response from the SFC to the proposals had been received which had indicated that the University would be likely to be allocated 150 places for wider access and all of the places it had sought for articulation (50) and undergraduate skills (45). The allocation was however dependent on the further clarification of some elements of the proposals, which he had recently supplied to the SFC. The Court noted that a decision on the award of postgraduate places would not be made until January 2013 as this stream had been heavily over-subscribed.

The Court decided: to note the report and await an update at the meeting of Court on 18 February 2012.

(2) Appointment of Vice-Principal - Learning & Teaching (Minute 91, 3 September 2012)

The University Secretary confirmed arrangements for the appointment of a Vice-Principal of Learning & Teaching. The appointing panel would consist of: the Principal (as Chair), Professor Chris Whatley (Vice-Principal and Head of the College of Arts & Social Sciences), Dr Janet Lowe (Lay member of Court), Ms Christina Potter (Lay member of Court), Professor Gary Mires (Senate representative), Professor Tom Inns (Senate representative), Professor Petra Wend (Principal & Vice Chancellor, Queen Margaret University and external assessor) and Mr Iain Kennedy (President, Dundee University Students' Association). Shortlisting would take place on 13 December 2012, with interviews scheduled for 9 January 2013.

The Court decided: to approve the composition of the appointing panel, and note arrangements for the appointment process.

24. VISION – COLLEGE OF MEDICINE, DENTISTRY & NURSING

The Vice-Principal and Head of the College of Medicine, Dentistry & Nursing presented to Court his vision for the College over the next five years. In doing so he confirmed that the College shared the University's vision, core mission and goals. He went on to highlight the achievements of each of the Schools as well as the College's future plans.

The Court noted the launch of a new website designed to improve the College's corporate presence, and the Vice-Principal highlighted the College's research growth which had enabled it to increase its level of contribution to the centre despite controlled student numbers.

Focussing on the School of Medicine, the Vice-Principal highlighted the recent appointment of a new Dean of Medicine, an ambitious capital programme, and the international recognition of the Medical School. He told the Court that there was a clear work-load planning model in operation for academic staff, and that the Medical Research Institute continued to grow in a sustainable fashion with cross-cutting themes and a joint translational agenda with the College of Life Sciences. The use of informatics to drive all research areas was to be a key feature of future investments, and the School was actively seeking internationalisation opportunities.

The School of Nursing had recently moved to single entry for students, and had undertaken a campus consolidation exercise. The focus was now on issues of recruitment and further development of international links such as the programme established within Eritrea, which while not a strictly profitable venture, was strongly aligned with the transforming lives agenda.

The School of Dentistry had also recently appointed a new Dean, and following refurbishment of facilities and reintegration of the Dental Health Services Research

Unit (DHSRU), the School's focus had moved to the development of sustainable income growth, especially from international sources.

Turning to the future, the Vice-Principal outlined key goals for the College: to build inter-professional teaching; to remain at the front of educational innovation; to continue to develop synergies with the College of Life Sciences; to build on the key informatics expertise; and to drive forward the translational agenda with the College of Life Science, the NHS and other key partners. The combination of strengths in these areas was seen to be essential in the delivery of improved responses to healthcare problems.

In response to questions, members of Court were pleased to hear of a number of mechanisms being actively used to support the wider access agenda within the College.

The Court decided: to thank the Vice-Principal for his presentation.

25. CHAIRMAN'S REPORT

The Chairman provided the Court with a summary of his activities since the last meeting of Court on 22 October 2012. He highlighted the activities of the working group established to develop a Scottish Code of Good Higher Education Governance, and advised that the secretariat established to support the development of the Code was to meet with representatives of Court on 28 January 2013. The Court expressed concern that the Post-16 Education Bill that was to be discussed later on the agenda (minute 43) did not make any reference of the development of the Code or issues being considered by the group, but could nevertheless, if approved without amendment, potentially enable Scottish Ministers to determine what was appropriate. The Chairman undertook to pass these comments on to the working group.

The Chairman encouraged members of Court to attend the upcoming Discovery Day Lectures (11 January 2013), which gave newly appointed Professors an opportunity to highlight their work and provided an interesting insight into developments in research and teaching. It was suggested that in future established Professors might be asked to speak at a similar event.

Lastly, the Chairman highlighted that the University Senior Management had declined to be considered for review at the recent meeting of the Remuneration Committee. The Chairman told the Court that this was a pattern seen across the sector, and while the approach was welcomed, Chairs of University Courts across the sector would be concerned if this became a longer-term norm.

The Court decided:

- (i) to ask the Chairman to convey the concerns of the Court relating to the Post-16 Education Bill to the working group on the Scottish Code of Good Higher Education Governance; and
- (ii) otherwise, to thank the Chairman for his report

26. PRINCIPAL'S REPORT

The Court received a report from the Principal (**Appendix 1**). The report highlighted the positive reception to the recent roll-out of the University vision, with healthy attendance at the road-shows and positive feedback from those attending. The Principal had been pleased to note that many Schools and Directorates had chosen to use the University vision at their 'away days' as a basis for shaping operating plans for the coming year, demonstrating that the first stages of the vision were becoming embedded in University thinking.

The Principal reported that the University had come first in the International Student Barometer. The Principal told the Court that while the University was rightly driven by its goals and values rather than league tables and survey, it was important to perform well in these assessments, particularly in terms of the international student recruitment market.

The Principal drew the Court's attention to his recent visit to China. In doing so, he highlighted the significance of the Chinese market to the University. The Principal told the Court that he had visited a number of Universities and had also spoken with the Studentship Council. He expected that the University would now be considered for recognition by the Council which could result in an additional 20 PhD and Scholarship places per annum. It had however become apparent to the Principal that the nature of relationships with partner institutions in China would change in the coming years as their own capacities in teaching and research increased. As such, a more integrated partnership model covering a broad subject range for both teaching and research was seen to be the likely way forward for building and maintaining relationships with Chinese institutions. In response to questions, the Principal commented that the development of sustainable Centres of Excellence was likely to be one model considered. He also informed the Court that institutional league table positions were likely to be important in establishing partnerships with Chinese institutions, but that there was also great respect for focussed areas of excellence at the disciplinary level.

The Principal updated the Court on his activities as Convener of Universities Scotland, in particular the formulation of a response to the Post-16 Education (Scotland) Bill. Although the response would not be completed until January 2013, the Principal informed the Court that he expected Universities Scotland to seek amendments to the Bill in the areas raised as concerns by members of Court.

The Principal reported that progress had been made in engagement figures for Objective Setting and Review (OSaR), but that progress had been neither great enough nor rapid enough, with substantial work remaining to fully implement OSaR in every College and Directorate. The issue had been discussed at length at meetings of the Senior Management Team (SMT), and the Principal had made clear the importance of ensuring engagement with this crucial responsibility.

Lastly, noting that the Financial Statements would be covered in more detail elsewhere on the agenda, the Principal commented that the University's financial performance had been strong in 2011/12, particularly given public sector spending cuts.

The Court decided: to note the report.

27. FINANCE & POLICY COMMITTEE

The Court received a report of the meetings of the Committee on 19 November 2012 (**Appendix 2**). The Committee had reviewed the Financial Statements and recommended their approval. The Director of Finance drew the Court's attention to the Financial Statements (minute 29), the recommendation that Court confirm the University as a 'going-concern', and the recommendation that the Court approve a budget of £131,500k for the Remuneration Committee for 2012/13.

The Convener of the Committee commented on the improvement in the accuracy of financial forecasts, and highlighted a need to improve the University's reserves given potential future pension deficits.

- The Court decided:**
- (i) to confirm the University as a going-concern,
 - (ii) to note Subsidiaries' and Associated Companies, and the DUSA accounts for 2011/12; and
 - (iii) to approve the increased Remuneration Committee budget of £131,500K for the full year; and
 - (iv) otherwise, to approve the report

28. AUDIT COMMITTEE

The Court received a report from the meeting of the Committee on 26 November 2012 (**Appendix 3**). The Convener highlighted that the external auditors had been content with the controls in place, and that private meetings had taken place between the Committee and the Auditors and the Committee and University officers. Both meetings had been positive, and the Committee was satisfied that both the auditors and officers were discharging their responsibilities appropriately.

The Court noted the Committee's discussions on the work of the Risk Management Monitoring Group (RMMG) in the development of a Business Continuity Plan (BCP), along with discussions on the USS Pension Scheme liabilities and revisions to the Conflict of Interest Policy in light of National Institutes of Health (NIH) requirements. Members of Court suggested a number of areas where the Conflict of Interest Policy might be enhanced and the Director of Policy, Governance & Legal Affairs agreed to take these forward in consultation with the members concerned.

The Committee had also compiled its annual report for 2011/12 for onward submission to the Scottish Funding Council.

- The Court decided:**
- (i) to approve the Committee's annual report for onward submission to the Scottish Funding Council;
 - (ii) to approve the Conflict of Interest Policy subject to further revision in consultation with members who had identified possible further enhancements; and
 - (iii) otherwise, to approve the report.

29. FINANCIAL STATEMENTS FOR THE YEAR ENDING 31 JULY 2013

(1) Financial Statements

The Court received the reports and financial statements for 2011/12 http://www.dundee.ac.uk/finance/procedures/financial_statements.htm.

The University had continued to improve its financial position despite a reduction in income, reflecting savings from Strategic Review.

The operating surplus for 2011/12 was £6.1m which equates to 2.7% of income and a significant increase on the result for 2010/11. Income for the year fell by 2.6% to £223.3m, mainly as a result of a lower teaching grant. Income from tuition fees and education contracts rose by £1.3m. Research grants and contracts from other sources fell by £5.5m, the overall decline reflects the lower value to research grants awarded in the previous year – the value of grants awarded during 2011/12 has recovered to previous levels and should lead to an increase in research income over the next year. Expenditure fell by £11m. Adding back profits on the disposal of fixed assets, the overall surplus for the year was around £7.2m.

The University's cash position was favourable. The total value of cash and short term investments increased by £0.6m to £32.5m. Total income received on account amounted to £38.2m. Future commitments represented by net liabilities amounted to £11.7m at the end of the year.

The Court decided: as recommended by the Finance & Policy and Audit Committees, to approve the Reports & Financial Statements for the year ended 31 July 2012.

(2) Letter of Representation

The Court decided: to approve the letter of representation for signature by the Chairman and Principal.

30. REMUNERATION COMMITTEE

The Court received a report from the Remuneration Committee on 19 November 2012. Members noted that, at Court's request, the Committee had focussed on awards to academic staff in order to protect the University's position in the context of the Research Excellence Framework (REF). A total award of £131,500k for the full year had been recommended subject to approval of the increased budget (see Minute 27 above).

The Court noted that a Senior Officers' Salary Report would be presented to the next meeting of Court on 18 February 2013. Members suggested that the remit of the Remuneration Committee should be expanded to consider remuneration matters beyond pay increases, such as pensions, tax and emerging legislation effecting Professors and senior staff on Grade 10 and above.

- The Court decided:**
- (i) to note the report and the decisions contained within it;
 - (ii) to await the Senior Officers' Salary report; and
 - (iii) to recommend that consideration be given to expanding the remit for the Remuneration Committee beyond pay awards.

31. STUDENT RECRUITMENT

The Court received a paper setting out the final position with respect to undergraduate matriculations for 2012/13 entry along with a review of the cycle, its challenges and considerations for the 2013/14 cycle.

The University Secretary highlighted that Rest of UK (RUK) student recruitment figures had exceeded the minimum targets set by 19%, and in response to questions he confirmed that unlike some institutions the University of Dundee had not reduced grade requirements for RUK students.

With regard to the bursary and scholarship schemes implemented alongside the introduction of Rest of UK (RUK) student fees, the Court noted that a total of £97,000 had been allocated through schemes..

The University Secretary told the Court that one key focus for recruitment had been to stay within the SFC cap for Scottish/EU student numbers, and that this had been achieved, with a 1% increase in EU student numbers recorded. The Court however noted that increases to grade requirements made to ensure that SFC consolidation limits were not exceeded had led to the University being more selective than ever before. Members also noted that in the past (prior to the introduction of RUK student fees) the need to keep UK recruitment figures below the SFC cap had led to less intensive marketing and branding work being necessary, but that in the current year an expanded budget had been provided to increase marketing activities to seek to enhance competitiveness.

The University Secretary informed the Court that he, the Director of Student Services and the Deputy Principal for Learning & Teaching had met with admissions tutors across the University to inform the strategy for the 2013/14 recruitment cycle, and that subsequent investments in student recruitment had enabled the deployment of a wide range of tools to engage potential applicants.

The Court heard that institutions setting student fees below £9,000 per year had reported little benefit from the approach, and had concluded that the cost of the degree was not the primary selection criterion for students. Members noted the need to review the success or otherwise of the three-year degree programmes, noting that the situation needed to be considered over a number of years before determining an outcome.

The Court also noted the low number of insurance offers being taken up. This was a pattern observed across the sector which had resulted from universities retaining

students falling short of their offers to maintain student numbers in light of under-recruitment.

The Court decided: (i) to request additional information relating to the uptake of three-year degree programmes; and

(ii) otherwise, to note the report

32. LEAGUE TABLE PERFORMANCE

The Director of Policy, Governance & Legal Affairs presented a paper which provided analysis of the University's performance in a range of world and UK rankings. The variation of ranking in these different league tables was reviewed by the Director, and the Court noted a varied pattern across the tables resulting from different criteria being used.

The Court focussed its discussions on international tables where the University had slipped out of the top 200 despite an improved score in the table's raw data. The decrease appeared to be largely due to the performance of institutions in countries where there was currently very substantial investment being made in higher education.

The Principal confirmed to the Court that the University would wish to regain its position within the top 200 in the QS and Times Higher world rankings. He also confirmed that, despite the variation in scoring for disciplines within the tables, the breadth of disciplines and cross-discipline working was important to achieving the University vision.

The Court decided: to note the report.

33. NATIONAL STUDENT SURVEY RESULTS

The Court received a report summarising the results from the National Student Survey (NSS) 2012. The Director of Policy, Governance & Legal Affairs highlighted that the overall performance had been strong, with the University scoring second in Scotland for overall satisfaction. There were two areas where the University had scored below the sector average – assessment & feedback, and organisation & management, and the Court noted that pilots were in place to improve the understanding of the issue of feedback and assessment. Court was advised that the results had been shared with Deans, who were expected to report to the Deputy Principal for Learning & Teaching with a view to making improvements where appropriate.

The Court decided: to note the report.

34. TRANSFER OF MRC PROTEIN PHOSPHORYLATION UNIT

The University Secretary provided the Court with an update on the planned transfer of the MRC Protein Phosphorylation Unit (MRC PPU) to the University of Dundee.

The Court heard that in response to discussions relating to the 'section 75 additional pension liability' risk, the MRC had agreed to a provision which was viewed to be full and in the favour of the University. The Director of Human Resources reported that she was to meet with MRC trade union representatives to review Human Resources policies, and had provided information to the MRC outlining changes to employment terms that would result in a transfer of around 40 staff members to University employment.

The Court decided: to note that a paper would be submitted to the MRC board in December 2012, with the transfer planned for March 2013.

35. **DASMAN DIABETES INSTITUTE (KUWAIT)**

The Court received a paper which provided an update on the current position of contract negotiations with the Dasman Diabetes Institute (DDI) (Kuwait) and an outline of governance provisions in place to manage conflicts of interest relating to the Kuwait Scotland eHealth Innovation Network (KSeHIN) project.

The University Secretary advised the Court that the issue discussed at Court in April 2012 relating to the DDI seeking independence from the Kuwait Foundation for the Advancement of Sciences (KFAS) was still on going. The relationship had however continued to be a successful collaboration with £1.5m in funding awarded to the University for 2012. A further 3 month extension to the existing contractual relationship was sought to allow the DDI to resolve matters relating to its independence, with a view to a new contract being signed at that time.

Turning to governance provisions, the University Secretary highlighted to the Court that the KSeHIN project involved collaboration with both the DDI and Aridhia Informatics Ltd. The Court heard that given the Dean of Medicine was a co-founder, shareholder and Director of Aridhia, and therefore had a conflict of interest, all contract negotiations associated with the University's involvement in the KSeHIN would be overseen by Professor John Connell (Vice-Principal & Head of the College of Medicine, Dentistry & Nursing), with the Deputy Dean of Medicine and Deputy Director of Research & Innovation Services (RIS) supporting him in this respect.

The Court decided:

- (i) to approve a three month extension to the current contractual arrangement with the DDI;
- (ii) to note the arrangements in place to manage the conflict of interest of the Dean of the Medical School; and
- (iii) to suggest that the Audit Committee review the process for engagement in the KSeHIN to provide assurances that contracts were equivalent to those used with independent companies.

36. INSTITUTIONAL RISK REGISTER

The Court considered proposed revisions to the Institutional Risk Register, and the Convener of the Audit Committee highlighted to Court that the risk register was routinely used by the internal auditors to develop their annual audit plan.

The Court decided: to approve the revised risk register, noting that the residual risk levels indicated were developed on a prudent basis.

37. GOVERNANCE & NOMINATIONS COMMITTEE

The Convener of the Governance & Nominations Committee provided the Court with a verbal update from the meeting of the Committee on the morning of Court (10 December 2012). The Convener informed the Court that 25 applications for lay Court membership had been received in response to the advertisement placed in the national press on 2 November 2012. The quality of candidates had been high and 6 candidates had been shortlisted for interview in January and February 2013. The Convener expected to provide a further update to Court on the process at the next meeting of Court on 18 February 2013.

The Court also received an update on the election of a Graduates' Council assessor on Court. With 12 candidates standing in the election, the Court heard that the Committee had expressed serious concern at the overall appropriateness of this mechanism for electing a Graduates' Council Assessor in the context of the robust selection process for appointing lay members and the use of the first-past-the-post method for the elections. The Court agreed with the recommendation of the Committee that these issues be reviewed in discussion with the Graduates' Council and in advance of future elections.

The Director of Human Resources asked that appropriate account be taken in the appointment of lay members of Court of the Athena SWAN action plan.

The Court decided: to thank the Convener for his report and await further updates at the meeting of Court on 18 February 2013.

38. STRATEGIC FRAMEWORK – TIME SERIES REPORT

The Director of Strategic Planning presented a report focusing on the performance over the last five years of the University in meeting quantitative targets specified in the Strategic Framework to 2012. This was to be the final report for the Strategic Framework to 2012, which was being replaced with the more comprehensive and embedded University Strategy to 2017, which incorporated the Vision.

Quantitative information on each Key Performance Indicator (KPIs) and Performance Indicator (PI) included in the framework was also provided. The report used a traffic light system to highlight areas where progress was on or ahead of target and those areas where remedial action was required and considered progress relative to both the starting position and the target set.

In discussion, Court members noted that significant progress had been made in some areas such as KPI8 (Research Income Overhead Recovery) and KPI6 (TPG Fee Income), but that in other areas the targets had perhaps been set too high and there had been little improvement (for example KP3 Progression rates). The Court also noted that targets had been raised at the mid-point for three of the KPIs within the Strategic Framework to 2012 as a result of 'over-performance' in respect of the original targets.

The Court decided: to approve the report.

39. **HUMAN RESOURCES COMMITTEE**

The Court received a report of a meeting of the Committee on 20 November 2012 (**Appendix 4**). The Director of Human Resources highlighted that the University's REF Code of Practice on the Selection of Staff had been submitted to the REF Equality and Diversity Advisory Panel and had been fully accepted and acknowledged by the SFC to have met the requirements. She also informed the Court that the University's institution-wide application for the Athena SWAN Bronze award had been submitted, with the outcome expected in April 2013. In doing so, she highlighted the importance of the award in future research funding applications.

The Court decided: to approve the report.

40. **RESEARCH GOVERNANCE & POLICY SUB-COMMITTEE**

The Court decided: to note the report, and await further reports on an annual basis.

41. **COMMUNICATIONS FROM THE SENATUS ACADEMICUS**

(1) Meeting of Senate on 28 November 2012

The Court received a report from the meeting of the Senate on 28 November 2012 (**Appendix 5**).

The Court decided: to note the report

(2) Election to Court by Senate

The Court noted that Professor Trevor Harley (School of Psychology) had been elected to serve on the University Court as a professorial member of the Senatus in accordance with Ordinance 18. Professor Harley would serve until 31 July 2013 (that being the remainder of the term of Professor Julie Taylor).

The Court decided: to congratulate Professor Harley on his election to Court.

42. **ACADEMIC COUNCIL**

The Court received a report from the meeting of the Academic Council on 5 November 2012.

The Court decided: for its part, to note the report.

43. **STAFF**(1) Professorial and Other Grade 10 Appointments

The Court noted the appointment of the following:

John Rowan	Personal Chair of Physical Geology	1 November 2012
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(2) Statute 16

The University Secretary updated the Court on existing Statute 16 proceedings.

The Court decided: to note the update.

44. **POST-16 EDUCATION (SCOTLAND) BILL**

The Director of Policy, Governance & Legal Affairs presented a paper which summarised the Post-16 Education (Scotland) Bill as introduced by the Scottish Government on 27 November 2012. The paper summarised the following six areas of the Bill: University governance, widening access, tuition fees cap, college regionalisation, review of fundable further and higher education, and data sharing. The Court noted that the Scottish Parliament's Education and Culture Committee had begun a consultation process on the Bill, with responses to be submitted by 18 January 2013. At the time of the meeting of the Court there had been no internal discussion at senior level within the University on the content of the Bill as to whether to submit an individual response or adopt the stance of Universities Scotland, once its position was known.

The Governance & Nominations Committee had considered the paper at its meeting on the morning of Court and had expressed strong concerns with regard to the wording of the section on university governance, where the Bill would allow Scottish Ministers, when providing funding to the SFC, to impose a requirement that institutions adhere to what they as Ministers might from time to time regard as good practice in governance and management, and to determine good practice for the sector irrespective of the outcome of the Code of Practice consultations.

The Court expressed concerns that the Post-16 Bill had the potential to undermine the degree of autonomy of Scottish Institutions.

The Court decided: to ask that its concerns be shared with Universities Scotland.

APPENDIX 1

PRINCIPAL'S REPORT (Minute 26)

We have quite a packed agenda for this meeting, with much of what I might have talked about coming up as substantive items, so I don't want to say too much in my report and distract from the business at hand.

Professor John Connell, Vice-Principal for Research & Head of the College of Medicine, Dentistry & Nursing, will be giving us a presentation outlining his plans for the College in the context of the new University vision. In that regard, since the last meeting I've led a series of Transformation Roadshows across the University, at which I've been setting out the new Vision, explaining the underlying values and presenting the 25-year goal. As I have said on many occasions, I am very excited by the Vision, and so it was really good to see so many staff attending the roadshows; by my reckoning I think about 1500 people in total have made the time to come and listen to what I had to say.

The 25-year goal is a bold one; and so I have to confess to being a little apprehensive about its reception. However, it seemed to be very positively received, and I have been buoyed by the sense of inspiration that has followed the events and by the supportive feedback that I've had. Moreover, I have now been invited to speak at a number of School and Directorate 'away days' across the University, where colleagues have been discussing what the new vision means for them and using both the vision, and the new University Strategy to 2012, to help shape their operating plans for the coming year.

Scottish Funding Council

At the last meeting, Court received the text of the Outcome Agreement that the University had negotiated with the Funding Council. Since then, the University has been in further discussion with the Council on an application for initiative funding. The Council had announced additional funded numbers would be made available to universities in four distinct areas: widening access, articulation, skills for growth (UG) and highly skilled workforce (PG). A number of internal groups helped pull together submissions for these areas in short measure given a very tight submission deadline from the Funding Council. The results of those discussions are attached in the papers for this meeting, and I would be interested to hear Court's views on what we decided to propose to the Funding Council. Further discussions with the SFC have been held, and we have been asked to provide more detail on our original submission.

Financial Statements

The major item of business will of course be the approval of the University's Financial Statements. As you will see, the financial performance for the year ended 31 July 2012 was strong, particularly when once considers that it coincided with a period of public sector funding cuts and recession in the wider economy. But an operating surplus of over £6m is an impressive performance and has been delivered on the back of Strategic Review. However, this result does include some non-recurrent items, and we have, of course, taken the opportunity to invest significantly in new academic posts in the current year, so we will need to continue to maintain a strong hold over our business planning and financial management.

China

When you receive these papers, I shall be in China, where I am visiting Xiamen University and Tianjin Medical University to build on existing relationships and discuss possibilities for strategic partnerships. I shall be able to report in more detail at the Court meeting itself. I am also looking forward to fruitful discussions with the Chinese Scholarship Council (CSC), with whom it is my hope that Dundee might be able to become one of the small number of UK institutions with a direct agreement with the CSC to support PhD fellowships.

Universities Scotland (US)

At the end of November, I spoke on behalf of US at the Higher Education in Scotland conference at Holyrood. My title was 'The View from Universities' and I began by stressing the power of Scottish universities as a key force for good, delivering economic, social, cultural and international impact for Scotland.

I went on to discuss the policy environment in Scotland, deconstructing in particular the introduction of outcome agreements with the Scottish Funding Council. I said that the sector was utterly committed to demonstrating the delivery of public benefit in return for public investment, but that this was best achieved through the exercise of

universities' responsible autonomy, working closely with the SFC but at arm's length from the Scottish Government.

I concluded by reflecting on the Post-16 Education (Scotland Bill), which was published on 28 November 2012, and in particular on the interesting governance issues contained in it. The Bill proposes that compliance with good governance principles (as determined by the Scottish Government) will become a condition of grant. Whilst there can, in principle, be no objection to universities being required to demonstrate that they are well-governed, this is an area which needs careful thought to ensure that the continuing success of institutions can be supported. As I pointed out at the conference, international studies have time and again confirmed that the strongest university sectors are those which enjoy robust independence from excessive state intervention and planning. Universities will be looking closely at the Bill, and in particular in the context of the consultation on the development of a new Scottish Code of Good HE Governance being taken forward by the Chairs of Scottish Universities.

Objective Setting and Review (OSaR)

You will see among the papers from the Human Resources Committee on 20 November 2012 a report on compliance with OSaR across the University. Whilst progress has been made on compliance since last year, it is clear from the report that it has not been great enough nor rapid enough and a substantial amount of work remains to be done to fully implement this process in every College, School and Directorate. I share the Court's concerns on this issue: OSaR plays a fundamental role in ensuring that every member of the University is bought into the new Vision and Strategy and is doing their bit to contribute to the success of the University. The Senior Management Team has already discussed non-compliance at length, and I have made clear to the Heads of the Colleges and to SASS Directors the importance of ensuring all managers carry out this crucial responsibility.

I look forward to discussing these issues with you on 10 December 2012.

Professor Pete Downes
Principal & Vice-Chancellor

Senior Management Team Meetings (SMT)

<http://www.dundee.ac.uk/academic/court/com/smt/>

Since the last report to the Senate, the Senior Management Team has met as follows: 10 and 24 October and 7 and 21 November; it considered a number of issues, including the following:

- University Vision and Vision Roadshows
- University Strategy to 2017: KPIs and targets
- SFC Initiative Funding Proposals
- National Student Survey
- Enhancement-Led Institutional Review (ELIR)
- Dundee University Press
- Research Centre for Inequalities
- Progress on recruitment to strategic investment posts
- Ministerial Letter of Guidance to the Funding Council
- Development of an Academic Health Science Network
- Success of Bid for UKRPIF funding for CTIR
- UKBA: renewal of HTS licence and routine visit
- Queen's Anniversary Awards
- Regius Professorships
- University of Dundee Nursery
- Capital Expenditure
- Management Accounts
- Athena Swan
- Human Resources Issues:
 - Protecting Vulnerable Groups Scheme
 - Remuneration Committee
 - National Pay Negotiations
 - Review Procedure for Probationary Lecturers
 - Recognition and Promotion of Teaching and Scholarship
 - Dundee Fellows
 - Named and Established Chairs
 - Objective-setting and Review
 - Honorary Professorships

Major Grants and Awards

- **£0.8m from the EC Innovative Medicines Initiative to Professor Andrew Hopkins** for K4DD: Kinetics for Drug Discovery – Biological Chemistry and Drug Discovery (Joint with 12 partners).
- **£0.75m from the Wellcome Trust to Professor Colin Palmer** for 'The Tayside Bioresource: Leveraging Electronic Medical Records to Deliver Personalised Medicine' (Biomedical Resource Grant) – Division of Cardiovascular & Diabetes.
- **£0.75m from the Medical Research Council to Professor Mike Ferguson** for De-Risking Innovative Drug Discovery Projects Through Portfolio Management
- **£0.58m from the EC FP7 Capabilities to Professor Edik Rafailov** for HiCORE - High Brightness Conical Refraction Lasers (joint with Institute of Mineralogy and Crystallography Acad Ivan Kostov Bulgarian Academy of Sciences, Universitaet Stuttgart and Industrial Partners)
- **£0.4m from the Medical Research Council to Professor Michael Ashford** for targeting the Aspartic Protease BACE1 for Inhibition in Order to Increase hypothalamic Leptin Sensitivity and Reverse Obesity.
- **£0.4m from the Ninewells Cancer Campaign to Professor Roland Wolf** for Jacqui Wood Centre Research Equipment

People and Prizes

- Professor Steve Parkes, Director of the Space Technology Centre at the University of Dundee, has been presented with a Specialist Bronze Award from the Royal Aeronautical Society for his 'instrumental role in the inception, development and continuing success of the SpaceWire Standard for spacecraft on-board data handling.'
- A team of 7 final year undergraduate students from across the College of Life Sciences and College of Art, Science & Engineering were awarded the gold medal at the 2012 International Genetically Engineered Machine European Jamboree in Amsterdam.
- Final year animation student Jenny Pattison has been named the inaugural winner of the Duncan of Jordanstone College of Art and Design KCA Alumni Award, winning £3000.
- Ross Brown, a graduate of the Duncan of Jordanstone College of Art and Design has been shortlisted for the Griffin Art Prize 2012.
- Duncan of Jordanstone College of Art and Design student Holly Gallacher has won the Student Promotional Packaging prize in the Creativity International Awards for a hypothetical product range designed for internet giant Google

APPENDIX 2

FINANCE & POLICY COMMITTEE
(Minute 27)

A meeting of the Committee was held on 19 November 2012.

Present: Mr R Burns (Convener), Principal Professor CP Downes, Professor RJ Abboud, Mr J Elliot, Mr IA Kennedy (President, Students' Association), Dr J Lowe, Dr AD Reeves, Mr EF Sanderson, Mr IDM Wright.

In Attendance: University Secretary, Director of Finance, Director of Campus Services, Director of Strategic Planning, Director of Policy, Governance & Legal Affairs, Ms M Kenley (Minute 9) and Clerk to Court.

Apologies: Dr H Marriage.

1. MINUTES

Resolved: to approve the minutes of the meeting on 1 October 2012, subject to minor amendment.

2. MATTERS ARISING

(1) Dundee University Press

The Director of Finance presented a paper which outlined an initial review of the strategy for Dundee University Press (DUP). A number of successes consistent with the University vision were noted, however it had proved difficult to put a value on the reputational benefits created by DUP. The Director proposed the creation of a framework with which to measure the benefits, in order to more fully understand the net cost or benefit of DUP to the University.

Resolved: to continue to assess the performance of DUP noting that a final decision on the long-term future of the company would be made before the end of the academic year.

(2) Update on Student Recruitment

The University Secretary introduced a paper from the Director of Student Operations which summarised undergraduate matriculation figures for 2012/13 entry. The Committee noted that a fuller report, including an analysis of the recruitment for 2012/13 and a consideration of the strategies for 2013/14 entry, would be presented to Court in December 2012 by the Deputy Principal for Learning & Teaching.

The Committee noted that a low number of RUK insurance offers had converted into matriculations in the last recruitment cycle, and that the market for RUK students for entry in 2013/14 was likely to be even more competitive, not least due to the under-recruitment experienced by many English institutions for the current year.

Resolved: to ask members to provide the University Secretary with details of any particular analyses they would like to see included in the report to Court on 10 December 2012.

(3) Progression Rates

The Committee noted that information relating to the progression rates of Home, EU, Rest of UK (RUK) and overseas undergraduate students would be provided to the next meeting.

Resolved: to await the report in due course.

3. FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 JULY 2012

The Director of Finance presented the draft Financial Statements for 2011/12. The audit process had been completed, and the management letter from the external auditors, which would be seen by the Audit Committee at its meeting on 26 November 2012, reported no significant issues requiring to be addressed.

The operating surplus for 2011/12 was £6.1m, with an overall surplus for the year of £7.2m once the disposal of fixed assets was taken into account. The operating surplus of £6.1m equated to 2.7% of income, and represented significant progress toward the University's financial sustainability target of 3%. Income for the year had fallen by 2.6%, mainly as a result of a decrease in the Scottish Funding Council (SFC) teaching grant. Income from tuition fees and education contracts rose by £1.3m. Research income fell by £5.5m, reflecting the lower value of research grants awarded in 2010/11 (the value of research grants awarded during 2011/12 had recovered and should lead to an increase in research income over the next year). Expenditure fell by £11m, with significant savings being made in staff costs.

The University's cash position remained favourable, with the total cash in short-term investments increasing by £0.6m to £32.5m. Future commitments represented by net current liabilities amounted to £11.7m.

Turning to the balance sheet, the Committee noted that the total net assets for the group, including pension liability had increased slightly from £162.8m to £163.4m.

The Committee noted that the Financial Statements were consistent with the Period 12 Management Accounts, and members provided a number of suggestions for improving the wording within the Statements. The Committee went on to discuss the status of the USS Pension Liability, noting that it was a large and complex scheme. The Director of Finance informed the Committee that he would shortly be attending an annual USS meeting and would update the Committee on the pension liability issue following that meeting.

Resolved: for its part, to recommend that the Court approve the accounts for the year ended 31 July 2012.

4. SUBSIDIARIES' AND ASSOCIATED COMPANIES' ACCOUNTS FOR 2011/12

The Committee received a report summarising the financial results of the University's subsidiary companies for the year 2011/12. It also provided members with an update on the status of the current spin-out companies with which the University was associated. The Director of Finance informed the Committee that an option to merge AMCET and Dundee University Incubator Ltd (DUI) would be considered during the 2012/13 academic year.

Resolved: to note the report.

5. DUNDEE UNIVERSITY STUDENTS' ASSOCIATION (DUSA) – ACCOUNTS 2011/12

The President of the Dundee University Students' Association (DUSA) presented a summary report of DUSA's accounts for 2011/12. The statement highlighted a strong year for DUSA in a difficult economic climate, and the Committee noted that a capital expenditure proposal would be considered shortly by the DUSA Board of Trustees to enable facilities to be updated and refurbished.

The University Secretary confirmed that the University would consider the DUSA plan and the level of funding received annually by DUSA from the University during the forthcoming budget setting process.

Resolved: to congratulate DUSA on its performance.

6. MANAGEMENT ACCOUNTS – PERIOD 3

The Committee received the accounts for the Period to 31 October 2012, and members noted that tuition fee income was forecast to fall short of the budget by £1.1m. This shortfall was largely due to taught postgraduate fees, with a significant portion relating to the Graduate School within the College of Arts and Social Sciences. The Director of Finance informed the Committee that he would further investigate this shortfall jointly with the Dean. The net result from research was also forecast to fall £737k below budget, largely as a result of a change in the mix of research funding – with a greater proportion of funding coming from sources providing no contribution to overheads.

Despite the fall in fee income and reduced contribution to overheads from research, the full-year forecast was £60k ahead of budget. This had been achieved by reducing costs in line with lower income levels. Total cash and short-term investments had increased since the start of the year by £3.4m to £35.9m. Projected capital expenditure remained unchanged from the Period 2 position at £26.2m for the year.

The Committee also noted the update on recruitment to strategic investment posts, with the Principal providing strong reassurances that the Senior Management Team (SMT) were regularly reviewing the quality of the appointments and the return on the investment.

Resolved: to note the accounts.

7. FINANCIAL SUSTAINABILITY

The Director of Finance gave a presentation to the Committee on financial sustainability, including a review of the University's status as a 'going concern'. In presenting the financial sustainability element of the paper he outlined a number of methods for assessing financial sustainability. Highlighted methods included income and expenditure accounts, total recognised gains and losses, balance sheet (total reserves and endowments, net current assets and liabilities, and cash and liquid investments), management accounts and financial forecasts methods. The Director also highlighted the reasoning behind the increase of the target return on income from 3% to 6% in the University Strategy to 2017. A 6% return would allow reserves to be built up to strengthen the balance sheet, it would also provide funds to increase the rate of capital investment, and would create the possibility to increase revenue investment. In response to questions, the Director confirmed that the 6% target was a long-term aim which would require a culture change, and that the target would be achieved through both growth and efficiency savings. A series of interim targets would be produced to focus efforts as part of the operational planning process.

In presenting the review of going concern, the Director told the Committee that, based upon the review, there was no reason to believe that the University would not be able to meet its liabilities over the next 12 months and as such he concluded that the University was a going concern.

Resolved: (i) to thank the Director for the presentation; and
(ii) to recommend to Court that it confirm the University as a going concern.

8. REMUNERATION COMMITTEE

The Convener provided a verbal summary of the Remuneration Committee meeting which had taken place that morning. As suggested by the Finance & Policy Committee at its meeting on 1 October 2012, the Remuneration Committee had focussed its awards on senior academic staff. The Committee also noted that the senior management had agreed not to be considered in this year's round.

The Convener advised the Committee that having reviewed the applications, the Remuneration Committee sought approval for the £75k notional budget to be increased to circa £131k for the full year. This was noted to be less than the £150k figure that had historically been made available to the Committee, with the original budget exceeded in order to take action to protect the University's REF position.

Finance & Policy Committee members fully endorsed the approach taken by the Remuneration Committee in reaching its decisions.

Resolved: the Committee recommended that Court approve the budgetary request for £131k.

9. ESTATES & BUILDINGS

Ms Marianne Kenley (Space Manager) presented a new Space Management Policy to the Committee. The policy outlined a series of good practice principles for space management and the Committee noted the Key Performance Indicator (KPI) target of a 35% utilisation rate for teaching rooms by 2018. In presenting the policy Ms Kenley highlighted the challenges faced by the Space Management Group in striving to achieve this target, and the Committee noted the need for culture change to make significant impact on the target. The Committee also suggested the inclusion of a statement on space management in all new capital developments.

Turning to the capital plan, the Director of Campus Services provided the Committee with an update on the progress of on-going works. With regard to the Ninewells library and teaching works, Phase 2 was noted to be 6 weeks behind schedule, however it was expected that this time could be pulled back. The

design team had presented an outline concept to the Medical School Board for Phase 3 (Lecture Theatre refurbishment), and designs, specifications and tender documents were expected to be completed by January 2013 with work expected to start on site in summer 2013.

With regard to the Duncan of Jordanstone works, the Director informed the Committee that the main contractor responsible for the construction of the new Matthew Building entrance had been placed in administration on 7 November 2012. The Committee noted that 'practical completion' of the work had been achieved on 12 October 2012, but that the University had withheld a significant retention which would allow any incomplete work to be rectified. Discussions were taking place to identify works for summer 2013, which would include security improvements, a new fire detection system, refurbishment of level 5 of the Matthew Building to create a learning hub and social space, and re-roofing of the Crawford Building.

The Director informed the Committee that discussions were on-going between Campus Services and the receivers for Brown Construction with regard to the new mortuary for the Centre for Anatomy & Human Identification (CAHID). The University had withheld around £50k for outstanding works, but was due £64k from Brown Construction for VAT zero-rated equipment. At the time of the meeting the status of the payment was still being investigated. In addition no operation or maintenance manuals had been received, and the University was responsible for all snagging items and defects arising.

With regard to the works for the Centre for Translational & Interdisciplinary Research (CTIR), construction was ahead of plan. The Committee heard that the recent award of UK Research Partnership Investment Funding (UKRPIF) of around £12m would allow for the full fitting out of the 2 remaining shell floors, including equipment, and that the design team were currently developing a tender package for this additional work. The Committee congratulated Professor Ferguson and the College of Life Sciences on the success of their fundraising for the CTIR, noting that some of its members had expressed apprehension about the chances of success in achieving such a challenging target.

The Committee noted that two main contractors carrying out works at the University had recently gone into receivership. In response to questions the Director provided reassurances regarding the due diligence process carried out when awarding contracts and measures taken to limit the University's exposure, attributing the failures to the difficult economic climate facing the building industry.

- Resolved:**
- (i) to endorse to Court the Space Management Policy;
 - (ii) to recommend that the Space Management Group report annually in November to the Finance & Policy Committee; and
 - (iii) otherwise, to note the report

APPENDIX 3

AUDIT COMMITTEE (Minute 28)

A meeting of the Committee was held on 26 November 2012.

Present: Dr H Marriage (Convener), Mr KA Richmond, Mr I Stewart, Mr KAC Swinley.

In Attendance: Mr R Burns, Principal Professor CP Downes, University Secretary, Director of Finance, Director of Policy, Governance & Legal Affairs, Deputy Director of Human Resources & Organisational Development, Mr M Reid (PricewaterhouseCoopers), Mr S Reid (KPMG), Mr A Shaw (KPMG), Mr M Timar (PricewaterhouseCoopers), and Clerk to Court.

Apologies: Emeritus Professor A Burchell, Mr JE Barnett

The meeting was preceded by a training and development session led by Mr Stephen Reid (Director, KPMG) focussed on sectoral issues for Higher Education Audit Committees.

1. MINUTES

Resolved: to approve the minutes of the meeting on 18 September 2012.

2. MATTERS ARISING

(1) Update on Dundee University Press (Minute 2(1) 23 May 2012)

The Director of Finance updated the Committee on issues relating to Dundee University Press (DUP). A review of the strategy for DUP by the Senior Management Team, including an analysis of the costs and benefits to the University was in progress, with a recommendation on the future of DUP expected before the end of the current academic year.

Resolved: to note that a recommendation on the future strategy for DUP would be considered by the Finance & Policy Committee before the end of the academic year.

(2) Draft Information Security Policy (Minute 4(2))

The University Secretary updated the Committee on the completion of the draft Information Security Policy. Pending the appointment of a new Chief Technology Officer, Mr Tom Mortimer (Director of Information & Communication Services (ICS)) was leading the development of the policy using the UCISA toolkit which was based on the ISO270001 security standard and was widely used within the sector.

The Committee noted that the appointment process for the new Chief Technology Officer would commence shortly and identified the need to consider a suitable governance structure for IT management reporting.

Resolved: (i) to note that the draft Information Security Policy would be presented at the next meeting of the Audit Committee; and

(ii) to ask that officers investigate options for IT governance reporting.

(3) Update on Health and Safety Training (Minute 3(4))

The Deputy Director of Human Resources & Organisational Development provided the Committee with an update on measures that had been taken to address the critical risk recommendation within the Health and Safety internal audit (March 2012) relating to health and safety training. In doing so she highlighted training opportunities introduced within the Organisational & Professional Development (OPD) programme, bespoke training delivered to Schools and Directorates, the identification of training needs through the Objective Setting and Review (OSaR) process, and the planned use of the OPD on-line booking system as a means of recording attendance of health and safety training sessions.

The Committee noted that the number of individuals who had attended the training provided so far was low, but that a further 250 individuals were scheduled to attend standard and bespoke training sessions in the near future. There was a robust discussion relating to how health and safety training could be further embedded into the thinking of University Staff to ensure that risk and liability was properly managed, with the Committee indicating that the implementation of mandatory training may be necessary. In response to questions, the Deputy Director confirmed that training carried out for Deans and Directors had led to a greater appreciation of responsibilities and stimulated demand for bespoke sessions, which had been well received.

- Resolved:**
- (i) to note that the internal auditors would report on progress as part of their follow-up report to the Committee in May; and
 - (ii) to ask that officers maintain the current level of focus on this issue.

(4) Conflict of Interest Policy (Minute 10)

The Director of Policy, Governance & Legal Affairs introduced a paper outlining revisions to the institutional Conflict of Interest Policy and a new National Institutes for Health (NIH) Conflict of Interest Policy (annex a), which had been designed to address changes to the regulations governing research funded through the US Public Health Service (PHS). The Committee noted that there were relatively few changes made to the policies since approval had been given *in principle* at Court on 22 October 2012.

Committee members asked that officers consider wider changes to the institutional Conflict of Interest Policy to incorporate non-executive Directorships and to provide guidance to staff in recognising and managing potential conflicts of interest.

- Resolved:**
- (i) to endorse to Court the revisions to the policies; and
 - (ii) to ask that officers further review the institutional Conflict of Interest Policy in light of discussions.

3. **FINANCIAL STATEMENTS FOR YEAR ENDED 31 JULY 2011**

(1) Review of Going Concern

The Committee received a paper setting out the basis for the University being considered a 'going concern'.

- Resolved:** to advise the Court that the University should be considered a going concern.

(2) External Auditors' Report – Management Letter

The external auditors presented their report to the Committee, noting that members had received an interim report at the last meeting and that no further significant issues had arisen in the intervening period. In introducing the report, Mr Timar praised the quality of the internal controls in place as well as that of the records made available to the auditing team during the process.

In addressing the audit focus areas (as identified in the audit plan from May 2012), he noted that the University had detected one instance of fraudulent use of a University purchase card, which had been reported to the auditors and acted upon quickly and efficiently by management up to the point of pursuing the refund. Mr Timar also updated members on the statement regarding 'compensation for loss of office', indicating that the appropriate processes in relation to internal decision-making and notification to the Scottish Funding Council had been followed.

A series of issues for consideration were raised by the auditors. Firstly, it was pointed out that the inflation assumption underlying the University's net pension liability was outside the auditors' expected range. However, on balance with other assumptions the auditors did not recommend implementing changes to this element.

Secondly, the auditors confirmed that the changes to the approach to foreign currency research income were appropriate, and were noted to have both reduced the University's exposure to exchange rate fluctuations and to have led to the release of a substantial foreign exchange provision during the year.

Thirdly, the auditors highlighted the performance of Dundee University Press Ltd (DUP). In response to questions they confirmed that there was a robust process in place for judging the value of stock held, but that there was a question as to the ongoing financial sustainability of DUP. The Committee noted that a review of the future strategy for DUP was being undertaken by the Senior Management Team, but nevertheless recognised that the impact of the performance of the company was in any event not significant in the context of the University's overall turnover.

The report also highlighted a number of outstanding or partially implemented recommendations from previous years which related to information technology. The University Secretary and internal auditors confirmed that a provision of time had been made within the 2012/13 internal audit plan to support the new Chief Technology Officer (when appointed) in addressing these issues.

The auditors stated that there were no uncorrected misstatements and were able to confirm that the accounts complied with the relevant statement of recommended accounting practices, with the Scottish Funding Council's Accounts Direction and Financial Memorandum.

The auditors brought to the Committee's attention a number of recent developments which would have an impact on the audit of future accounts.

Resolved: (i) to thank the auditors for their report; and
(ii) to thank in particular the Financial Controller for her industry in preparing the accounts for the audit.

(3) Financial Statements 2010/11

The Committee discussed the draft statements for the period to 31 July 2012.

Resolved: having received the report of the external auditors and considered the points made therein, to recommend to Court that it approve the statements at its meeting on 10 December 2012.

(4) Letter of Representation

The Committee receive a draft of the proposed letter.

Resolved: to approve the letter.

4. FINANCIAL STATEMENTS OF SUBSIDIARY AND ASSOCIATED COMPANIES

The Committee considered the accounts for the year ended 31 July 2012 for:

- a) AMCET Ltd
- b) Dundee University Press Ltd (DUP)
- c) Dundee University Project Management Ltd
- d) Dundee University Utility Supply Company Ltd
- e) University of Dundee Nursery Ltd
- f) Dundee University Incubator Ltd
- g) Dundee Student Villages (DSV)
- h) West Park Conference Centre (WPCC)

Resolved: to note the subsidiary and associate companies' accounts.

5. INTERNAL AUDITORS

(1) International Activities

The Committee received a report assessing the control environment around processes relating to international activities. Four recommendations were made (2 moderate risk and 2 low risk) in the areas of: internal management monitoring of international activities, implementation of international partnership handbook guidance, review and updating of policies and processes and the management of international travel by staff. In presenting the report, the auditors highlighted

the strength of the corporate processes in place at the University of Dundee for the management of international partnerships.

The Committee noted that the audit had focussed on areas highlighted within the new internationalisation strategy for the University, and that the activities considered were at an institutional level rather than the level of individual research collaborations.

Resolved: to note the report.

(2) Review of Bribery Act compliance and donations policy

The auditors presented a report on their review of Bribery Act compliance and the University's donations policy. The review of compliance was based upon the 6 key principles within government guidance: proportionate procedures, top-level commitment, risk assessment, due diligence, communication and monitoring and review. The auditors made 3 moderate and 2 low risk recommendations, with the moderate risk recommendations relating to: Bribery Act risk assessment; management training and embedding of policies; and donations policy training and implementation. In summarising the report, the auditors noted that due diligence had been followed – that an initial risk assessment had led to the subsequent implementation of gift registers, training, and policy development.

The Committee noted the recommendation to continue the training provision, and discussed how awareness of the donations and whistle-blowing policies might be improved.

Resolved: to note the report.

6. **RISK MANAGEMENT MONITORING GROUP**

The Committee received a report from the meeting of the Risk Management Monitoring Group (RMMG) on 31 October 2012. The University Secretary informed the Committee that the group had received the minutes from the last meeting of the Audit Committee (18 September 2012) to provide context to the work of the group and to reinforce the mechanisms by which control weaknesses and actions identified through the audit process were incorporated into risk registers.

The Committee noted that the group had proposed a number of revisions to the draft Business Continuity Plan (BCP), and that the finalised BCP would be presented to the Audit Committee on 5 March 2013. The group had also discussed a number of insurance matters, suggesting that the valuation of University building stock be carried out on a 3 year rolling programme, and undertaking the development of a policy for authorising travel to areas where the FCO advises against travel.

The Group also proposed updates to the Institutional Risk Register (see Minute 7).

Resolved: to note the report.

7. **INSTITUTIONAL RISK REGISTER**

The Committee considered proposed revisions to the Institutional Risk Register. In doing so it considered that it would be useful for Court to be invited to give an indication of the degree to which it was satisfied with the level of residual risk set out in relation to each risk.

Resolved: to endorse the revised Institutional Risk Register.

8. **WHISTLE-BLOWING**

The University Secretary updated the Committee on a recently made Public Interest Disclosure. A formal response had been sought to the allegations made, and the outcome would be reported to the Audit Committee on 5 March 2013.

Resolved: to note the report.

9. DATA LOSS

The University Secretary outlined an incident of data loss in the Finance Office arising from individual misconduct which had led to disciplinary action. The Committee noted that action had been taken swiftly, and that there had not been a requirement to report the breach to the Information Commissioner's Office on this occasion.

The University Secretary also outlined an unconnected 'near-miss', and the Committee noted that options for the implementation of additional fail-safes to the email address system were being investigated to try to avoid repetition of the incident.

Resolved: to note the report.

10. LEGAL MATTERS

The Committee received a routine report detailing the current legal cases involving the University, including updates since the last meeting of the Committee.

Resolved: to note the report.

11. ANNUAL REPORT OF THE AUDIT COMMITTEE

The Committee considered a draft of its annual report to Court. This document would also be submitted to the Scottish Funding Council.

Resolved: to approve the report for submission to the Court and the Scottish Funding Council (annex b refers).

UNIVERSITY OF DUNDEE CODE OF PRACTICE ON CONFLICT OF INTEREST

Introduction

1. The establishment of links between University employees and outside bodies - whether Government departments, commerce, industry, or others - is not only in the public interest but also benefits the University and the individuals concerned. However it is possible that such links may give rise to potential conflicts of interest. The University has therefore prepared the following guidelines and rules to help individuals assess whether or not proposed activities could cause a conflict of interest, and to outline the procedure for disclosure of any perceived or potential conflict.
2. In addition to the guidelines set out below, there may be occasions, particularly with regard to externally funded research projects, where those external funders, or government or other agencies controlling those funders, may impose additional requirements in relation to conflicts of interest. Where appropriate, the University has developed specific guidance for these relationships, which is set out in Schedule 1 to this Code. Members of staff linked to such projects with specific guidance are expected to comply both with the University's general guidance and the specific guidance related to the external funder.

Guidelines as to Conflict of Interest

3. It is not possible to define all the circumstances which may cause a conflict of interest, but the following are examples of situations giving rise to a perceived conflict of interest. In any situation where an individual is uncertain as to the propriety of a given arrangement, advice may be sought from the Secretary of the University.
 - (a) Use of the University's research or administrative facilities to pursue personal, business, commercial, or consulting activities.
 - (b) Any attempt to restrict rights governing the timing and content of publications, except in circumstances properly approved by the University to protect privacy, commercially sensitive proprietary information, and patentable inventions.
 - (c) Involvement in externally funded activity which might infringe the right of a student engaged in the activity to complete the degree for which he or she is registered, and/or to publish freely his or her findings (except in the circumstances referred to in sub-paragraph (b) above).
 - (d) A financial interest held by an individual (or by his or her immediate relative(s) or household member(s)) in an external enterprise engaged in activities closely related to that individual's line of research in the University. Examples of such interests are paid consultancies, paid service on a board of directors or advisory board, or equity holdings in or royalty income from the enterprise. The existence of such an interest does not necessarily imply conflict, but is likely to give an appearance of conflict, and should be declared.
 - (e) A personal involvement in any company or commercial enterprise which is in a contractual relationship with the University, or which is in the process of negotiating a contract with the University, where the employee has been concerned or connected with placing or negotiating the contract in question or with the research or other activity which the contract might cover.
 - (f) Application by family members or friends for employment in the University or in a related company, where an individual is in a position to influence the appointing process. (Note: the University operates specific rules on the appointment of close relatives in the same department.)
 - (g) Receipt of gifts or hospitality by an individual (or by his or her immediate relative(s) or household member(s)) from a company or organisation offering goods or services to the University.
4. There are in addition certain circumstances which give rise to such clear conflicts that the University Court has adopted the specific rules set out below.

Executive Directorships

5. For the purpose of this guidance, an executive directorship is one involving an active management role, whether or not including research, in the company concerned.
6. No member of staff shall hold any executive directorship without express approval by the Principal (or, in the case of the Principal, by the Chairperson of Court). Approval for such directorships may be given in the following circumstances:
 - (a) where the holding of an executive directorship is or will be necessary to satisfy the requirements of a recognised stock exchange for the listing of scientific, research-based companies; and/or
 - (b) where approval can be justified on other grounds, although such approval will only be given in exceptional cases.
7. In either case, consent will be given only if it is evident that the appointment will comply with the University's general conditions relating to the holding of other appointments.

Holding of Directorships and Shares by Administrative Officers of the University

8. For the purpose of these rules administrative officers are defined as staff of the University's student and academic support services, faculty and departmental administrative staff, and others employed by the University in academic-related grades.
9. Unless formally nominated by the University to do so, no administrative officer shall serve in a personal capacity as a director or other officer of a company or commercial enterprise, the establishment of which arose out of or was connected with work done in the University, or any company or commercial enterprise in a contractual relationship with the University, where the administrative officer was concerned or connected with placing or negotiating the contract in question.
10. Any administrative officer nominated by the University to serve as the director of a company shall be deemed to accept the nomination in the discharge of his or her duties as an employee of the University, and shall decline to accept any director's fee.
11. No administrative officer shall hold any shares in a company, the establishment of which arose out of or was connected with work done in the University, or any company in a contractual relationship with the University, where the administrative officer was concerned or connected with placing or negotiating the contract in question - unless such shares have been acquired following the listing of the company on a recognised stock exchange.

Declarations

12. It is the duty of all employees to disclose any actual or potential conflict of interest. The procedures for disclosure are explained below. Failure to disclose an actual conflict of interest may result in disciplinary action.
13. A declaration as to any conflict of interest will be sought by the University at the funding award stage in connection with any externally funded research project. Application for permission to undertake other activities will require the individual concerned to declare any conflict of interest before permission will be granted. Disclosure should be made in writing and should be directed to the Secretary of the University. This procedure will also apply in other situations giving rise to a potential conflict of interest.
14. In addition to declaring any conflict or potential conflict in accordance with paragraph 12 above, individuals occupying the following positions shall be required to submit an annual declaration of external interests:
 - Members of Court and supporting officers
 - Vice and Deputy Principals
 - Deans
 - Directors of student and academic support services
 - Other administrative officers with significant budgetary or procurement responsibilities
15. A record of all declarations made shall be maintained centrally by the Secretary of the University.
16. In addition to declarations made from time to time under the terms of paragraph 12 above, records shall be updated regularly and members of staff shall be required to provide updated information on request.

17. If a conflict of interest or a potential conflict of interest has been disclosed, the individual concerned shall discuss a possible resolution with the Secretary of the University. Any unresolved matter shall be referred to the Audit Committee for advice; in cases of particular difficulty the matter shall be referred to the Court.

Schedule 1 – Specific Conflict of Interest Guidance for Externally Funded Research**Research Funded by the Public Health Service of the United States Department of Health and Human Services**

The University has approved a policy and guidance to meet the requirements set out for research funded by the Public Health Service (PHS) of the United States Department of Health and Human Services that applies also to research funded by any components of the PHS to which the authority of the PHS may be delegated. The components of the PHS include, but are not limited to: the Administration for Children and Families, Administration on Aging, Agency for Healthcare Research and Quality, Agency for Toxic Substances and Disease Registry, Centers for Disease Control and Prevention, Federal Occupational Health, Food and Drug Administration, Health Resources and Services Administration, Indian Health Service, National Institutes of Health, and Substance Abuse and Mental Health Services Administration.

The guidance is available online from: [Insert URL].

**Financial Conflict of Interest Policy
For Research Funded by the Public Health Service of the
US Department of Health and Human Services**

Scope & Introduction

1. This policy – an addendum to the University’s Code of Practice on Conflict of Interest¹ - governs financial conflicts of interest (FCOI) and shall apply only to, in general terms, University and NHS Tayside employees who are applying to receive grant funding from the Public Health Service (PHS) of the United States Department of Health and Human Services (HSS).
2. Specifically, the policy applies to the Principal Investigator or any other person regardless of title or position who is responsible for the design, conduct or reporting of research funded by any component of PHS, including University contractors, collaborators and consultants, where deemed appropriate by the University.
3. For the purposes of this policy, the term ‘Investigator’ is used throughout to describe those employees who are deemed to fall under the scope of this policy.
4. The University shall designate responsibility for ensuring implementation of this policy according to a separate process schedule.
5. The University may suspend all relevant activities until the financial conflict of interest is resolved or other actions deemed appropriate by the University are implemented.
6. Any material breach of any part of this policy, as determined by the University, may constitute cause for disciplinary action.

Definitions

7. *Audit Committee* means the University committee that provides advice to the University Court in relation to, amongst other matters, the effectiveness of internal control systems and corporate governance.
8. *Clinical Trial* means any PHS-funded research study that involves interaction with human subjects and the concurrent investigation of the use of drugs, biologics, devices or medical or other clinical procedures, such as surgery.
9. *Family* means any member of the Investigator’s immediate family, specifically, any dependent children and spouse.
10. *Financial Conflict of Interest* means a Significant Financial Interest (or, where the University requires disclosure of other Financial Interests, a Financial Interest) that the University reasonably determines could directly and significantly affect the design, conduct or reporting of Research.
11. *Financial Interest* means anything of monetary value received or held by an Investigator or an Investigator’s Family, whether or not the value is readily ascertainable, including, but not limited to: salary or other payments for services (e.g., consulting fees, honoraria, or paid authorships for other than scholarly works); any equity interests (e.g., shares, stock options, or other ownership interests); and intellectual property rights and interests (e.g., patents, trademarks, service marks, and copyrights), upon receipt of royalties or other income related to such intellectual property rights and interests.

Financial Interest does NOT include:

- a) salary, royalties, or other remuneration from the University;
- b) income from the authorship of academic or scholarly works;
- c) income from seminars, lectures, or teaching engagements sponsored by or from advisory committees or review panels for U.S. Federal, state or local governmental agencies; U.S. institutions of higher education; research institutes affiliated with institutions of higher education, academic teaching hospitals, and medical centers; or

¹ http://www.dundee.ac.uk/academic/court/policy/conflict_of_interest.htm

- d) equity interests or income from investment vehicles, such as mutual funds and retirement accounts, so long as the Investigator does not directly control the investment decisions made in these vehicles.

For Investigators, *Financial Interest* also includes any reimbursed or sponsored travel undertaken by the Investigator and related to his/her University responsibilities. This includes travel that is paid on behalf of the Investigator as well as travel that is reimbursed, even if the exact monetary value is not readily available. It excludes travel reimbursed or sponsored by U.S. Federal, state or local governmental agencies, U.S. institutions of higher education, research institutes affiliated with institutions of higher education, academic teaching hospitals, and medical centers.

- 12. *Investigator* means any individual who is responsible for the design, conduct, or reporting of Research, or proposals for such funding. This definition is not limited to those titled or budgeted as principal investigator or co-investigator on a particular proposal, and may include postdoctoral associates, senior scientists, or graduate students.
- 13. *Public Health Service* or *PHS* means the Public Health Service of the U.S. Department of Health and Human Services, and any components of the PHS to which the authority of the PHS may be delegated. The components of the PHS include, but are not limited to, the Administration for Children and Families, Administration on Aging, Agency for Healthcare Research and Quality, Agency for Toxic Substances and Disease Registry, Centers for Disease Control and Prevention, Federal Occupational Health, Food and Drug Administration, Health Resources and Services Administration, Indian Health Service, National Institutes of Health, and Substance Abuse and Mental Health Services Administration.
- 14. *Research* means a systematic investigation, study, or experiment designed to contribute to generalizable knowledge and encompasses basic and applied research (e.g., a published article, book or book chapter) and product development (e.g., a diagnostic test or drug), and **which is funded by PHS**.
- 15. *Significant Financial Interest* means a Financial Interest that reasonably appears to be related to the Investigator's University Responsibilities, and:
 - a) if with a publicly traded entity, the aggregate value of any salary or other payments for services received during the 12 month period preceding the disclosure, and the value of any equity interest during the 12 month period preceding or as of the date of disclosure, exceeds £2,500; or
 - b) if with a non-publicly traded entity, the aggregate value of any salary or other payments for services received during the 12 month period preceding the disclosure exceeds £2,500; or
 - c) if with a non-publicly traded company, is an equity interest of any value during the 12 month period preceding or as of the date of disclosure; or
 - d) is income exceeding £2,500 related to intellectual property rights and interests not reimbursed through the University, or
 - e) is reimbursed or sponsored travel related to their University responsibilities.
- 16. *University responsibilities* means the Investigator's professional responsibilities associated with his or her University appointment or position, such as research, teaching, clinical activities, administration, and institutional, internal and external professional committee service.

Informing & Training Investigators

- 17. Investigators will conduct their affairs in such a way as to avoid or minimise conflicts of interest, and will respond appropriately when they arise. To that end, this policy describes situations that may generate conflicts of interest related to Research and the mechanisms for Investigator training and disclosure.
- 18. The University will inform Investigators of the existence of this policy, their disclosure responsibilities and the responsibilities which the University has to comply with. In the event of a grant application to a PHS component, an Investigator will be directed to this policy and the FCOI training which they must undertake prior to submission of the grant application. Every Investigator as defined by this policy has an obligation to become familiar with, and abide by, the provisions of this policy.
- 19. The University expects Investigators employing new staff to the University to take responsibility on behalf of the University to cascade down the existence of this policy to such new staff (who qualify

as Investigators for the purpose of this policy) and ensure that they are directed to the FCOI training which they must undertake prior to engaging in Research. The University will identify new staff funded by PHS grants and direct new staff to this policy and the FCOI training, ensure evidence of training is collected and recorded, and ensure disclosure forms are issued.

20. After initial training on FCOI, assuming that they continue to be PHS funded, Investigators will be re-trained in the FCOI training every 4 years, or at such other time as this policy may be revised, or when any Investigator is discovered to have been in breach of this policy or in breach of any management plan put in place following a disclosure.
21. An Investigator who has undertaken FCOI training will submit evidence of completion of the training to the University so that a record can be maintained and reminders issued in relation to update training.
22. If any situation should arise which raises potential questions of conflict of interest, an Investigator should discuss the situation with the University in the first instance.

Disclosure of Significant Financial Interests

23. Investigators are required to disclose outside financial interests as defined above at grant application stage, on an annual and on an ad hoc basis, as described below. The University will arrange for the distribution of disclosure forms to Investigators identified in the course of managing the grants application process. The University shall designate responsibility for soliciting receipt, processing, reviewing and retaining disclosure forms. The University will ensure completed disclosure forms are received within 10 days of the Investigator receiving the forms, after which time the University will put the grant application process on hold.
24. Disclosure forms must be completed whether there is a disclosure or not. Even where no disclosures are made, an Investigator must sign a disclosure form to acknowledge that they have read and understood this policy.

a) Grant Application for PHS Funding & Subsequent Annual Disclosures

All Investigators must disclose their Significant Financial Interests to the University no later than at the time of a grant application in relation to a proposal for Research. In the event of a successful application, following formal award, University staff identified as Investigators must make a disclosure on an annual basis, on the anniversary of their application disclosure. All forms should be submitted to the University no less than 10 days prior to the anniversary date.

b) Ad hoc Disclosures, Appointed Staff & New Significant Financial Interest

Certain situations require ad hoc disclosure. Employees deemed to be Investigators through their appointment to a post which is PHS-funded must disclose their Significant Financial Interests to the University, within 30 days of their initial appointment.

Investigators must submit to the University an ad hoc disclosure of any Significant Financial Interest they acquire or discover during the course of the year within 30 days of discovering or acquiring such a new Significant Financial Interest.

c) Travel

Investigators must disclose reimbursed or funded travel related to their University responsibilities, as defined above in the definition of Financial Interest and Significant Financial Interest. Such disclosures must include, at a minimum, the purpose of the trip, the identity of the funder/organizer, the destination, the duration, and, if known, the monetary value. The University will determine if additional information is needed (e.g., the monetary value if not already disclosed) to determine whether the travel constitutes a Financial Conflict of Interest with the Investigator's Research.

Evaluation, Identification of Conflict & Management

25. If the disclosure form reveals a Significant Financial Interest, it will be evaluated promptly by the University to determine whether it constitutes a Financial Conflict of Interest. The University provides guidelines as to financial Conflict of Interest in the Code of Practice.
26. A Financial Conflict of Interest will exist when the University determines that a Significant Financial Interest **could directly and significantly** affect the design, conduct, or reporting of Research.
27. Where a Financial Conflict of Interest is identified, the University will take action to manage the Financial Conflict of Interest including the reduction or elimination of the conflict, as appropriate. The University may consult the Audit Committee for guidance in specific cases, or in the application of this policy to particular situations.
28. If the University determines that a Financial Conflict of Interest can be managed, a management plan must be developed and implemented, which the affected Investigator must formally agree to in writing before any Research goes forward.
29. The University will periodically review the ongoing activity, make arrangements to monitor the conduct of the activity (including use of students and postdoctoral appointees), to ensure open and timely dissemination of Research results, and to otherwise oversee compliance with the management plan.

Clinical Trials and Clinical Research

Significant Financial Interests Related to Clinical Trials and Clinical Research

30. Clinical Trials and Clinical Research involves particularly sensitive issues if the Investigator has a related Financial Interest.
31. In addition to any disclosure which is required above, the Investigator must disclose Significant Financial Interests to the University at the time of any application for study sponsorship by the University and/or relevant Health Board. A copy of the Investigator's disclosure form should be submitted along with the Research protocol.
32. In the event of a determination by PHS of non-compliance with reporting and/or management requirements as prescribed by PHS regulations, which relates to a financial conflict of interest involving a PHS-funded Clinical Trial or other clinical Research, the Investigator will disclose the financial conflicts of interest in each public presentation of the results of the affected Research and will request an addendum to previously published presentations.

Reporting

33. The University will submit initial reports of those Significant Financial Interests which are determined as Financial Conflicts of Interest to PHS at the very least prior to the expenditure of PHS funds.
34. Initial reports shall be made within 60 days of the identification of a new employee as an Investigator for the purposes of this policy (i.e. through being newly appointed).
35. Wherever funding for the Research is made available from a prime PHS-awardee, all reports shall be made to the prime awardee.
36. Additionally, the University will submit reports within 60 days of any subsequently identified financial conflict of interest.
37. Annual update reports will be made, in relation to each Investigator, within 60 days of the anniversary of the initial report, at the same time as submitting the annual progress report. These updates will provide an outline of the status of any previously reported financial conflict of interest and any changes to the management plan, where applicable.

Investigator's Failure to Comply*Suspension of Research & Disciplinary Action*

38. In the event of an Investigator's failure to comply with this policy (or failure to comply with a previous decision of the University), the University may suspend all relevant Research activity, and/or take enforcement and/or disciplinary action against the Investigator, and/or implement any other sanction, action or actions deemed appropriate by the University, until such time as the matter is resolved and/or is managed to the satisfaction of the University.
39. Any decision by the University to suspend or take any action against the Investigator will be described in a written explanation to the Investigator, and the Investigator will be notified of the right to appeal. The University will promptly notify the PHS component which awarded a grant to the Investigator of the decision and actions taken.
40. Where the funding for Research is made available from a prime PHS awardee, such notification shall be made promptly to the prime awardee for reporting to PHS.

Retrospective Review & Bias

41. Where the University determines that a Financial Conflict of Interest was not identified or managed in a timely manner, or an Investigator failed to disclose a Significant Financial Interest that is determined to be a Financial Conflict of Interest, or where there is a failure by an Investigator to materially comply with a management plan for a Financial Conflict of Interest, the University will (within 120 days of determination of any failure to comply) complete and document a retrospective review of the Investigator's activities and the Research project to determine whether non-compliance resulted in bias in the design, conduct or reporting of Research.
42. Documentation of the retrospective review shall include the project number, project title, Principal Investigator, name of Investigator with the Financial Conflict of Interest, name of the entity with which the Investigator has the Financial Conflict of Interest, reason(s) for the retrospective review, detailed methodology used for the retrospective review, and findings and conclusions of the review.
43. The University will update any previously submitted report to the PHS or the prime PHS-awardee relating to the Research, specifying the actions that will be taken to manage the Financial Conflict of Interest going forward. This retrospective review, which will include implementation of a management plan, will be completed within 60 days of identification of a Financial Conflict of Interest which was not previously identified.
44. If bias is found, the University will promptly notify the PHS component which made the grant award and submit a mitigation report. The mitigation report will identify elements documented in the retrospective review, a description of the impact of the bias on the Research project and the management plan including actions to be taken to eliminate or mitigate the effect of the bias.

Sub-Recipient Award

45. In the event that the University is a prime PHS awardee and is collaborating with subrecipients, the University will establish a written agreement with the subrecipient to ensure compliance with this policy or an equivalent policy of the subrecipient institution. The University will obtain a certificate from the subrecipient that their FCOI policy complies with PHS regulations. The written agreement between the University and a subrecipient will ensure that suitable reporting of FCOI's is carried out in relation to subrecipient Investigators.

Records

46. The University will retain all disclosure forms, conflict management plans, and related documents for a period of three years from the date the final expenditure report is submitted to the PHS or to the prime PHS awardee; unless any litigation, claim, financial management review, or audit is started before the expiration of the three year period, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved and final action taken.

Confidentiality

47. To the extent permitted by law, all disclosure forms, conflict management plans, and related information will be confidential. However, the University may be required to make such information available to the PHS component and/or HHS, to a requestor of information concerning financial conflict of interest related to PHS funding or to the primary entity who made the funding available to the University, if requested or required. If the University is requested to provide disclosure forms, conflict management plans, and related information to an outside entity, the Investigator will be informed of this disclosure.

Public Accessibility

48. This policy is available to the public on the University's website at Policy, Governance & Legal Affairs.
49. Information relating to identified financial conflicts of interest under this policy will be made available on written request to the University Secretary.
50. Information to be made available to the public concerning any financial conflict of interest shall include:
 - The Significant Financial Interest that was disclosed;
 - The determination that has been made that the disclosure relates to Research; and
 - The determination that has been made that there is a Financial Conflict of Interest.
51. The information to be made available shall be updated annually, within 60 days of any newly identified financial conflict of interest and shall remain available for at least three years from the date the information was most recently updated.

AUDIT COMMITTEE: ANNUAL REPORT 2011/12

1. Membership and Meetings

The Committee meets four times *per annum*, and the meetings for the year 2011/12 took place as follows: 4 October 2011, 28 November 2011, 6 March 2012 and 23 May 2012.

Attendance by members was as follows:

		Oct.	Nov.	March	May
Howard Marriage (Convener)	Court member	Y	Y	Y	Y
Ann Burchell	Court member	Y	N	N	Y
Jo Elliot	Court member	Y	Y	Y	Y
Keith Swinley	Court member	Y	Y	Y	N
John Barnett	Co-opted	Y	Y	Y	Y
Ian Stewart	Co-opted	Y	Y	Y	Y

Additionally, the Convener of the Finance & Policy Committee, Richard Burns, was in regular attendance at meetings of the Audit Committee in 2011/12.

The University Secretary, Director of Finance and Director of Policy, Governance & Legal Affairs also attended meetings on a regular basis. All Committee meetings are attended by representatives of the Internal Auditors (KPMG LLP (KPMG)) and External Auditors (PricewaterhouseCoopers LLP (PwC)).

2. Financial Statements

Year ended 31 July 2012

The Committee received draft financial statements for the University for the year ended 31 July 2012 at its meeting on 26 November 2012, following their consideration by the Finance & Policy Committee at its meeting on 19 November 2012. The Committee also received a report from the external auditors, PwC. PwC were formally appointed for the provision of external audit services for the financial years 2010-11 to 2012-13 (with the possibility of an extension of up to two additional years) at the meeting of the Court on 26 April 2011.

In terms of audit and financial reporting the report indicated that:

- The auditors expected to give an unqualified opinion on the statements and that they had been prepared in accordance with the Accounts Direction of the Scottish Funding Council (SFC) and the appropriate Statement of Recommended Practice (SORP);
- The auditors expected to conclude that income from the SFC, as well as from other sources, had been appropriately applied;
- The statements had been produced on a timely basis in accordance with the agreed timetable, but that areas for highlight included the following:
 - i. Although comfortable with the net effect of the various assumptions used in determining the pensions liability, the auditors highlighted that the inflation assumption used was outwith the normal range. Taken on its own, this meant a net liability approximately £2.7m lower than the midpoint of the range used by PwC.
 - ii. Changes to the approach to foreign currency research income were noted to have reduced the University's exposure to exchange rate fluctuations and to have led to the release of a substantial foreign exchange provision during the year. PwC confirmed that the accounting treatment was appropriate.
 - iii. The financial performance of Dundee University Press remained a cause for concern.
 - iv. Quality review arrangements for the six subsidiary financial statements should be improved to match the standard used to produce the University Financial Statements
 - v. The internal control report had highlighted a number of recommendations from previous years relating to information technology which had still not been fully implemented.

Having carefully considered the report of the external auditors, the Audit Committee resolved to recommend to Court that the financial statements should be approved. The Committee noted the recommendations contained in the report from the external auditors and were satisfied by the associated management responses.

3. Terms of Reference and Procedures

There were no changes made to the Committee's Terms of Reference (TOR) during the year.

In considering internal audit reports the Committee focuses primarily on critical or high risk recommendations, where the issue represents a control weakness that is fundamental to the system under review and where the University should take immediate or prompt action. In addition, when critical level recommendations are made the internal auditors inform the Convener of the Audit Committee directly at the earliest possible time. For all critical and high risk recommendations, the audit sponsor or relevant Director is invited to attend the meeting of the Committee to provide appropriate contextual information to the Committee and to allow joint exploration of the issues raised. The Committee also invites Directors to attend if there are a significant number of moderate or low risk recommendations relating to that Directorate.

A formal process of following-up and reporting outstanding audit recommendations was introduced during 2011/12. Twice annually responsible officers are asked to provide an update on outstanding recommendations. A report is then prepared for the Committee and, should there be evidence of repeated non-implementation of recommendations, the individual responsible may be asked to attend the Audit Committee meeting for further discussion.

4. Internal Audit

Internal audit work for the year was provided by KPMG. During 2011/12 the Committee received reports on the following internal audit assignments with recommendations graded as shown. Each report was considered in detail, with the auditors and officers addressing comments and questions from Committee members. The Committee was generally satisfied with the management responses to the issues raised and with the timescales for addressing them, where appropriate. Progress on the implementation of recommendations will be monitored through follow-up reports from the auditors, as well as through active monitoring by University officers, as outlined above.

	Critical	High	Medium	Low
UK Border Agency		2	5	
Long-term strategic and financial planning			6	1
Workload planning			4	
Research cash flow forecasting			3	
Information Security		5	2	
Efficiency savings		3	1	
Capital management and space utilisation		4	4	
Health and safety	1	2	3	2
Treasury management			3	6
Review of Schools		1	5	
Total	1	17	36	9

The Audit Committee has considered and approved the draft audit plan for 2012-2013 prepared by University management in consultation with the Internal Auditors.

DUSA

The auditors carried out their annual routine review of finance arrangements in place at DUSA. The focus of the report was on commercial activities and in particular existing and new opportunities for growth. A range of minor recommendations were suggested, but on the whole the report recognised that DUSA was a well-managed organisation. The Committee suggested that the next review of DUSA should take a more operational and financial focus.

Assessment of the Effectiveness of the System of Internal Control

The internal auditors provided the Committee with their overall assessment of the University's internal control systems. Based on their work in 2011-12, the auditors were of the opinion that

these systems provided a 'reasonable basis for maintaining control' and that the control framework provided 'reasonable assurance regarding the effective and efficient achievement of strategic objectives'. In their annual report, the auditors highlighted the following significant (rated critical or high) recommendations emanating from their audit work during the year:

- The need to pursue a more rigorous information security control environment;
- The need for a comprehensive framework in which to monitor and report efficiency savings, rather than cost reduction;
- Potential improvements to international staff monitoring procedures;
- The production of a structural asset maintenance plan and long-term plan to address the maintenance backlog;
- To introduce a standardised process to identify health & safety training needs and to record these needs and ensure staff attend the required courses; and
- To improve the consistency of the approach across Schools in respect of operational planning and performance management.

5. Risk Management

The Committee received regular reports from the Risk Management Monitoring Group. The Audit Committee oversaw the review of the institutional risk register, incorporating an assessment of gross and residual risk, the adoption wherever appropriate of SMART mitigating actions, and the focus on key strategic risks. Revised institutional risk registers were approved by Court at its meetings on 24 October 2011 and 11 June 2012.

The Committee had during the course of the 2010/11 academic year overseen the development of an institutional policy statement on bribery and corruption and revisions to the existing Gift and Hospitality Policy in response to the Bribery Act 2010. Throughout the 2011/12 academic year work was continued in this area, with a Donations Policy being prepared for approval at the October 2012 meeting of the Committee. A review of the implementation of the new policies and their compliance by the internal auditors was scheduled for October 2012.

6. Other Activities

The Audit Committee undertook a self-review of effectiveness during the 2011/12 academic year. The process involved the completion of a comprehensive questionnaire and one-to-one meetings between the Director of Policy, Governance & Legal Affairs and each member of the Committee. The opinions of other members of the University Court, the University Secretary, and the internal and external auditors were also sought during the process. The main areas identified by this exercise for improvement were:

- Improvements to the Continuing and Professional Development and Induction opportunities for members.
- Opportunities for more regular and routine use of private meetings with auditors to review the effectiveness of the auditors.
- Improvements to communications with non-Court members of the Audit Committee, including inviting them to attend the annual Court Retreat, ensuring an annual meeting with the Convener of the Committee and including them in correspondence circulated to members of Court.
- To ensure that the Institutional Risk Register was considered twice annually by the Committee.

7. OPINION

Auditors

The Committee has been satisfied with the performance and diligence of the internal and external auditors.

Effectiveness of Internal Controls

The Committee can assure the Court that the University has effective financial management and financial controls in place. The Committee will continue to monitor the progress of the University on the implementation of the recommendations contained in the external auditors' report and the various reports from the internal auditors.

APPENDIX 4

HUMAN RESOURCES COMMITTEE (Minute 39)

A meeting of the Committee was held on 20 November 2012.

Present: Dr Janet Lowe (Convener), Professor S Black, Ms S Campbell, Ms C Potter, Mrs S Krawczyk, Professor G Mires, Professor C Whatley

In Attendance: University Secretary, Director of Human Resources & Organisational Development, Director of Finance, Deputy Director of Human Resources & Organisational Development, Dr Lorraine Walsh for item 4 (3), Ms Susan Hunter for item 4 (2), Mrs G Jones (Minutes)

Apologies: Dr H Marriage, Dr A Roger

1. MINUTES

The minutes of the meeting of 17 September 2012 were approved.

2. MATTERS ARISING

(1) Pay Award 2012/13

The Director of Human Resources & Organisational Development reported that UCEA had advised HEIs to implement the final pay offer of 1% despite failure to reach agreement with the unions. Arrangements have been made to have this implemented to salaries for December.

(2) Staff Survey

The Director of Human Resources & Organisational Development confirmed that contact had been made with a number of providers of staff surveys, including Capita and BMG Research, and that arrangements were being made for formal presentations to take place from these companies before Christmas. The Committee agreed that in light of the recent launch of the University Vision and Strategy, this was the correct time to conduct the survey.

Resolved: the Director of HR to circulate dates of the presentations to members of the HR Committee.

3. UNIVERSITY VISION AND STRATEGY

The University Secretary reported that the Principal's roadshows on the University's Vision and Strategy had been well received and had been attended by a significant proportion of staff across the University. He advised that the next stage of communication was to encourage discussion and debate in Schools and Directorates around what the Vision means at School and Directorate level in terms of their own supporting strategies and operating plans. It was highlighted that although communication of the Vision had been very effective, the timing of the roadshows may not have been convenient for staff who worked atypical hours such as the cleaners.

Resolved: the Committee recognised that effective communication of the Vision was critical and that while the form, frequency and intensity of the communication may vary, it was important that it reached all parts of the University and all staff groups. It was therefore recommended that consideration was given to offering an early morning presentation to staff that had been unable to attend one of the earlier sessions.

4. HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT

1. OSaR 2011/12

Statistics on the OSaR completion rates for 2011/12 were considered. Although there were variations in completion rates between the various schools and directorates (and action had already been taken to improve take-up in specific areas), it was noted that there remained a large percentage of staff not benefitting from OSaR and it was clear that it was not filtering to all levels of the organisation. The Director of Human Resources & Organisational Development reported that Court had highlighted this as an important issue to be addressed by the Principal. It was noted that OSaR was on the agenda for SMT and the Directors' & College Secretaries' Group.

It was agreed that the reasons for poor completion rates, over and above the impact of staff turnover, needed to be identified. The OSaR process was seen as being fundamental in providing clarity over roles and ensuring staff understood their contribution to the University's aims, objectives, strategy and vision. The Director of Human Resources & Organisational Development highlighted that the overwhelming view of OSaR by staff is positive and that it is appreciated.

The Committee agreed that the Staff Survey could provide a valuable insight into the barriers and motivators for OSaR. The value and validity of OSaR could also be enhanced through its links to other processes such as promotion and access to training.

Resolved: to highlight to Court the Committee's concern at the 2011/12 completion rates and advise that the Committee will continue to monitor closely the uptake of OSaR in the future.

(2) Recruitment 2010/11 and 2011/2012

Ms Susan Hunter presented a report on recruitment statistics drawn from the e-recruitment system (iGrasp) since its launch in August 2010 and requested feedback from the Committee on the content of the report and the presentation of the data for future committees. In addition, an overview of the e-recruitment system was provided.

The different stages of the recruitment process were outlined and the benefits of iGrasp both for the candidate and for the University were highlighted. The value of the Redeployment Portal was recognised and the statistics indicated that this feature was working well for staff identified as being at risk of redundancy. It was noted that in some areas, recruiters would welcome the ability easily to print off hard copies of applications and also a system which would allow on-line short-listing. It was confirmed that there would be an opportunity to address parts of the e-recruitment system that are not liked when a new product replaces iGrasp in 2014 and a further procurement exercise is undertaken. The Director of Human Resources & Organisational Development commented that there would also be an opportunity to review recruitment processes as well as the e-recruitment system at this time.

It was recognised that now recruitment data was available the University would need to consider specifically what it wanted to achieve, for example, in terms of providing information to support management decisions, monitor protected characteristics or to review the candidate and recruiters' experience.

Resolved: that management should consider the statistics available and recommend sample ratios/percentages that would be of value and contribute to key University objectives.

(3) teach@dundee, Library and Learning Centre Educational Development.

Dr Lorraine Walsh outlined proposals in respect of the teach@dundee programme, explaining that the induction programme for new members of academic staff had been under discussion for about a year and had been approved at Learning and Teaching Committee, ready for launch in February 2013. The Committee was invited to consider the proposal that the programme should be mandatory for staff.

It was explained that new staff are required to complete the mandatory L&T module within their three year probation period. However if is not completed at the outset, there is a concern that new staff miss an opportunity to develop themselves to support the enhanced learning and teaching experience of the Dundee student. It was explained that the proposed academic induction programme would articulate both with the OPD induction and the LTA module and would be delivered in collaboration with DUSA.

The Committee agreed that the introduction of such a programme would be of great value but questioned the use of the term 'mandatory'. Rather, it was suggested that undertaking the programme should be considered essential and included as part of OSaR requirements and that the programme itself could introduce participants to the mandatory Equality and Diversity training. The Committee felt that the programme could also provide an opportunity to introduce new academics to the history, culture and vision of the University and that this would be welcomed.

- Resolved:**
- (i) to note that the Committee supported the introduction of induction training for new academic staff but felt that the proposed mandatory aspect could be counter-productive and the engagement of academic managers would be the most effective tool to ensure attendance.
 - (ii) to recommend that the proposal is revised to take account of the Committee's suggestions and that this is circulated to SMT for comments.

(4) Guidance Being a Witness

The Director of Human Resources & Organisational Development sought feedback from the Committee on recent guidance that had been drafted by the Complaints and Disputes Working Group (led by Fiona O'Donnell) on 'Being a Witness'. From experience in her role as an expert witness in Court, a member suggested that the possible requirement for a witness to provide documentary evidence as well as providing their recollection of the facts appeared too late in paper and felt that this should be highlighted earlier. It was also recommended that information about taking a friend or colleague for support should come earlier in the document.

- Resolved:** to recommend that comments by the Committee are taken on board but otherwise to approve the guidance.

5. **ATHENA SWAN**

The Director of Human Resources & Organisational Development reported that the draft of the institution-wide Bronze award application was about to be circulated to the Athena SWAN Steering Group and SMT for comments prior to submission at the end of the month. The Director raised some concern about the lengthy action plan that had arisen from the application and highlighted that this would need to be considered by SMT in terms of resourcing. The Committee agreed that it was important to support this initiative and the work of the Group.

- Resolved:** to congratulate the Athena SWAN Steering Group in progressing work to enable the submission of the application for the institution-wide Bronze award in November and to wish the Group every success with its application.

6. **EQUALITY AND DIVERSITY**

The Director of Human Resources & Organisational Development reported that the Code of Practice for the REF had been fully accepted and that all staff engaged in the selection of the REF process have achieved completion of the required Equality and Diversity Training. The significant amount of work involved in the support of the Individual Circumstances Group was noted. It was highlighted that work on the REF has, and continues to be, very time consuming but that in the New Year, the focus of Equality and Diversity will need to turn towards work on the new duties required by the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012.

- Resolved:**
- (i) to note with considerable satisfaction that the University's REF 2014 Code of Practice on the Selection of Staff was submitted to the REF Equality and

Diversity Advisory Panel (EDAP) and is now fully accepted and acknowledged by the Scottish Funding Council to have met the requirements.

- (ii) to thank Ajit Trivedi, Clive Randall and others involved for achieving the work relating to the REF exercise within the required timescale.

7. HEALTH & SAFETY

The University Secretary introduced Dr Ian Scragg's report advising that the revised Health and Safety Policy (annex) had been to the Health and Safety Sub-Committee.

- Resolved:**
- (i) to approve the revised Health and Safety Policy subject to the circulation of the final document with a full set of appendices.
 - (ii) to welcome the programme of audit planned for Health and Safety and to note the training schedule that had been implemented in accordance with recommendations made by the Committee.

8. LOCAL JOINT COMMITTEES

The Committee received draft minutes of the University/DUCU Joint Committee meetings held on 21 September 2012.

9. ANNUAL REVIEW, GRADING REVIEW THROUGH HERA AND CONTRIBUTION RELATED AWARDS

- (1) The Committee received minutes from the College Annual Review meetings for CASE, CASS, CLS and CMDN including a summary of Teaching and Research and Teaching and Scholarship promotions.
- (2) The Committee received reports on applications under HERA Maintenance 2012 including details on the number of successful applications and the number of appeals.
- (3) The Committee received reports on the award of CRPs for 2012 and minutes from the respective College and SASS Committees considering the awards.

- Resolved:**
- (i) to note the reports and minutes from the respective committees.
 - (ii) to note the concern raised by the Committee that there were not many cases for CRPs submitted for staff on lower grades and that this had been highlighted at the Directors' & College Secretaries' Group.

10. ANY OTHER BUSINESS

In cognisance of the return to a more consistent level of business, the Committee agreed to return to the original pattern of three HR Committee meetings per session to be held in September, January and May of each year.

- Resolved:** to highlight the change in the number of meetings of the HR Committees to PGLA for insertion in the academic calendar for 2013/14.

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 reviewed regularly by external auditors. The Health and Safety Policy will be kept under annual review through the Human Resources Committee.

This Health and Safety Policy Statement was approved by Human Resources Committee on 20 November 2012.

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 Appendices 1 and 2; 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 Implementation

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 with 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 delegated implementation of the University's Health and Safety Policy to the Senior Management Team in areas under their control, and has nominated the University Secretary as the senior manager who holds the specific responsibility for management of health and safety.

The Senior Management Team are responsible for ensuring adequate resources are available to implement the University's Health and Safety Policy and to achieve performance targets set by Court. They are responsible for drawing up short, medium and long term plans in the drive to meet targets set by Court and in response to reports that identify poor performance. They provide reports to the University Health and Safety sub-committee on the measures they have taken to implement Policy and achieve performance targets set by Court. They are Convenors of College Health and Safety Committee/ Directors' Group which reports to the University Health and Safety sub-committee. They have delegated implementation of the University's Safety Policy Arrangements to Deans/Directors.

Deans/Directors are responsible for resourcing the operational health and safety needs of their School/Directorate. They ensure that a School/Directorate Health and Safety Policy and a Risk Management Plan detailing local procedures to control health and safety risks in their Schools/Directorates is written and reviewed annually. These may be part of a College Policy and Plan if appropriate. They have delegated completion of specific risk assessments to Principal Investigators, lecturing staff, team leaders and supervisors as a fundamental part of their operational duties. They ensure these specific risk assessments are reviewed at School Management/Support Services staff meetings, or at College level if appropriate, before giving their approval. Deans/Directors chair School/Support Services Health and Safety Committees which report to the College Health and Safety Committee or Directors' Group. Where appropriate, some Deans and Directors will establish local Safety Committees within specific units under their line of management, and will ensure that they are properly convened and recorded.

Principal Investigators, lecturing staff, team leaders 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. They will complete specific risk assessments for activities under their control as detailed in the School/Support Service Risk Management Plan.

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 Committee structure shown in Appendix 3 has been set up to ensure effective communication and consultation at all levels within the University regarding safety policy arrangements, training programmes and performance monitoring.

In outline, the key committee is the Human Resources Committee which approves the Safety Policy Arrangements (management framework) and associated management training programme, and monitors performance. It receives performance reports from the University Health and Safety sub-committee. The Health and Safety Sub-Committee receives reports from College Health and Safety Committees and Directors' Group, and the Biological and Radiological Safety Committees.

2.3 Professional Support Structure

The Head of Safety Services and his team provide competent advice and specialist expertise to School/Directorate Safety Personnel (ie 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 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 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

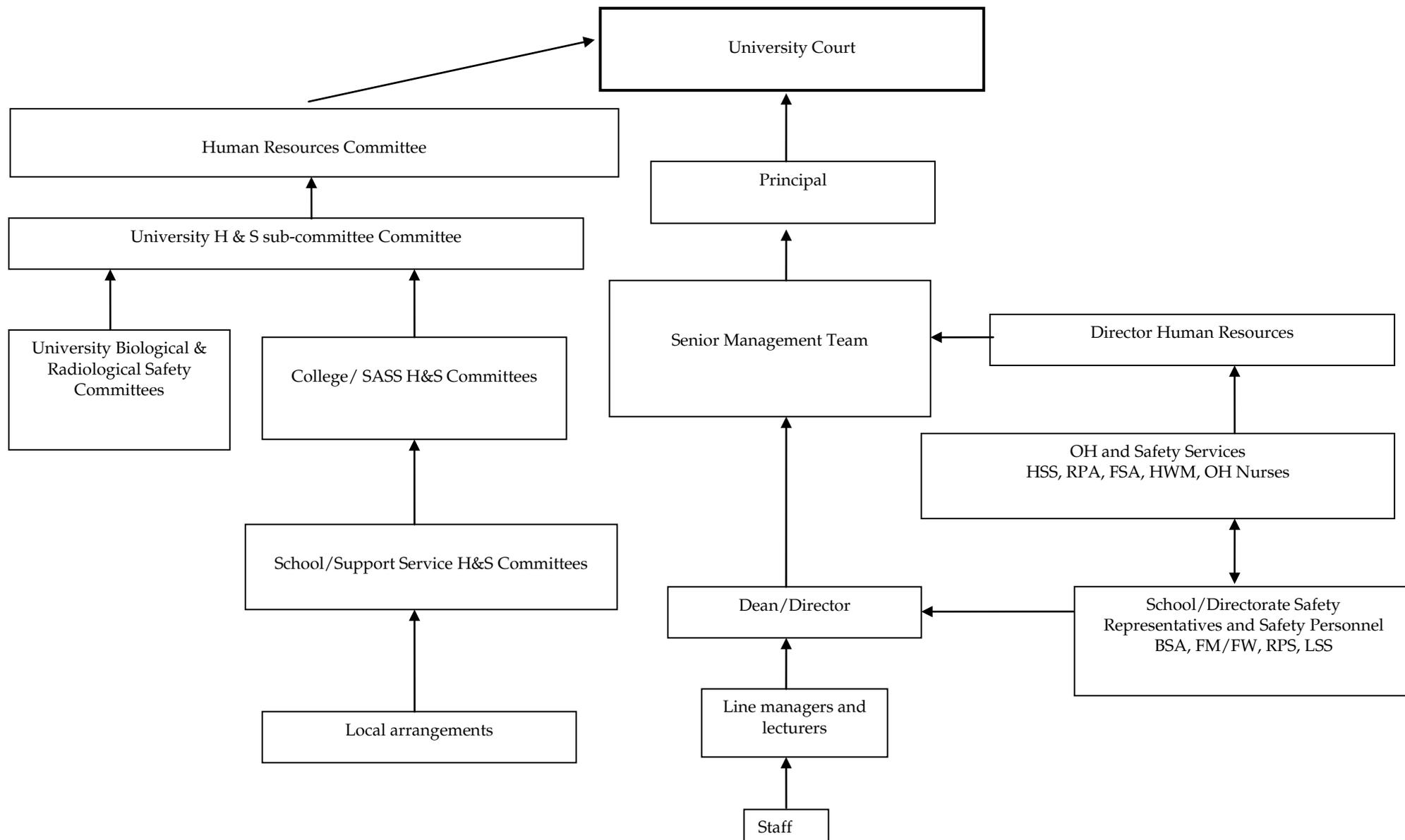
The University Court has approved the Safety Policy Arrangements given at <http://www.dundee.ac.uk/safety>. These are intended to ensure all activities within the University comply with relevant legislation and accord with best practice. Policy Arrangements drafted by Safety Services, agreed by University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

The University Health and Safety sub-committee reviews Safety Policy Arrangements and alters them as necessary to comply with changing legislation.

System design and review

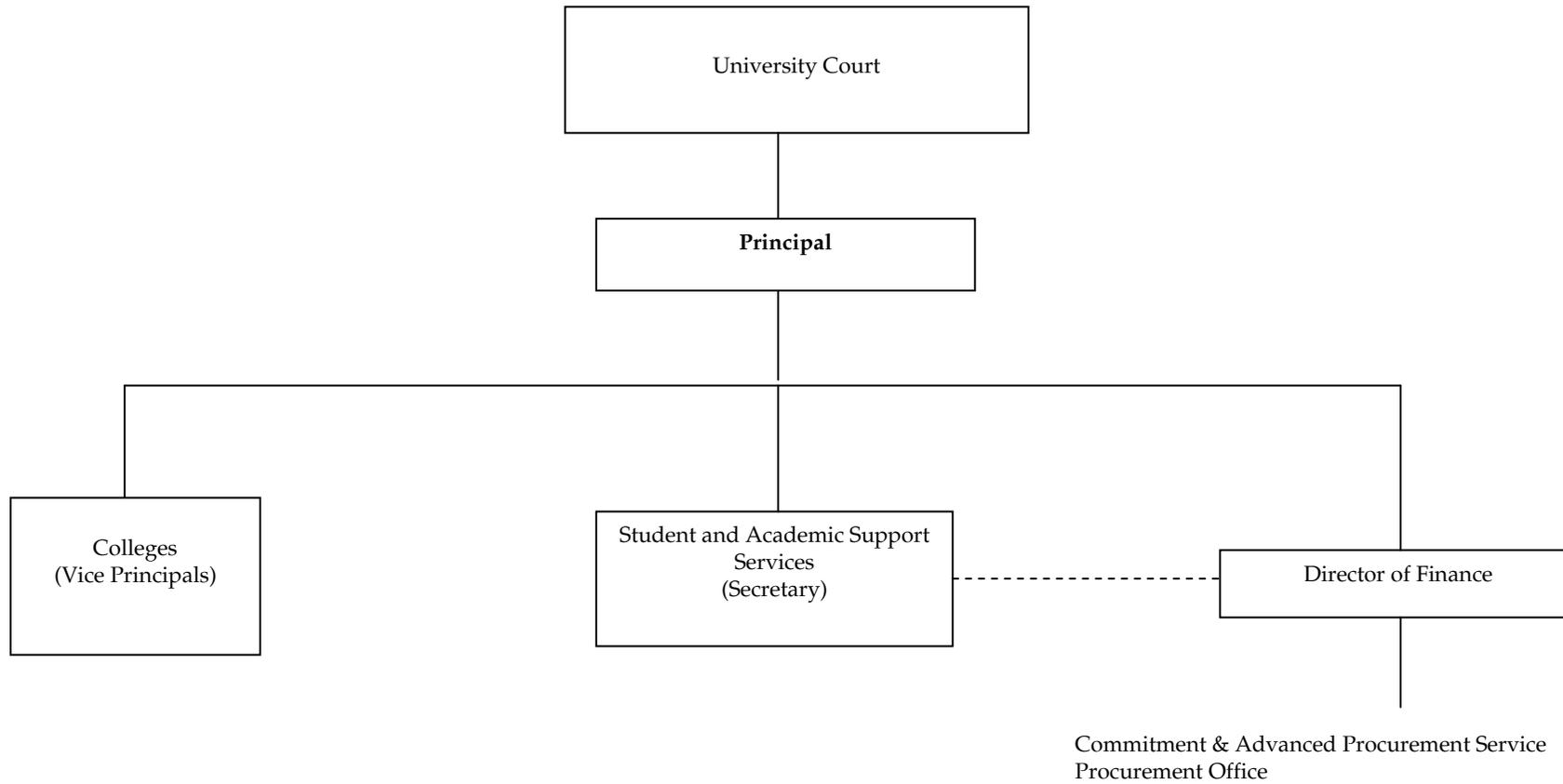
Implementation

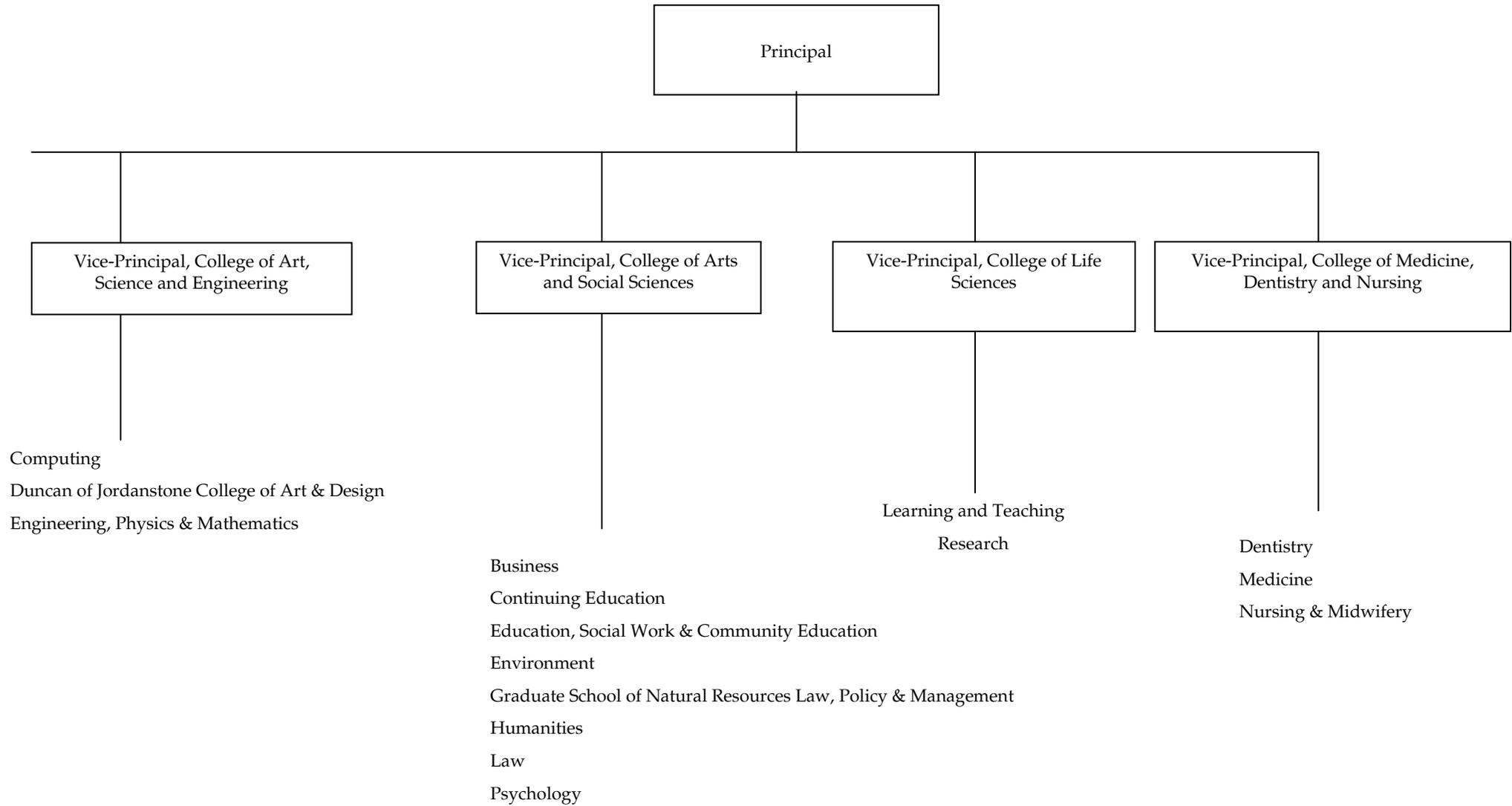
Advisory

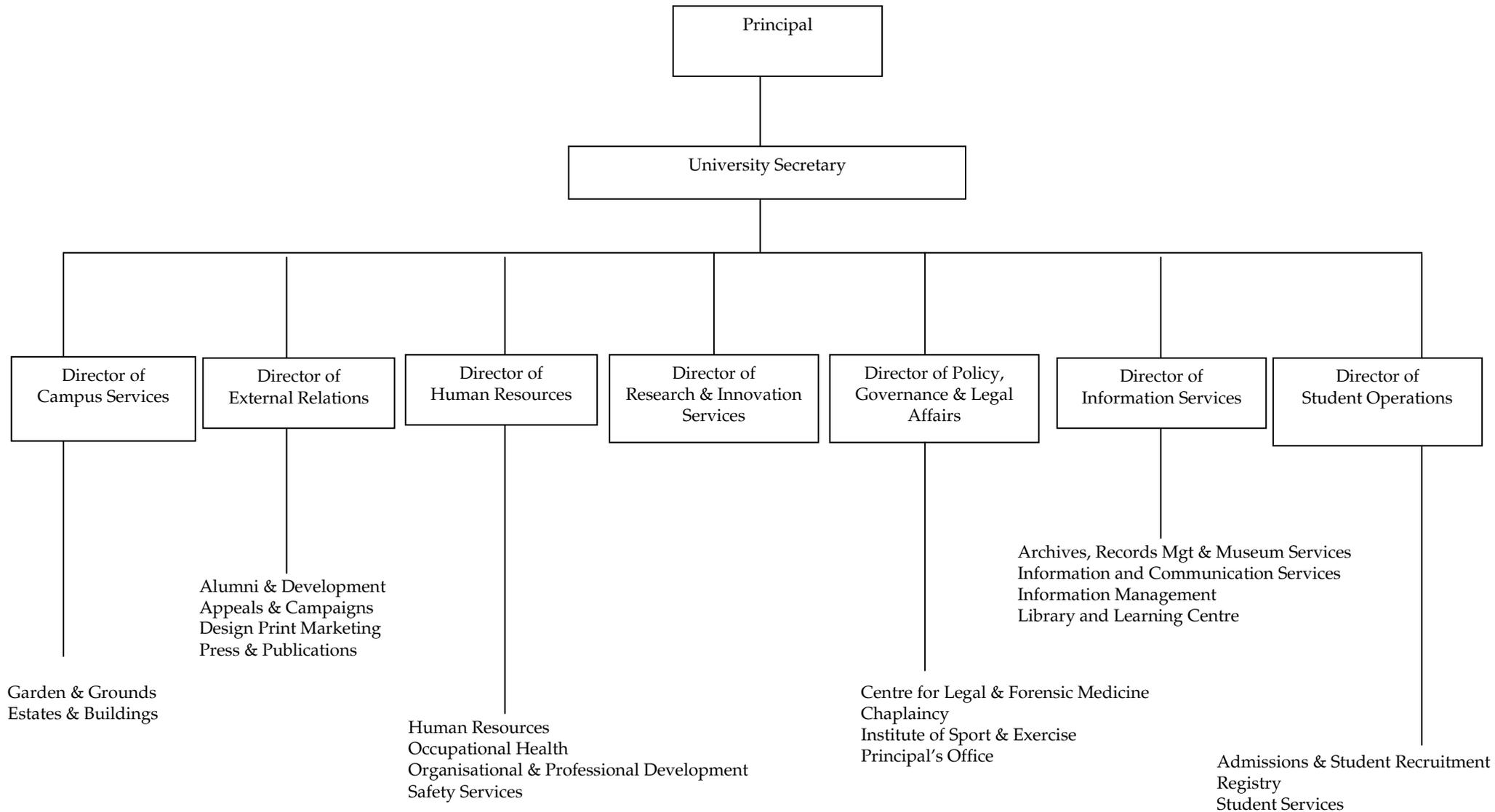


H&S: Health and Safety, SASS: Student and Academic Support, OH: Occupational health, HSS: Head of Safety Services, RPA: Radiation Protection Adviser, FSA: Fire Safety Adviser, HWM: Hazardous Waste Manager, BSA: Biological Safety Adviser, FM/FW: Fire Marshal/Warden, RPS: Radiation Protection Supervisor, LSS: Laser Safety Supervisor.

Health and Safety Management Reporting Lines







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 Remit (with regard to health and safety matters)

1. Oversee the management of all of the revenue and property of the University and to exercise general control over its affairs, purposes and functions, taking all final decisions on matters of fundamental concern to the institution.
2. Ensure compliance with the University's Charter, Statutes, Ordinances and other rules and regulations of the University, as well as UK and EU law where applicable.
3. Monitor the University's performance against approved plans and key performance indicators.
4. Ensure that arrangements are in place for the proper management of health and safety in respect of students, staff and other persons affected by University operations.
5. Monitor its own performance and that of its Committees, with a formal evaluation of effectiveness undertaken not less than every five years

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 Remit (with regard to health and safety matters)

1. Advise the Court on statutory and other requirements relating to its responsibilities for health and safety
2. Approve, monitor and review safety policy arrangements
3. Sponsor programmes of action in support of policy arrangements
4. Advise on management training needs and approve management training programme
5. Approve programme to monitor performance, and review audit reports
6. 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 implement University Safety Policy Arrangements
2. Formulate Safety Policy Arrangements
3. Revise Safety Policy Arrangements after review of reports from Safety Representatives and Enforcing Authorities, and review of accident, incident and notifiable disease statistics and trends.
4. Act as Stress Steering Committee and oversee stress management arrangements.
5. Ensure effective consultation and communication channels are in place across the University community.

4. College Health and Safety Committee/Directors' Group

4.1 Membership

Directors Group

- University Secretary (Convener)
- Directors Support Services

Separately minuted standing item at 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 University Health and Safety sub-committee on measures being taken to implement University Safety Policy Arrangements.
2. Monitor implementation of University Safety Policy Arrangements through review of records
3. Ensure co-ordination between Schools/Directorates on health and safety issues.
4. Ensure best practice is shared and adopted by Schools/Directorates.
5. Identify health and safety objectives, develop plans to meet them and review progress to their achievement.

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

6. Biological Agents Safety Committee

6.1 Membership

- Vice Principals CLS and CMDN nominees (alternate as Convener)
- Biological Safety Advisers
- Head of Safety Services
- Student Representative
- NHS Tayside representative

6.2 Remit

1. Report to Human Resources Committee on risks posed to people and the environment by work with biological agents, and the measures implemented to control these risks to an acceptable level.
2. Formulate, develop and revise biological agents Safety Policy Arrangements.
3. Monitor the implementation of Safety Policy Arrangements.
4. Assess the training needs to work with biological agents and monitor the effectiveness of training programmes.
5. Review accident/incident reports involving biological hazards and amend safety policy arrangements measures if required
6. Give authorisation for work involving biological agents 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
 - (f) Statutory Notification and Consent requirements
7. Assess and monitor the provision of occupational health for University employees exposed to biological agents.

7. Radiation Safety Committee

7.1 Membership

- Vice Principals CLS and CMDN nominees (alternate as Convener)
- University RPA
- University RPO
- NHS Tayside RPA
- NHS Tayside RPO
- Radiation Protection Supervisors
- Student representative

7.2 Remit

1. Report to Human Resources 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 radiation Safety Policy Arrangements.
3. Assess the training needs to work with ionising and non-ionising radiation and monitor the effectiveness of training programmes.

4. Review accident/incident reports involving ionising and non-ionising radiation and amend safety measures if required.
5. 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
6. Assess and monitor the provision of occupational health for University employees exposed to ionising and non-ionising radiation.

APPENDIX 5

COMMUNICATION FROM THE SENATUS ACADEMICUS (Minute 41)

The Principal announced that Professor Harley had been elected to serve on the University Court as a professorial member of the Senatus in accordance with Ordinance 18 and would serve until 31st July 2013 (that being the remainder of the term of Professor J Taylor).

1. PRINCIPAL'S REPORT

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

The Principal reported that the current round of University Vision presentations – the Transformation Roadshow – had been well attended and very well received. 1300 staff had taken the opportunity to join the discussion so far and the Principal asked that remaining staff should be encouraged to attend future presentations enabling the widest possible level of engagement across the University.

In parallel to the University Vision, the University Strategic Plan had also been subject to much debate at SMT and elsewhere. The strategy for the first five years, working towards the long term aim of the Vision, had also been mapped out and Performance Indicators had been defined and agreed. The Principal identified these as the critical link between operations and strategy in the coming years, to help ensure that the University was moving in the right direction.

The Principal also drew attention to the recent activity required to respond to the Funding Council invitation for bids for additional funded places in support of the Outcome Agreement funding methodology. This represented a change in the relationship between the SFC and the sector and, despite the short time-scales involved, it was important that the University responded in a positive way. The Principal thanked the staff involved for their efforts.

The Principal was pleased to inform Senate that the University's Financial Statements had now been presented to both the Finance & Policy and Audit Committees, and each would be recommending their approval to Court. The financial performance of the University, as represented in the accounts, was encouraging – particularly as it covered a period of public sector funding cuts and recession in the wider economy. An operating surplus of more than £6 million at a time when turnover had actually decreased represented an impressive performance – and although these results did include some one-off items, it was clear that the University was in solid shape as it preferred for the new strategic planning period.

On a final note, the Principal asked Senate to note the 'Five Million Questions' programme to encourage informed and unbiased debate in the lead-up to the Referendum in 2014. Professor Whatley and colleagues in the College of Arts & Social Sciences were commended for the very positive launch of the programme and Senate members were encouraged to participate fully in the debate to come.

The Senatus decided: to note the Principal's report.

2. UNIVERSITY COURT

The Senatus received a communication from the meeting of 22 October 2012.

Senate noted that the Strategic Framework report represented the last tranche of data that related to the previous strategy document and that as a result it would now be possible to compile data to enable Court, and Senate, to understand trends and patterns across the six years of the previous cycle.

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

3. OPEN ACCESS PUBLISHING – SENATE DEBATE

The Director of the Library & Learning Centre gave a presentation on the developments in academic publishing as a stimulus for a debate on the current and future role of open-access journals in the research outputs of the University, and the Senatus was asked to approve the Policy on Open Access Publishing, which had been considered and endorsed by the University Research Committee.

The debate focussed on the consequences of a move to open-access publishing and recognised that in the short term it was unrealistic to require all disciplines to move immediately to an open-access publishing model.

There was general support for the principle of making research outputs of the University freely available wherever possible along with a recognition that problematic aspects of open-access publishing had still to be fully resolved – publishing of monographs, the role of unpaid reviewers and increasing costs, for example. The expectation was that extra funds - the equivalent of 3% of current research funding - would be needed to support open-access.

Although RCUK and some other major sponsors now include funding specifically to support open publishing of research, only a fraction of the actual costs involved could be recovered. The University would have to consider how to fund the shortfall and would need to find the most cost-effective method of publishing its research outputs – this might mean that it would be much more involved in publishing in some disciplines.

The University might need to develop budgets that were devolved to the discipline level in some cases, in recognition of the complexity of the transitional solutions, although the hybrid approach seemed to be the most likely long-term result.

Senate noted that decisions taken now and in the near future would feed into REF 2020 or its equivalent and so a flexible and dynamic approach would be needed. The PURE system could be seen as an investment that would enable the University to keep options open as the sector developed and would help manage the growing demand for access to quality research.

The Senatus decided: to approve the Policy.

4. SFC INVESTMENT PROPOSALS

The Secretary introduced the Report and thanked all those who had helped develop a professional and coherent bid in a very short time-scale and was pleased to inform Senate that the bid had been on the whole successful, subject to some further clarifications asked for by the SFC. Care was taken during work on the bids to focus on areas where strategic direction had already been agreed.

The Secretary announced that the University would expect to be allocated 150 fully-funded wider access places and a further 50 extra places as part of articulation agreements, as well as 45 places under the skills for growth initiative with industry for undergraduates. The SFC expected to announce the results of the bids for funded taught postgraduate places in early 2013. It was noted that this could make it very difficult to introduce new taught provision in time for the 2013/14 academic session.

The Senatus decided: to note the Report.

5. ACADEMIC YEAR WORKING GROUP

The Director of Policy, Governance & Legal Affairs (PGLA) introduced the report on behalf of the Working Group and explained that it represented the current consensus after wide consultation with both staff and students.

It was recognised that the views and needs of different parts of the University community were often at odds and occasionally irreconcilable. Nevertheless, the initial thoughts of the group were that there was support for the retention of the current structure of the academic year except that the resit diet could be moved from August to late June or July – subject to further detailed work with those most affected on its feasibility.

Members of Senate observed that Rest of UK (RUK), postgraduate and overseas students might be wary of such an early start to the year, and that with regard to changes to the resit diet, clinical assessments might be difficult to arrange as part of an earlier diet. Senate suggested that the views of external examiners could be sought during the next round of discussions and that Human Resources colleagues should be consulted over any impact on the University's family friendly policy.

Senate noted that comments on the current paper were welcome and should be returned to the Director of PGLA by the 14 December 2012.

The Senatus decided: to note the Report.

6. **RESEARCH COMMITTEE**

The Senatus received a report from the Research Committee meeting of 8 November 2012. The Deputy Principal (Research Governance) introduced the report from the Research Committee and asked Senate to note the item on Consultancy and the Committee's settled view on the need for a clear and simple policy position to encourage and support staff. A proposal would be taken forward by the Senior Management Team.

The Deputy Principal, when asked about engagement with the mandatory Diversity & Equality training for those involved with selection for REF, confirmed that the Vice-Principal had taken steps to contact the relevant staff as a final reminder. The Principal confirmed the absolute commitment to achieve 100% completion prior to final selection.

The Senatus decided: to approve the report.

7. **EMPLOYABILITY COMMITTEE**

The Vice-Principal introduced the report and asked Senate to note and endorse the proposed changes to the name, remit and membership of the Committee under Item 6.2 in the report.

The Senatus decided: (i) to endorse the changes in remit and membership and to rename the Committee as the Employability, Enterprise & Entrepreneurship Committee and;

(ii) to approve the Report.

8. **HONORARY DEGREES COMMITTEE**

The Senatus received the Minutes of a meeting of the Committee held on 6 November 2012. (annex).

The Senatus decided: to approve the Report.

9. **STATUTE 16 – STAFF PROCEDURES**

The Senatus noted that the following would serve as the Senate representative on panels convened under Statute 16:

Panel1: Professor T Palmer.

Panel 2: Professor GJ Mires.

HONORARY DEGREES COMMITTEE

A meeting of the Committee was held on 6 November 2012.

Present: The Principal (Convener), Professor R Duck, Professor A Fairlamb, Professor P Ferguson, Professor G Gadd, Mr I Kennedy (President, DUSA), Mr C Lovatt, Professor M Rose and Professor W Saunders.

In Attendance: The Secretary, Dr N Laker, Miss J Barnard and Dr M Glover.

1. MINUTES

The Committee received the Minutes of the meeting held on 20 September 2011 and subsequently approved by the Senatus.

2. MATTERS ARISING FROM THE MINUTES

(1) Honorary Degrees: September 2011 (Minute 2)

Resolved: to note that no further approaches would be made to Janet Street-Porter, Dolly Parton, Queen Rania of Jordan, Prince Albert of Monaco and Mary McAleese.

(2) Future Developments (Minute 4)

The Committee noted that the Senatus had approved proposals for widening the Honorary Degree consultation and nomination process and were pleased to receive a variety of suggestions and nominations for discussion and also welcomed the fact that the wider University community would be able to make suggestions throughout the year.

The Director of External Relations expressed her hope that stronger relationships with the University's honorary graduates could be built in future both at the corporate level through the Principal's Office but also informally by maintaining personal links at School level.

The Committee also hoped that the new selection process might help to ensure that more nominations were received for women and for members of underrepresented groups in future.

3. NOVEMBER 2011 GRADUATION

Resolved: to note that the following would be conferred with the degree of LLD at the ceremony on 14th November 2012:

Sir Nicholas Alcwyn Wright
The Honourable James Edmund Byng

4. CONFERMENT OF HONORARY DEGREES

The Committee received and considered a total of 40 nominations for honorary degrees. Of these a number did not demonstrate a clear connection with the University, were otherwise unsuitable or had been unsuccessfully approached in the past.

A number of suggestions were received that related to staff, students or eminent local figures who were deserving of recognition in some other way, but were not suitable or eligible for the conferment of an honorary degree.

The Committee considered the remaining suggestions and after due debate made the following resolutions.

Resolved: (i) to recommend that the following be approached with regard to conferment of the degree of LLD *honoris causa* at academic ceremonies in June and November 2013:

Donald Berwick
Leymah Gbowee
Ben Goldacre
Ronald Laskey
Annie Lennox

(ii) to recommend that the following be considered as possible recipients who may be approached after further research – either for 2013 ceremonies if needed or for future ceremonies.

James Robson
Mary E. Schwartz
Mei Lin Young
Nick Hastie
Cecil Balmond
David Sigsworth
Deyan Sudjic
George Monbiot
Richard Wilkinson

5. POSTHUMOUS HONORARY DEGREES

The Committee discussed the suggestion that the University award a posthumous honorary degree to Mary Lily Walker, one of the first female students of University College Dundee and a leading social reformer, to mark the centenary of her death in 1913.

Some members of the Committee expressed reservations about posthumous honorary degrees – in terms of both the precedent and the practicalities. The Committee discussed alternative methods of recognising and celebrating the contribution of individuals in the history of the University and also in a contemporary context – so that local eminent individuals could be recognised.

It was agreed that recognition should be seen as a springboard for further positive action – so that a celebration of the values and actions of the individuals could influence the future direction and ambitions of the University community – looking forwards rather than backwards.

The idea of a named award, medal or prize, a named Chair, a named building, or an art work were all suggested. It was agreed that the method chosen should be able to form part of the Graduation celebrations or ceremony in some way.

Resolved: to ask the Director of External Affairs to develop a proposal for an award or prize that could recognise and celebrate contributions to the University as an alternative to the award of an honorary degree.