

COURT

Minutes

In the Chair:	Dame Frances Cairncross	Date of Meeting: 3 March 2017
Present also:	Ms Tracey Ashworth-Davies Ms Pamela Calabrese Ms Lucy Conan Professor Patrick Corbett Mr Diarmuid Cowan Ms Trish Gray Mr Amos Haniff Mr Grant Innes Professor Julian Jones Ms Eloise McNeaney Ms Morag McNeill	Mr Andrew Milligan (from item M17/65) Professor Isabelle Perez Professor John Perkins Ms Jane Queenan Ms Dorothy Shepherd Ms Jandy Stevenson Mr Tony Strachan Professor Ian Wall Mr Graham Watson Ms Rio Watt Professor Richard Williams
Officer in attendance:	Ms Sue Collier Professor Bob Craik (via Skype) Ms Ann Marie Dalton-Pillay Professor Gill Hogg	Professor Ammar Kaka (via Skype) Mr Andrew Menzies Dr Gillian Murray Professor John Sawkins
Others in attendance:	Ms Lorna Kirkwood-Smith (minutes)	

M17/53 APOLOGIES

Apologies were received from the following member: Mr Tom Stenhouse, and from the following who was invited to be in attendance at the meeting: Professor Garry Pender.

M17/54 MINUTES OF THE PREVIOUS MEETING

The Court approved as an accurate record the minutes of the additional meeting of the Court held on 19 January 2017, subject to an amendment to show that Ms Eloise McNeaney had tendered her apologies for absence.

M17/55 DECLARATION OF INTERESTS

The Chair of Court invited declarations of interest. No declarations were received; however, the Chair of Court and the Deputy Chair of Court were absent from the discussions relating to their respective reappointments, as recorded under M17/66.2 and M17/66.3 below.

M17/56 MATTERS ARISING

Under 'Matters Arising' the Principal reported that work was continuing to complete the draft Scottish Funding Council (SFC) / Heriot-Watt Outcome Agreement for onward approval by the University Executive and the Court later in March. The Court would be invited to approve the document by correspondence, prior to its submission to the SFC at the end of March.

The Principal confirmed also that a consultation process was under way in relation to the reappointment of the Head of School of Social Sciences and that the Court would be asked to consider and approve a recommendation in the near future.

M17/57 OPENING REMARKS FROM THE CHAIR OF COURT

The Chair of Court made an observation about the challenging and changing external higher education environment, which was reflected in the main business item for discussion at the meeting.

The Chair reminded members of the need to preserve the principle of confidentiality around the business of the Court. It followed that papers provided and discussion held at meetings of the Court were for members and others present at the meeting and these should not be relayed by members to others.

M17/58 REPORT FROM THE PRINCIPAL (Paper Ct5/17/01)

The Court received and noted a report from the Principal who drew members' attention to the following in particular:

- Professor Bob Craik's role change at the end of his period of appointment as Vice-Principal (Malaysia) in summer 2017. Under the title of Provost Emeritus (subject to approval by the Senate), and based at the University's Edinburgh Campus, he would assume responsibility for oversight of international activities and growth. The Principal and the rest of the Court membership relayed thanks and appreciation for Professor Craik's exceptional contribution to the development of the Malaysia Campus over the course of his current appointment. The Principal reported that in the coming week an internal-applicants-only advert will be released seeking his successor for the Malaysia Campus. A secondment post with responsibility for supporting the executive team at the campus and supporting development of the campus research culture will also be advertised;
- **XXXReserved section (Ref section 33, FOI(S)A)XXX;**
- the appointment of Ms Catriona McAllister, CEO of Oriam, as Chief Executive of Jersey Sport. The Principal and the Court expressed thanks and appreciation for the exceptional contributions she had made to the University and wished her every success in her new role.

XXX(Reserved section (Ref section 33, FOI(S)A)XXX

In response to a question about his 'Creating Our Future' report, the Principal emphasised that the School-focused simplification aims that he had reported related specifically to aims to achieve efficiency in process, coherence and consistency across and between Schools, not to cut costs.

The Principal also reported on recent national press coverage about a serious crime that had taken place at the Edinburgh Campus. He noted that this had taken place several years previously and that any investigation undertaken had not at any point been drawn to the attention of the University authorities by Police Scotland. The Secretary reported that the University maintained a close working relationship with Police Scotland, which made the absence of communication in this particular case unusual.

M17/59 REPORT FROM THE UNIVERSITY EXECUTIVE – 2017 FIVE YEAR FINANCIAL PLAN: PLANNING ENVELOPES (Paper Ct5/17/02a)

59.1 Introduction by the Principal

The Court noted and discussed a report, presented by the Principal and the Vice-Principal, which proposed the initial planning envelope for the Heriot-Watt Group for the 2017 Five-Year Plan and the principles for the allocation of individual envelopes to the main budget groups, i.e. the required income, expenditure and contribution to be delivered in each year of the Plan. At this stage, the first four years of the Plan up to 2020/21 were presented, with the intention that a fifth year would be developed in parallel with the next stages of the planning process if appropriate.

The Court noted that the proposals contained in the report had been approved by the University Executive (UE), and had been endorsed by the Finance Committee at its meeting on 28 February 2017. Following consideration by the Court at its meeting in March, it was intended to undertake detailed planning meetings with budget-holders in March and early April to inform further development of the Plan. The final draft would be presented for consideration and approval by the UE, the Finance Committee and the Court in May/June 2017.

The Principal summarised the background to the proposals presented. The proposals centred on the adoption of the Group-level envelope summarised in Table 14 of the report and the schedule of required savings amounting to approximately £14 million which were summarised in Table 17 of the report. It was recommended that the associated savings programme should be implemented as soon as is practical. In his introduction, the Principal drew particular attention to:

- income shortfalls relative to the Plan in both teaching and research in 2018/19;
- the financial climate across the wider Scottish higher education sector, whereby around half of all Scottish HEIs had already reported deficits in their published 2015/16 accounts;
- a real-terms reduction in teaching-grant funding across the sector generally from the Scottish Funding Council (down 13% across the sector over the last five years). Further decline in core funding was expected;
- a particular shortfall relative to the Plan in overseas-fee-paying students. The impact of 'Brexit' had created uncertainty and the UK Government's immigration policies had produced the effect of making the UK as a whole a less attractive option in the competitive international market place for higher education;
- the sustained international down-turn in the oil and gas sector. Not only was this an area of specialism at Heriot-Watt, but international students from regions where the hydrocarbon sector was a mainstay of their economies could less readily afford the fees;
- a decline in the University's ability to recover indirect costs associated with research from public funders and a general reduction in industry research funding (where levels of indirect cost recovery were generally higher) with particular reduction in funding from the oil and gas industry relative to plan. In addition there was a decline in the success rate for EU funding sources (a UK-wide phenomenon); and
- the University had been successful in a range of ways including attracting Rest-of-UK undergraduates and Scottish students; however, the growth achieved in those areas had not been sufficient to counter the negative effects of other factors. The University has therefore established a savings target within the two-year planning period to 2018/19 to achieve a sustainable level of surplus. The savings target amounts to approximately 6% of the expenditure previously set out in the University's Plan for financial year 2018/19, equal to about £14 million.

The Principal emphasised that the University's strategy remained solid: the Bond funds secured in December 2016 would enable the University to invest in strategic infrastructure over the years ahead; and the University's distinctiveness and global footprint together provided a solid platform for future strategic development of its teaching and research. The Principal reported on aims to further empower Heads of Schools, developing the leadership capabilities necessary to deliver the high quality learning and teaching and research which the University was ambitious to achieve at each of its five locations.

59.2 Presentation by the Vice-Principal

The Vice-Principal reminded the Court of the normal cycle of development of the rolling Five-Year Financial Plan and the projections upon which it was based. Projections in the later years of any Plan carried a level of uncertainty. Changes introduced in the planning cycle required time to take effect; the timings differed depending on the nature of the change, but the financial impact point(s) could be determined. Therefore, even while a level of uncertainty might exist, a range of quantitative information will underpin future projections.

The Vice-Principal reported that by autumn 2016 there had been evidence that risks previously discussed at the Court were crystallising and that growth targets in the Plan would not be sustained. Reviews had been undertaken of the projections for student recruitment and the pipeline of research awards and proposals.

A range of scenarios had then been developed for both tuition fee and research income, from "best case" down to "worst case". The University Executive (UE) had concluded in both cases that the 'prudent' case was suitable for planning purposes but that provision (contingency) should be made in the budget for manifestation of the "worst" case. In considering expenditure reduction, two factors had been considered: the need for loss-making activities to recover or to

be wound down; and for control of expenditure on activities where expected future income has been reduced relative to earlier plans.

The Vice-Principal explained that an analysis had been undertaken on the non-pay budget and the split between discretionary and non-discretionary elements. It had been agreed that expenditure reduction would need to be achieved from both pay and identified discretionary non-pay areas. The scenario-setting had considered the extent to which reductions in pay spend could be achieved by non-filling of vacancies, however these might arise.

The UE had proposed a planning envelope summarised in Table 14, which would achieve the required £14 million of savings and a return to surplus from 2018/19, rising to a financially sustainable position thereafter. This included additional savings in spending on pay (total employment costs) projected to amount to around £2.0 million in 2017/18 (assuming no further savings were achieved in the present year), in addition to savings achieved by leaving vacancies unfilled, and to rise to £3.5 million in 2018/19. The model also included: an estimate of the cost of achieving the pay saving overall, e.g. through voluntary redundancy payments; and a reduction in expenditure relative to plan at HWU Malaysia. The Court noted that the total cost of voluntary redundancy payments would only become clearer in a few months' time.

The Vice-Principal explained that the Malaysia Campus had entered into a similar although separate scenario-planning exercise to shape its budget envelopes (scenario-planning for Dubai is fully integrated with that for the Scottish campuses). Both the Vice-Principal (Malaysia) and the Vice-Principal (Dubai) confirmed that they were confident that they would be able to achieve the indicated level of savings at their respective campuses.

The Vice-Principal explained the principles to be applied in the next phase of setting individual budget envelopes, including a review of activities incurring deficits and removal of expenditure planned to generate income where the income is no longer envisaged in the Plan. These activities were identified in the annual Financial Performance Review informed by the annual TRAC return. Recovery planning or disinvestment options were considered in planning round discussions with the relevant budget-holders.

The Vice-Principal thanked colleagues in the Finance and Planning Offices for their contributions to the development of the report.

59.3 Report from the Chair of the Finance Committee

The Chair of the Finance Committee reported to the Court the key aspects of the discussion on the proposals by the Finance Committee at its meeting on 28 February 2017. The Chair reminded the Court of the range of external risks to the Five-Year Financial Plan which had been reported to the Court in May 2016 while the 2016 Plan was under development. Subsequently the 2015/16 Annual Report had confirmed that in Scotland, "flat settlements" in tuition funding and withdrawal of significant capital funding from the Scottish Funding Council led to the need for continuing efficiency and operational savings. Meanwhile, the Finance Committee had continued to encourage a realistic view about the scale and the severity of the external challenges faced. In response to these the University should seek to build a Financial Plan which delivers maximum confidence in achievement of an early return to surplus - in line with the Strategic Plan.

The Committee Chair reported that the focus of the Committee's discussion of the Planning Envelopes report on 28 February was to seek clear and unanimous agreement on four key underpinning assumptions, and to gain confidence that the required £14 million of full-year cost savings will be delivered by financial year 2018/19. The four key assumptions tested within the full and open committee discussion were:

- the extent and timing of actions deemed necessary to return to surplus should be such as to minimise the possibility of further exceptional savings being required during the Plan period;
- the underpinning rationale for the Plan should be that the University remains focused on the strategy of being a distinctive global University;

- given the scale of the challenges faced, the appropriate approach to building the Plan should be to adopt a “worst case” approach, based on a set of defensible and realistic assumptions; and
- the revised finally approved Plan should provide adequate headroom throughout the Plan period against the financial covenants in the bond agreement, and be consistent with representations made to prospective bond-holders last year.

The Committee had sought and obtained confirmation that the UE believed the Plan to be realistic and achievable in the current and future higher education environment. It had been agreed that it would be beneficial for the Finance Committee to work in closer partnership with the UE, in support of delivery of the agreed approach, and that the Committee and the Court would receive regular updates from University management. The Committee had been insistent that during the difficult period ahead, the UE should remain focused on taking full advantage of appropriate opportunities arising which can help strengthen and grow the University.

In the discussion which followed the following observations / comments were made:

- in response to a point made by a Court member concerning protection of strategically important work (including work outside of STEM disciplines), and the timing of the announcement in relation to the ongoing Performance & Development Review (PDR) process, the Principal reported that it was recognised that careful consideration will be required in order not to hamper the University’s aim to grow and develop in all the relevant strategic areas. These would be areas which were currently contributing financially and those identified as having clear potential to do so. Decisions would not therefore be made solely on the basis of current financial profitability; neither was it intended to reduce the University’s breadth of disciplines;
- the steadying hand of the University’s senior management team and their accessibility to staff members will be of utmost importance over the period ahead to help ensure that staff confidence is maintained. Strategic focus and speed will be necessary to ensure that the financial savings are achieved quickly and fully and the period of uncertainty for staff is minimised;
- while the paper confirmed that new strategic plans and associated business plans for Edinburgh Business School remained under development and it was therefore too soon to determine their consequences, a Court member emphasised that the School formed an important part of the University and it should therefore be seen to be making a contribution to the revised Plan and demonstrating its own financial sustainability. The Principal confirmed that dialogue with the School was continuing and that the School, led by its recently appointed Executive Dean, was well aligned in its thinking with the aims and objectives of the wider University;
- the importance of greater diversification of income streams and nimbleness in the University’s response to the new opportunities that will be essential to growth;
- the overall impact of the savings measures must be net-positive in terms of impact on areas of growth. The mood and tone of communications should reflect a clear vision and clear messages about future aims and opportunities for growth and development;
- new Global Platform appointments must be high quality with each appointment able to contribute to strategic growth; and
- in relation to the robustness of student numbers planning, the Vice-Principal explained that leading indicators (numbers of applications), coupled with historical knowledge of likely conversion rates meant that there could be a relatively high degree of confidence in the coming year’s projected numbers. However, beyond the coming year, predictions were more prone to risk. Contingency in the Plan would be sufficient to allow for crystallisation of the “worst case” scenario of flat numbers and fee increases set no higher than the rate of inflation; and
- a Court member asked if timing of PDR meetings could take into account changes that might be implied by planning outcomes.

59.4 Conclusion:

The Court by majority approved the recommended approach presented in the report, agreeing also that the savings plan should be implemented as quickly as possible. Four members of the Court asked that their dissent from this decision be minuted and the Chair agreed. The members were: Mr Diarmuid Cowan; Ms Jane Queenan; Ms Eloise McNeaney; and Mr Amos Haniff.

M17/60 2017 FIVE YEAR FINANCIAL PLAN: HUMAN RESOURCES AND COMMUNICATIONS PLANNING (Papers Ct5/17/02 b / c)

The Court noted and discussed two reports presented by the Secretary of the University which included proposals in relation to the following:

- temporary enhancement to the University's Voluntary Severance Payments Policy (Paper a); and
- the Communications Plan (paper b).

The Court by majority endorsed the proposal for temporary enhancements to be made to the University's Voluntary Severance Payments Policy, noting that, as far as reasonably and financially practical, the University aimed to achieve the necessary financial savings on a voluntary basis. The proposed enhancements were designed to make the voluntary redundancy offer more attractive. The Court noted that the Remuneration Committee, with delegated authority from the Court to determine the severance and early retirement terms for senior staff groups, had previously approved the proposal for temporarily enhanced payment terms, in so far as the policy would relate to the relevant senior staff groups.

The Court noted that the University intended to open a voluntary redundancy scheme with enhanced terms available for suitable applications received between 6 March and 30 April 2017. It also noted that appropriate communications with the University's recognised trade unions would commence, via the Combined Joint Negotiating & Consultative Committee, on 3 March 2017, when the trade unions would be informed of the voluntary redundancy scheme to be launched. In response to a point raised in discussion about the relatively tight timescale for receipt of voluntary redundancy applications, the Secretary of the University confirmed that the University would be working very closely with the relevant pension providers, with the aim of securing as fast a turn-around time as possible on production of the necessary pension information individuals will need to support their decision. In addition, a DIY redundancy benefits calculator tool will be made available to all staff.

A few members of Court raised the point about desirability of including a target within the voluntary redundancy (VR) phase. The Principal confirmed that the communication due to be released to staff on 3 March would include target information as far as it was reasonable to set. The Vice-Principal made the observation that there would likely be an element of overlap between requested VR cases and the assumed staff savings to be made through other routes. While the VR phase remained live it would not be possible to measure the potential overlap. It was emphasised that each case for voluntary redundancy would be considered in terms of the future needs associated with the role in question. As a result, some requests might be rejected on the basis that the role could not be made redundant.

It was confirmed that Heads of Schools and Services would be involved directly in the decision-making; however there was an important central role for the Vacancy Management Group which would be able to apply a University-wide view and identify opportunities that might exist across School / Service boundaries.

The Court was invited to agree in principle that a compulsory redundancy situation could be a future possibility. It was noted that the Court would, on the basis of the outcome of the voluntary redundancy exercise, be invited to consider whether the required level of savings has been achieved or whether compulsory redundancies will be necessary to close any remaining gap. The Court should therefore expect to be invited to review and make a decision in due course. In the meantime efforts will be concentrated on avoiding the need for

compulsory redundancies if possible. The Secretary of the University confirmed that in the meantime the Court and the Finance Committee will be provided with regular update reports on progress being made through take-up of voluntary redundancy packages.

In response to a question about oversight of this change project, the Secretary of the University confirmed that no single individual had responsibility; however, resources were aligned appropriately to the project and a detailed project plan was being put in place. An experienced member of the team had particular communications experience and a detailed communications plan had also been developed for all external and internal stakeholders. The Secretary agreed with a point made emphasising the importance of careful and regular communications to ensure staff morale is not unduly impacted. The Court and the Finance Committee would be kept up to date with developments.

The Chair of the Staff Committee advised that University management might wish to consider the timing and handling of PDR arrangements in the light of the timing of the voluntary redundancy scheme.

In response to points raised in discussion the Principal confirmed that no current student programme would be adversely affected by the changes and neither should quality of delivery by staff be impacted. It was intended to ensure strong alignment between staff contributions and the delivery of strategic priorities, in addition to identifying more effective and efficient ways of working. A member of the Court emphasised that it will be important for University management to consider carefully what work will not be done in the future through staff reductions.

It was recommended that the Court should receive copies of key communications which are released and be regularly updated to ensure that they receive consistent and timely information. It was agreed that the Court should receive a copy of each of the initial communications to be released to staff and students and the external press release.

Four members of the Court asked that their dissent from Court's endorsement of implementation of a voluntary redundancy scheme and agreement in principle that compulsory redundancies might arise as one possibility to be minuted and the Chair agreed. The members were: Mr Diarmuid Cowan; Ms Jane Queenan; Ms Eloise McNeaney; and Professor Isabelle Perez.

M17/61 REPORT FROM THE STUDENT UNION

61.1 Report from the President of the Student Union

The President reported on:

- the Credit Union had received approval from the regulator on widening their common bond to students. This society is currently being set up and the Union will be planning student loans for postgraduate research students over the summer. The Union will be seeking the Audit and Risk Committee's view on the impact of this on the University;
- the 2017 Student Union elections which were under way with turnout being the highest in Scotland for the second year running. The results would be known on Friday 10 March;
- the nomination process was under way for the 2017 Learning and Teaching Oscars and invitations to the award ceremony in May would be issued to Court members once the details are confirmed;
- student representation involvement in the report on the student experience which was considered by the Global Student Liaison Committee at its February 2017 meeting;
- the recently held Student Union Annual General Meeting which had gone well with a good level of student engagement in a quorate meeting; and
- the recent successful Muslim Society Multicultural Dinner as part of the Discover Islam Week. A linked 'Arab Village' event in the following week had also been very successful.

61.2 Report from the Vice-President, Wellbeing

The Vice-President Wellbeing reported on:

- the successful recent 'Diversity Week' events;
- the Gender Stereotype campaign with the Sports Union which had been successful and included release of videos made of individuals' experiences. These were available on Youtube but further circulations were planned;
- recently delivered 'Who Cares? Scotland' training to educate Student Union and University staff on the different backgrounds and types of care experiences among students. The aim was to improve understanding and support for students with care experience;
- health-promoting and stress-relieving activities including which formed the recent 'Wellbeing Week';
- work being undertaken in conjunction with the Student Support and Accommodation service in response to a Universities UK report on sexual harassment on university campuses. In due course a report will be presented to the Global Student Liaison Committee; and
- the 'Global Day' event which will take place on 14 March 2017 in the Oriam Centre and will feature a large exhibition of culture to promote and represent Heriot-Watt's diversity.

M17/62 REPORT FROM THE SENATE (Paper Ct5/17/03)

The Court received and noted a report presented by the Principal which related to the meeting of the Senate held on 25 January 2017.

All items in the report were presented for information.

M17/63 REPORT FROM THE FINANCE COMMITTEE (Paper Ct5/17/04)

The Court received and noted a report from the Finance Committee which related to the meeting of the Committee held on 28 February 2017. The Chair of the Committee presented the report in the context of paper item Ct5-17-02 above. The minute record M17/59.3, above provides further detail in relation to the Committee's agreement to endorse and to recommend to the Court the proposed planning envelope including a target to achieve full year savings of approximately £14 million by 2018/19.

The Court noted that the minute report of other matters considered by the Committee at its meeting on 28 February would be completed and distributed to Court members shortly.

M17/64 REPORT FROM THE AUDIT AND RISK COMMITTEE (Paper Ct5/17/05)

The Court received a noted a report, presented by the Chair of the Committee, which related to the meeting of the Audit and Risk Committee held on 16 February 2017.

The Committee Chair drew attention in particular to the Internal Auditor report on IT Disaster Recovery (UK and international) and the agreement of the Committee that this topic should be a standing item in the Committee's rolling agenda plan over the period ahead.

The Committee presented two policy documents to the Court for consideration and approval. All other items in the report were presented for information.

64.1 External Speakers and Events Policy

The Court noted and by majority approved for immediate implementation an External Speakers and Events Policy with supporting Procedures which had been approved by the Audit and Risk Committee at its meeting on 24 November 2016. The purpose of the Policy was to enable the University to fulfil its legal obligations with regard to speakers and events in accordance with the Counter-Terrorism & Security Act Prevent Duty, while maintaining its commitment to

ensuring freedom of speech and academic freedom. In accordance with Prevent Duty Guidance the Policy and Procedures applied to all staff, students and visitors.

The Vice-President, Wellbeing of the Student Union reported that the Student Union was unchanged in its opposition to the national Prevent strategy. Nevertheless, the Union acknowledged that the University was obligated to comply with the legislation. The Union had engaged with the University to influence the development of the Policy.

Six Court members requested that their dissent from the decision to approve the Policy be recorded in the minutes and the Chair approved this request. The six members were: Ms Jane Queenan, Professor Patrick Corbett, Professor Ian Wall, Ms Eloise McNeaney, Mr Diarmuid Cowan and Professor Isabelle Perez.

64.2 Ethical Business: Bribery Prevention Policy

The Court noted and approved for immediate implementation a revised Ethical Business: Bribery Prevention Policy. The Court noted that no significant changes had been made to the Bribery Act 2010 legislation since the Policy was last reviewed. Changes to the Policy were therefore limited largely to a number of relatively minor updates. It was noted that application of the Policy to members of the Court and its Committees had been made explicit in the revised version.

M17/65 REPORT FROM THE STAFF COMMITTEE (Paper Ct5/17/06)

The Court received and noted a report, presented by the Chair of the Committee, which related to the meeting of the Staff Committee held on 7 February 2017.

The Committee Chair drew particular attention to the reporting on 'Change Management' set in the context of the Court's discussion on the 2017 Financial Plan, staff cost savings and the need for clear and careful communications with staff, especially through the period when the annual staff Performance, Development & Review process is under way.

M17/66 REPORT FROM THE GOVERNANCE AND NOMINATIONS COMMITTEE (Paper Ct5/17/07)

The Court received and discussed a report presented by the Secretary of the University on behalf of the Committee which related to the meeting of the Committee held on 27 February 2017. The report included a number of recommendations for consideration and approval as well as other matters reported for information.

66.1 Reappointment of the Chancellor

The Court noted the supporting case for and approved the recommendation of the Committee that Dr Robert (Bob) Buchan should be invited to accept reappointment to the role of University Chancellor for a further period of two years from 1 December 2017 until 30 November 2019, subject to his willingness and ability to accept this further term of appointment.

The Court agreed that the recommendation should be relayed for consideration and approval by the Senate at its meeting to be held on 29 March 2017.

66.2 Reappointment of the Chair of Court

The Court noted the supporting case for and approved the recommendation of the Committee that Dame Frances Cairncross should be re-appointed for a further two years from 1 August 2018 until 31 July 2020.

66.3 Deputy Chair of Court reappointment

The Court noted the supporting case for and approved the recommendation of the Committee that the appointment to the membership of the Court of Mr Tony Strachan should be extended for a further year until 31 July 2020.

The Court noted that a further recommendation would be forthcoming from the Committee in relation to the Deputy Chair of the Court role during this further period of membership as no assumption was being made yet about the holder of this role in 2019/20.

66.4 Court Effectiveness Review 2016/17

The Court approved the recommendation of the Committee that the planned externally-facilitated Court Effectiveness Review should be postponed for one year until 2017/18 for the reasons described in the report. A range of high priority governance-related projects would require a substantial amount of attention in the current year and it had been proposed that postponement of the externally facilitated review would enable the University to be better prepared for this, more advanced in relation to other governance related work, and therefore in a position to gain greater benefits from the exercise.

The Deputy Chair of Court reported to the Court the intention to conduct an annual Court Effectiveness Review in the current year, along similar lines to the interim Effectiveness Review undertaken in 2015.

M17/67 REPORT FROM THE GLOBAL STUDENT LIAISON COMMITTEE (Paper Ct5/17/08)

The Court received a report presented by the Chair of the Committee from the Global Student Liaison Committee which related to the Committee's meeting held on 9 February 2017. All items in the report were presented for information.

The Committee Chair drew particular attention to the reported discussion on proposals for improving the student experience. A range of issues had been emerged and the Committee would spend more time understanding these and reviewing the practical solutions being proposed at its future meetings. The Committee Chair drew attention also to the report from the Director of Information Services which had been especially well received and had included information on investments being made to create more student study spaces, and the update report received on the review of the University's scholarship framework and the request for enhanced reporting in this area at future meetings.

The Principal reported that the development of new student study facilities will continue over the summer period in 2017 at which point a good overall student-to-seat ratio of 1:6 will have been achieved.

M17/68 PREVENT DUTY UPDATE REPORT (Oral report)

The Court received and noted a presentation from the Director of Governance & Legal Services reported on measures that had been taken by the University to fulfil its responsibilities under the Counter-Terrorism and Security Act 2015 and specifically its Prevent duties. The report was part of the agreed schedule of annual reporting previously agreed by the Court and coincided with the audit review report on delivery of the Prevent duty made by the University's Internal Auditor to the Audit Committee in February 2017.

The Director reported:

- in terms of the Act, the requirement to have *particular* regard to the importance of academic freedom and the duty to ensure freedom of speech, versus the requirement to have *due* regard to the need set out in the General Duty to prevent people from being drawn into terrorism. Academic freedom could not therefore be undermined by the General Duty requirement;
- expectations of a proportionate and risk-based approach in meeting the General Duty requirement;
- the key action areas of: Leadership; Staff Training; Information sharing; Safety Online ; Welfare and Pastoral Care; Student Unions; External Speakers and Events; and Monitoring and Enforcement and the actions that the University had undertaken in each;

- the role of the Scotland-wide Prevent Working Group as a source of guidance and a forum for sharing best practice;
- roles and responsibilities of the Secretary of the University - as the institutional contact for the Prevent Agenda, and the Director of Governance & Legal Services - as the University's representative on the HE Prevent Working Group;
- the role of the University Prevent Working Group, which shared awareness and understanding of areas of risk and had responsibility for communications and decisions on relevant matters arising. An invitation had been made for a Student Union observer to sit in at meetings of the Group;
- the training programme which had been rolled out in a tailored way to staff groups: senior staff; nominated staff; specialist staff; and all staff;
- the governance structure in place to monitor, review and report on compliance;
- the pattern of Freedom of Information requests received about the Prevent Duty; and
- next steps for 2016/17, which included the delivery of further workshops, finalising procedures supporting the External Speakers Policy for the Dubai and Malaysia Campuses; developing a policy for use of prayer rooms and other faith-related activities (which would include consultation with student representatives); completing review of the University's Research Ethics Policy and Procedures; and refreshing information published on the University's web pages.

The Director explained that by the time of the required submission to the Scottish Government in April 2017, the University would be approximately 90% of the way towards meeting Prevent duty requirements fully. Currently the University was broadly in line with the Scottish sector as a whole, being slightly ahead of the average in some aspects and slightly behind the average in some others.

The Director of Governance & Legal Services reported that Scottish Prevent guidance was less prescriptive than that applying in England and Wales; there was potential however for growth in bureaucratic processes and closer monitoring in Scotland along similar lines to other parts of the UK.

M17/69 GENDER REPRESENTATION ON PUBLIC BOARDS (SCOTLAND) BILL (Paper Ct5/17/09)

The Court received and noted a copy of the draft Gender Representation on Public Boards (Scotland) Bill and consultation document which was presented by the Secretary of the University for information. It was noted that the scope of the proposed new legislation would extend to Scottish higher education institutions.

Court members were encouraged by the Secretary of the University to contribute individually to the public consultation which will close on 17 March 2017.

M17/70 COURT ROLLING PROGRAMME OF BUSINESS (Paper Ct5/17/10)

The Court received and noted a summary report, as at February 2017, of the Court's rolling programme of business for 2016/17 through until the end of the current calendar year.

Members were reminded that proposals for additions and changes from members to this live document would be welcomed at any time.

M17/71 FORTHCOMING EVENTS (Paper Ct5/17/11)

The Court noted a report of forthcoming University events of potential interest to Court members which was presented by the Secretary of the University.

M17/72 OBITUARIES (Paper Ct5/17/12)

The Court noted with sadness the reported recent deaths of the following:

- Dr Anthony Taylor, OBE, an Honorary Graduate of the University, former member of the Court and the Finance Committee and Chair of the then Audit Committee; and
- Lord Charles Lyell, a good friend to the University and descendant of Leonard Horner, who gave the University permission to name Leonard Horner Hall and The Lyell Centre.

M17/73 DATE OF NEXT MEETING

The next meeting of the Court will take place on 19 May 2017 (Court Strategy Day).

Date

Signature