

COURT**Minutes**

In the Chair: Mr Grant Innes

Date of Meeting: 20 November 2020

Present also: Dr Richard Armour
Ms Tracey Ashworth Davies
Professor Mark Biggs
Professor David Cobham
Professor Marc Desmulliez
Mr Graeme Dickson
Professor Fadi Ghaith
Dr Amos Haniff
Mr Steve Heathcote
Mr Brian Henderson
Dr Paul Hopkinson
Ms Emily King

Ms Morag McNeill
Mr Cameron Millar
Mr Jürgen Munz
Ms Marta Phillips
Mr Alan Robertson
Ms Dawn Skidmore
Ms Jandy Stevenson
Ms Lara Stroudinsky
Mr Mike Tumilty
Mr Graham Watson
Professor Richard Williams

Officer in attendance: Professor Mushtak Al-Atabi
Ms Lucy Everest
Professor Gill Hogg
Mr Andrew Jefferson
Professor Ammar Kaka

Ms Ruth Moir
Dr Gill Murray
Professor Garry Pender
Professor John Sawkins

M20/109 WELCOME AND ANNOUNCEMENTS

The Chair reported that the following colleagues would join the meeting for particular agenda items: Dr Maggie King, Head of Academic Quality; Professor Martha Caddell, Director of the Learning and Teaching Academy; and Mr Kieran Robson-Renner, Quality Enhancement Officer (all for item M117); Professor Malcolm Chrisp (for item M123) and Mr Paul Travill, Academic Registrar (for item M127).

The Chair reminded Court members of the extreme sensitivity of some of the papers presented and emphasised the need to maintain confidentiality.

M20/110 APOLOGIES

Apologies were received from the following, who had been invited to be in attendance: Mr Richard Cloughton, Ms Sue Collier and Lord Iain Vallance.

M20/111 MINUTES OF THE LAST MEETING

The minutes of the meeting held on 6 November 2020 were approved as an accurate record.

M20/112 DECLARATION OF INTERESTS

The Chair of Court invited declarations of interest. Professor Marc Desmulliez had reported that, as the academic lead for the Centre for Regulated Bio-Manufacturing (reported on by the Finance Committee), he would stand aside from any discussion arising on that topic at Court meetings. No other declarations were made.

M20/113 MATTERS ARISING

113.1 Ms Lucy Everest was congratulated on her recent appointment to the position of Global Chief Operating Officer. It was noted that she would sit in attendance at future meetings of the Court.

113.2 The University Secretary reported that 28 applications had been received following recent advertisements to fill Court and Court committee vacancies and processing of the applications is under way. In response to a question, the University Secretary reported that a statistical analysis

had not been carried out of the ethnic diversity across the applicants, although diversity would be reviewed in due course. She reported that particular effort had been made in the advertising and further particulars information to attract the interest of individuals of all types and backgrounds.

M20/114 COURT ACTION LOG

- 114.1** With reference to action item 106.2, the University Secretary reported that the matter of the anomaly between published Covid-19 case figures between the University and the University and College Union (UCU) had been resolved. The UCU figures had been found to be incorrect and the Union had been advised on the source of accurate data.
- 114.2** The University Secretary reported that the focus of the Strategy Day discussion on 11 December 2020 will be delivery of Strategy 2025, monitoring performance, and how the University's Risk Appetite assessment can be utilised to support decision making. She reported that the bicentennial year appeal and inclusion and access strategy will also form part of strategy day discussions.
- 114.3** In response to a question from a member about the progress of plans for the next Annual Stakeholder Meeting (ASM) the University Secretary reported that colleagues are working towards an online ASM to enhance engagement with the event which is expected to take place in February/March 2021; a proposal will be made to the Court in due course.

M20/115 REPORT FROM THE CHAIR (Oral report)

The Chair of Court reported on the positive outcome for the University with planned industrial action averted following the decision of the Court to accept the recommendation to conclude and consolidate the 2020 change proposals.

The Chair reported on his aim to free up as much time as possible at meetings of the Court to discuss important topical matters. For this reason, starting from the meeting on 20 November, certain agenda items had been designated as starred items which should not require any discussion time. This saving of time would help to ensure adequate time is allocated for discussion on student and academic staff survey outcomes at the meeting on 20 November 2020.

The Chair reported that the USS pension issue which was discussed at a recent Chairs' meeting should be discussed by the full Court in the near future.

M20/116 UPDATE FROM THE PRINCIPAL (Paper Ct8/20/61)

The Court received and discussed an update report from the Principal. The Principal commented in particular on two topics: Covid-19; and the Scottish Funding Council Review of Tertiary Education.

116.1 Covid-19 update

The Principal reported that the University had been fortunate that the overall level of Covid-19 cases across all campuses had been low. As of the previous evening there were 60 students isolating at the Edinburgh campus and up to 14 positive tests. However, of those 14 cases, 5 had been flagged as cross-connected positive cases connected to a hall of residence, triggering the involvement of Public Health Scotland, who University management would be meeting on 20 November 2020. He reported that, should wider self-isolation of residents of the affected hall be required, the University will be prepared to fully support them in separated accommodation, including meeting food needs. The Principal reported that staff, trade unions and the Court would be kept updated over the period ahead.

The Principal reported that, as the holiday period approaches, testing arrangements are under way with Sports Hall 2 in Oriam earmarked for use. Testing kits will arrive imminently from the contracted supplier, with testing taking place from 30 November 2020. The Court noted also that arrangements to support students who will remain on campus over the holiday period are under way, including arrangements to support those who are self-isolating.

The Principal reported that arrangements for return to the University following the Christmas holiday are not yet clear; guidance is currently awaited from the Scottish Government. However, flexibility is provided by the Responsive Blended Learning programme which will ensure continuity of studies. The Principal reported that dialogue is continuing with the Scottish Government with encouragement to the Government towards support for more localised strategies. He reported that plans are already being built around staggered phases of student return between 11 and 25 January 2021.

The Court noted that the Malaysia Campus remains under lock-down with no staff or students on campus, while in Dubai the Campus continues to operate in compliance with the relevant UAE regulations.

The Principal reported that £37k of funds to support students in emergency situations had been gratefully received and distributed to students in need across all campuses. Further funds may be needed over the future period; in the meantime the University has been effective in its communications to the student body about the resources available to support students in need.

In response to questions arising, the Court noted that budget resources had been allocated to ensure that social events tailored to suit different international student groups can continue, subject to Covid-19 restrictions through the holiday period for students who will remain on campus. Regular staff cover will be in place to provide catering, and the Student Union shop will remain open. The Court noted, in relation to the Scottish Borders and Orkney Campuses, that the Borders Campus will have access to a mobile testing unit, while the University continues to work through plans to meet more challenging circumstances in relation to catering and events provision over the holiday period. Local test facilities are available for the Orkney Campus.

The Court noted that University management is preparing an update communication for release to the student body very soon. The Chair of Court commended the work being undertaken in a time that has been stressful to students and staff, with acknowledgement that the challenges look likely to persist well into the coming year.

116.2 Scottish Funding Council (SFC) Review of Tertiary Education

The Principal reported on the recent publication of the Phase 1 report of the SFC review of Tertiary Education, which seeks to identify key issues relating to the future of education. **XXX Reserved section (Ref: Section 33, FOI(S)A.)**

116.3 Other matters reported

The Principal drew attention to congratulations to be relayed to Heriot-Watt alumnus, Douglas Stewart, who had been announced as the 2020 Booker Prize winner for his novel *Shuggie Bain*.

M20/117 STUDENT AND ACADEMIC STAFF SURVEYS (Oral report)

The Deputy Principal (Education & Student Life) introduced colleagues who updated the Court on the 2020 ELIR and student and staff surveys:

117.1 ELIR

The Head of Academic Quality updated the Court on the outcome of the 2020 Enhancement-Led Institutional Review (ELIR). The University had achieved the highest possible outcome in the judgement that the University has effective arrangements for managing academic standards and the student learning experience, and that these arrangements are likely to continue to be effective in the future. This is a positive judgement, which means the University has robust arrangements for securing academic standards and for enhancing the quality of the student experience, and it confirms that there can be public confidence in Heriot-Watt University's awards and in the quality of the learning experience it provides for its students.

The Court noted that preparations for the ELIR had taken three years and in 2020 the exercise had been both a challenge in the face of Covid-19 and also the most collaborative, with more than 500 University staff and students involved.

The Head of Academic Quality reported on the areas of commendation which included, very significantly, commendations on the strategic and connected approach as a global University and positive partnership working with the student body. The four areas of recommendation from the Review had not come as a surprise; they had been highlighted by the University and were areas where significant improvements have already been made.

The Court noted the Quality Assurance Agency process steps following the Outcome Report in November 2020, including release of a Technical Report in January 2021 and a Follow-up Report and Event in January 2022. Meanwhile, the University would progress with internal ELIR engagements, an ELIR Action Plan progressed through the relevant committees and celebration and building on the areas of commendation.

117.2 Early Experience Survey

The Quality Enhancement Officer reported on the outcomes of the First Semester Week 4 'Early Experience Survey' conducted with students across all campuses.

The Court noted that finances and isolation were repeating matters reported as causing worries, with mental health issues being the uppermost reported matter. 24% of respondents reported that they did not know where to get help if they needed it. An opportunity had been taken up to embed a link in the survey to direct students to sources of help and advice. The Quality Enhancement Officer reported on the substantial improvements that had been made during the year on Personal Tutoring support and week 1, and the Early Experience Survey showed increased contact between Personal Tutors and tutees across all Schools.

The Court noted the survey feedback that had been received on students' overall learning experience. This was overall positive with some areas that were being picked up on to institute improvements. A range of recommendations had emerged which are being addressed.

In relation to student life more widely, 46% of respondents were members of a University Club or Society, 23% were employed full or part time alongside their studies and 10% had undertaken volunteer activities. 6% of respondents reported having some sort of caring responsibility. A number of recommendations were being taken forward to improve support.

117.3 Responsive Blended Learning

The Court noted the aim of Responsive Blended Learning (RBL) development to ensure that all students have been able to proceed with their studies during the year, regardless of location or localised pandemic related circumstances.

The approach had been underpinned by staff and student support and communications and engagement with the student body, through a global team approach. University-wide systems had been developed and aligned to meet the needs of the RBL model of delivery in 2020/21. The Court noted the tremendous good-will, patience, sense of community and an appreciation of the partnership with the student body. Staff confidence in their ability to support students using RBL had increased substantially through the course of semester one. The Court noted the developmental phases of RBL implementation which had built momentum and enthusiasm for future transformation in learning and teaching. These had fed a truly global approach and significant strides towards the realisation of the University's digital education ambitions. While there is fatigue in the system given the pressures and challenges over the year and lessons to be learned for the future, momentum and enthusiasm is being maintained. The University's 2020 ELIR outcome had provided an additional significant boost to overall confidence and morale.

117.4 Open discussion

The Court noted potential future opportunities to capitalise fully on RBL developments in a post-Covid environment.

The Court discussed the methods being used to maintain student engagement with the Student Surveys while avoiding survey fatigue. Surveys were being refined and ways were being adopted to capture and report back quickly, effectively closing the feedback loop.

It was reported that the University's VLE will be transformational and the University as a whole should feel confidence in the opportunities it will afford. Experienced learned from the RBL implementation will be utilised in the development of the VLE.

The Court noted the expectation that the experience of RBL development and implementation is expected to support and serve as an accelerant to the Heriot-Watt Online project. The Deputy Chair of Court requested that an update on the Online project be provided at a future meeting of the Court.

M20/118 REPORT FROM THE STUDENT UNION (Paper Ct8/20/62)

The Court noted and discussed a report from the Student Union which was presented by the Student Union President. The President highlighted in particular:

- continued general concerns about student mental health;
- the closure of the food and beverage outlet in the Student Union building as a consequence of government Covid-19 restrictions;
- the range of student wellbeing initiatives and equality initiatives undertaken and the positive engagement of students with clubs and societies, using peers to promote involvement while adhering to social rules;
- student engagement and viewpoints on RBL delivery and "digital poverty" which is an important consideration in relation to RBL implementation. It was noted that the transition to RBL and financial concerns are major drivers impacting on mental health;
- the Student Union CEO will be leaving at the end of December 2020 to take up a new role and recruitment for a replacement will be under way soon; and
- the Student Union/Sports Union money raising campaign for *November*.

The Chair of the Finance Committee reported that over the period ahead the Finance Committee will be considering Student Union financing in the context of the current challenging circumstances.

The Court noted that problems for some students accessing online learning had been identified early on in the RBL transition process and funds had been set aside to support students affected by "digital poverty". Keeping some campus space open to provide stable broadband facilities had been essential. Some School specific issues had arisen, such as equipment needs in the School of Textiles & Design which had also been addressed through financial support. The Court noted that the University and the Student Union are continuing to monitor and to respond to student needs. An observation was made that digital poverty issues will continue to be of particular pertinence to the University's global widening access strategy and should continue to receive special focus, including informing current and prospective students about sources of help.

It was requested that RBL issues and student support highlighted in the discussion should be reported on in due course in the annual report for the year from the Student Union.

M20/119 REPORT FROM THE SENATE (Paper Ct8/20/63)

The Court received and noted a report from the Senate which related to the meeting of the Senate held on 5 November 2020. All matters in the report were provided for information.

M20/120 REPORT FROM THE FINANCE COMMITTEE (Paper Ct8/20/64)

The Court noted and discussed a report from the Finance Committee which related to the meeting of the Committee held on 12 November 2020.

The Committee Chair drew particular attention to the Period 2 Management Accounts reviewed by the Committee which showed an improved position versus budget in the first two months of the current financial year, against a background of significant risks. The Court noted that full first

quarter management accounts would help inform the Court's budget reset discussion on 11 December 2020 and that risks relating to student numbers and accommodation income will become clearer by the time of the next meeting of the Finance Committee in early 2021. The Committee would continue to maintain a close watching brief.

The Committee Chair also drew attention to the Committee's welcome of the beneficial strategic use of scholarships and fees discounting, and the Committee's review of progress towards the 2025 income target in relation to research grants and contracts income and the role of large projects such as the Centre for Regulated Bio-Manufacturing. He also highlighted the Committee's endorsement of plans to establish a Sinking Fund outwith the University's day-to-day cash holdings, to facilitate repayment of Bond funds; the contributions for 2020/21 would be made by way of a lump sum cash injection of \$4m.

The Committee Chair advised the Court about the report received from the Infrastructure Committee and monitoring of the progress of the delivery of the Enterprise Resource Planning (ERP) Project. The Finance Committee would continue to monitor and review the implementation of major IT projects more widely.

The following comments and observations arising in the course of the discussion included:

- consideration should be given to the financial returns expected from major projects in relation to Bond repayment via the sinking fund. It was noted that the GCFO would continue work to clarify the return on investments due from such projects. It was commented that that a five to ten year repayment of investment ought to be given appropriate visibility in project plans presented for Court approval;
- the need for a substantive discussion on the USS pensions issue, potentially with external expertise invited to contribute; and
- the GCFO agreed to prepare a schematic which shows the points of representation and engagement of the Scottish sector with the USS pension scheme governance. The GCFO reported on the means by which the University had engaged in dialogue, including, *inter alia*, discussion with the CEO of the USS; however, the University remained a small voice in a much larger pool and the SFC does not have involvement in the national debate. Moves were being via Universities UK made to gain representation on a sector group focused on the USS debt monitoring framework.

M20/121 DELIVERING STRATEGY 2025 IN DUBAI (Paper Ct8/20/65)

XXX Reserved section (Ref sections 30, 33 FOI(S)A).

M20/122 REPORT FROM THE GLOBAL STUDENT LIAISON COMMITTEE (Ct8/20/66)

The Court noted a report from the Global Student Liaison Committee which related to the meeting of the Committee held on 28 September 2020. All items in the report were reported for information.

M20/123 REPORT FROM THE STAFF COMMITTEE (Paper Ct8/20/67)

The Court noted and discussed a report from the Staff Committee, which related to the meeting of the Committee held on 2 November 2020. An updated Health and Safety Policy and Policy Statement were presented for approval, and the Annual Report of the University Health & Safety Committee was presented for formal receipt, while all other matters were reported for information and comment.

123.1 Annual report from the University Health & Safety Committee

The Court noted and discussed the annual report from the University Health & Safety Committee 2019/20 which was presented by the Chair of the Committee. The Committee Chair navigated through the structure of the report, drawing attention to the four reports made under RIDDOR

regulations. This number was consistent with expectations in national contexts (UK and Scottish), with reported injuries below both UK and Scottish averages. The Committee Chair drew attention to the range of reviews that had been undertaken in the year involving the Safeguarding Service, to ensure continued close focus on Health and Safety risks.

The Committee Chair drew attention to the recorded number of security incidents of the period which were reported into Shield at the Edinburgh Campus, highlighting the shift over time of the Service from a traditional asset security service to one focused on pastoral care and an interactive approach. The use of SafeZone from 2018, which provided students with a more direct way of contacting SafeGuarding is reflected in the figures.

In response to a point raised the Committee Chair agreed that year-on-year trends on RIDDOR data could be provided in future reports, along with an indication of the nature of the cases behind the data.

In response raised to a question about general health and safety advice, e.g. about workstation arrangements, the Committee Chair described the local health and safety framework and the role of line managers, working in conjunction with HR and with SafeGuarding Services, to support health and safety within their teams. The Principal highlighted the work that had been undertaken through surveys to identify staff needs and, as a result, to arrange delivery of equipment to staff members' homes and further advice. This proactive approach will be taken forward into the future. The Committee Chair reported that he is not aware of any cases raised by staff in connection with current year home-based working arrangements while line managers continue to have resources available to ensure that individuals' medical conditions are supported.

123.2 Health & Safety Policy and Policy Statement

The Court approved the updated Health & Safety Policy and Policy Statement presented.

It was noted that, following restructuring in the senior executive team, the University Secretary retains responsibility for Health and Safety as "University Health and Safety Director".

123.3 QC report recommendations

The Court noted and discussed a report on the actions being taken as well as those planned in response to the report and recommendations made by Morag Ross QC in her review of the University's systems and processes.

The Principal introduced the report reminding the Court that he had presented the QC report including its ten recommendations together with the University Executive's initial responses to the Court in May 2020. A working group had been established to oversee delivery. The report now provided to the Court provided a further report on progress against the agreed actions. The Staff Committee had the role of overseeing that progress. The working group had made quick progress against immediately actionable changes and is making progress with the embedding of organisational changes so that the recommendations of the QC report become embedded in "business as usual".

The Committee Chair highlighted; the need to monitor the future embedding of systemic change, the importance of an open and transparent complaints processes and respect ambassadors who support open dialogue, and the role of communications and surveys to help shape the qualitative experience of staff and to support a shift in institutional culture.

In response to a point raised, the Court noted that the style of the equivalent report produced by the University of Strathclyde was quite different in nature to the Heriot-Watt report and is not thought to offer significant learning points for Heriot-Watt, other than the experience drawn in the management of references. Heriot-Watt would be carrying out further work with a view to finalising a new policy and procedures for managing references in the early part of 2021.

Two staff members of the Court emphasised the significant changes that had taken place within the School which were the focus of the case the QC review reported on. The actions in response to the review and the gradual shift in local culture were welcome; however, there is also a general desire of staff to draw a line under the matter and look forwards.

The Court agreed to delegate receipt of future reports and updates in entirety to the Staff Committee.

M20/124 REPORT FROM THE REMUNERATION COMMITTEE (Paper Ct8/20/68)

The Court received and noted a report from the Remuneration Committee which related to the meeting of the Committee held on 2 October 2020. All the matters reported were provided for information.

M20/125 REPORT FROM THE AUDIT AND RISK COMMITTEE (Paper Ct8/20/69)

The Committee received a report from the Audit and Risk Committee which related to the meeting of the Committee held on 12 November 2020. Court members were invited to provide any material comments on the two Policies which were presented for approval in advance of the meeting. No such comments had been submitted.

125.1 XXX Reserved section (Ref sections 30, 33 FOI(S)A).

125.2 Ethical Business: Gifts and Hospitality Policy

The Court approved proposed non-material amendments to the University's Ethical Business: Gifts and Hospitality Policy for immediate implementation.

125.3 Ethical Business: Charitable Gifts Acceptance Policy

The Court approved for immediate implementation proposed amendments to the University's Ethical Business: Charitable Gifts Acceptance Policy. The changes made explicit the due diligence requirements for gifts over £5k, set delegated approval limits for the Head of Development and Alumni and the University Secretary following due diligence, and established Equality and Privacy Impact Assessment requirements.

M20/126 REPORT FROM THE GOVERNANCE AND NOMINATIONS COMMITTEE (Paper Ct8/20/70)

The Court noted a report from the Governance and Nominations Committee which related to the meeting of the Committee held on 5 November 2020. Two matters had been presented for approval and Court members had been invited to relay any material questions or comments on these in advance of the meeting. No such comments had been received. The remainder of the report included matters provided for information.

126.1 Court and Court Committee Standing Orders

The Court approved proposed minor revisions to Court and Court Committee Standing Orders for immediate implementation.

126.2 Court Schedule of Delegation

The Court approved for immediate implementation a proposed Court Schedule of Delegation in replacement of the current Schedule which had been approved in 2015. The Court noted that the Schedule of Delegation complies with a Scottish Code of Good Higher Education Governance requirement for such a statement which defines the authority delegated by the governing body. Following approval, the Statement would be published on the University's web pages.

M20/127 UNIVERSITY COMPLAINTS ANNUAL REPORT 2019/20 (Paper Ct8/20/71)

The Court received and noted the Annual Complaints report for 2019/20 which was presented by the Global Academic Registrar. The Court noted that a condensed version of the report would be published, in compliance with Scottish Public Services Ombudsman (SPSO) legislation.

The Global Academic Registrar reported on the slightly reduced number of complaints received compared to the previous year (which itself was a reduction on the year before) and the relative numbers of stage 1 and stage 2 complaints. It was noted that, since spring 2020, the central log of complaints had been taken over by the Academic Secretariat, Regulation and Policy Division. Since then there had been significant improvements in the handling of Stage 2 Complaints and those received by the SPSO. Further efficiencies and effectiveness in the handling of complaints cases are expected over the course of the current academic year, supported by restructuring within the complaints handling service. A new framework for handling complaints would be reported to the Court in due course.

The Global Academic Registrar drew attention to three specific SPSO University-wide recommendations made to the University which will require action during 2020/2021: including the introduction of regular equality and diversity training for staff in student facing roles, consideration of raising staff awareness about handling cases involving students with known disability/wellbeing issues; and ensuring continuity of academic support for students under misconduct investigation.

In response to a question the Global Academic Registrar reported on improved more granular recording of complaints so that it will be easier in future to pull out trends in the nature of different complaints and to identify those which are more serious in nature. Improvements in the service and in recording meant that lessons can be learned from earlier mistakes and not repeated. He also reported that the University's complaints figures are understood to fare well when measured against the sector. It was noted that consideration is being given to the number of complaints at the Scottish Borders Campus, where numbers are higher than the University average. The Global Academic Registrar reported that while the reasons for the complaints were not included in the summary report, student satisfaction levels are known to have been lower for a range of reasons associated with the student experience. The service is alert and responsive to this feature in its complaints handling.

M20/128 COURT MEETINGS SCHEDULE (Paper Ct8/20/72)

The Court received and noted a report of the future scheduled meeting of the Court from 2020 to 2023.

M20/129 ANY OTHER BUSINESS

129.1 Obituary

The Court was saddened to receive notification of the death of Professor Colin Davidson, Emeritus Professor of the University.

129.2 Court rolling programme of business (as of November 2020) (Paper Ct8/20/73)

The Court noted the rolling programme of forward business of the Court as of November 2020.

M20/130 DATE OF THE NEXT MEETING

It was noted that the next scheduled meeting, the Strategy Discussion day, will take place on 11 December 2020.

Date

Signature