

Court Attendance and Participation Policy

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Scope:	All Campuses

POLICY

HERIOT-WATT UNIVERSITY

COURT ATTENDANCE AND PARTICIPATION POLICY

Table of Contents

1. [Introduction](#)
2. [Purpose](#)
3. [Scope](#)
4. [Attendance and Participation Thresholds](#)
 - 4.1 [Three consecutive notified absences](#)
 - 4.2 [One unnotified absence](#)
 - 4.3 [Two unnotified absences](#)
 - 4.4 [Absence from more than one-third of scheduled ordinary meetings](#)
5. [Online participation in meetings](#)
6. [In-person attendance at meetings](#)
7. [Membership of Court Committees by members of the Court](#)
8. [Court and Court Committee member appraisal processes](#)
9. [Implementation](#)
10. [Responsibilities](#)
11. [Reporting](#)
12. [Advice](#)
13. [Policy version and status](#)

1. INTRODUCTION

The Court complies with the Scottish Code of Good Higher Education Governance (The Scottish Code)(2023). Article 57 of the Code indicates that: 'Governing bodies are expected to meet at least four times a year and will decide whether meetings should be held in person, virtually or a combination of both. Members should attend all meetings where possible.'

2. PURPOSE

This Policy sets out expectations around the level of attendance at scheduled meetings of the Court and its committees and the participation of Court members through their individual contributions to the work of Court committees. It is customary for every Court member to sit on at least one committee of the Court.

This Policy should be read in conjunction with relevant parts of the Charter, Statutes and Ordinances and with the Policy on Court and Court Committee Membership.

3. SCOPE

This Policy applies to all members of the Court and all members of standing Committees of the Court, their sub-committees, joint committees of the Court and the Senate, and established short-life oversight groups of the Court.

4. ATTENDANCE AND PARTICIPATION THRESHOLDS

A threshold is breached if:

- The member has **three consecutive notified absences** from the scheduled* meeting cycle;
- The member has **two consecutive un-notified absences** from the scheduled meeting cycle (un-notified means that the member did not report their anticipated absence by email to an appropriate point of contact, i.e. the Committee Clerk or the Secretary); and
- The member is **absent from more than one third of the total number of scheduled meetings** in an academic session.

*scheduled meetings shall normally be taken to mean the agreed schedule of regular meetings (including Strategy Days) in any given academic session. The schedule normally is set up to two years in advance.

N.B. The University recognises that scheduled meeting dates may change, in which case flexibility will be applied.

4.1 Three consecutive notified absences

A member who gives notice that they will miss a third consecutive meeting should consult with the Chair of Court or the Chair of the committee, as relevant, to discuss the circumstances surrounding the continuing absences.

The following options should be agreed:

- where circumstances are exceptional and temporary, future attendance should be kept under review for an agreed period of time or a temporary suspension of membership should be agreed;
- where the attendance problem is likely to persist, the member should be invited by the Chair to resign from their membership. If necessary, the individual should be formally removed from membership in accordance with the Ordinances.

Decisions shall be taken at the discretion of the Chair, who should seek advice from the Secretary before embarking on a course of action.

4.2 One unnotified absence

Where a member has missed one meeting without notice, the Secretary will write to them to seek an explanation for their absence. If there are exceptional and temporary circumstances affecting their attendance, the Secretary will follow the process under section 4.1. Otherwise, the Secretary will remind the member of the requirement to give notice of an absence under this Policy and that a second unnotified absence may result in their membership being withdrawn.

4.3 Two consecutive unnotified absences

Where a member has failed to attend two successive meetings without notice, they shall be deemed to have withdrawn from their membership of the Court and Court committees. The individual should be formally removed from membership in accordance with the Ordinances. The individual cannot be reinstated to the membership on subsequent provision of an explanation.

4.4 Absence from more than one third of scheduled ordinary meetings

For individual members to discharge their responsibilities to University governance adequately, they should attend no less than two-thirds of the meetings scheduled in an annual session.

At the point where one further absence in the year will lead to a breach, the Secretary will write to the member reminding them of the relevant provisions of this Policy. The individual should be advised at this stage to consult with the Secretary or the Chair should they have concerns about their ability to achieve the required level of attendance across the full annual cycle. The Chair of Court / Chair of Court committee, as appropriate, shall receive a copy of the correspondence.

5. ONLINE PARTICIPATION IN MEETINGS

Regular meetings of the Court and Court committees shall normally be conducted online, with all members participating via Microsoft Teams. One meeting per year may also be held in person at the discretion of the Chair. In-person meetings will be agreed in advance and adequate notice will be provided. Members will be able to participate via Microsoft Teams if they cannot travel to attend. The exception will be Court Strategy Days, which will be held at the Edinburgh Campus with members expected to join in person.

6. IN-PERSON ATTENDANCE AT MEETINGS

The University will reimburse reasonable and necessary expenses for Court and Court Committee members to attend meetings that are scheduled to be in person (including travel and subsistence). This includes Court Strategy Days. If the cost of travel to attend an in-person Court or Court Committee meeting will be prohibitive, members should consult with the relevant Clerk before making a booking. The Clerk, in consultation with the Secretary, may recommend that the member attends via Microsoft Teams.

All expenses must be submitted within three months of the expenditure, in accordance with the University's policies on Travel and Expenses. Further advice on the procedure for claiming expenses can be provided by the Secretariat.

7. MEMBERSHIP OF COURT COMMITTEES BY MEMBERS OF THE COURT

Court members are expected to join at least one standing committee of the Court, to assist these committees in fulfilling the responsibilities delegated to them by the Court. Other commitments permitting, members may also be asked to extend their governance role in other ways, for example: by joining a short life oversight group; by joining a selection panel; by engaging as a Lead Governor with a particular area of the University; or by representing the University in some way.

8. COURT AND COURT COMMITTEE MEMBER APPRAISAL PROCESSES

The attendance and participation of a member shall form a part of the criteria applied when evaluating the performance of that member:

- a) for regular performance appraisals;
- b) for renewals of membership; or
- c) for a move from co-opted membership of a Court committee onto membership of the Court.

9. IMPLEMENTATION

Prospective and new members of Court and Court committees shall be provided with this Policy.

The Secretary will annually review the collated data on individual governor attendance at meetings of the Court and Court committees and determine whether this Policy is working effectively.

The Governance and Nominations Committee and the Court will review the Policy and its effectiveness every three years.

10. RESPONSIBILITIES

The **Chairs of Court and committees of Court** and the **Secretary** jointly share responsibility for managing attendance levels of the associated memberships, and ensuring the effective implementation of this Policy.

Individual members should seek to maintain a high level of attendance and approach the Chair of Court or Committee Chair as appropriate, and / or the Secretary for advice if needed.

The Secretariat shall maintain records of attendance and report to the Secretary where circumstances may require correspondence with members.

11. REPORTING

In compliance with the 'UK Corporate Governance Code' (Financial Reporting Council) and the Scottish Funding Council Accounts Direction for Scotland's Universities 2022-23, membership of Court and Court Committees and the attendance of individual members are included in the University's Annual Accounts.

12. ADVICE

Members who wish to seek further advice or support on matters related to this Policy should approach the Chair of Court or Committee Chair as appropriate, and / or the Secretary.

13. POLICY VERSION AND STATUS

Version No	Brief Description of Amendment
V. 2.1	Small areas of revision and additions made.
V.2.2	Revisions made in relation to attendance via internet video and expenses.
V.2.3	Revisions made in relation to participation via internet; and tightening of terminology.
V3	Revisions have been made to simplify the Policy and to reflect current practice (for example, around online vs. in person meeting attendance).