

## **COURT**

In the Chair: Dame Frances Cairncross

Present also: Ms Tracey Ashworth-Davies  
Professor Patrick Corbett  
Mr Graeme Dickson  
Dr Fadi Ghaith (via skype)  
Ms Lucy Graham  
Dr Alicia Greated  
Dr Amos Haniff  
Mr Grant Innes  
Professor Julian Jones  
Dr Amanda Lyness  
Ms Morag McNeill  
Mr Cameron Millar

Officer in attendance: Ms Sue Collier  
Ms Ann Marie Dalton-Pillay  
Ms Lucy Everest (for item M19/7)  
Professor Ammar Kaka (skype)  
Professor Gill Hogg  
Mr Stephen Holmes (for item M19/9)

Others in attendance: Ms Lorna Kirkwood-Smith (minutes)

## **Minutes**

Date of Meeting: 1 February 2019

Mr Andrew Milligan  
Professor Máiréad Nic Craith  
Professor John Perkins  
Ms Marta Phillips  
Dr James Richards  
Mr Rahul Singh  
Ms Jandy Stevenson  
Mr Tony Strachan  
Professor Ian Wall  
Mr Graham Watson  
Professor Richard Williams

Mr Andrew Menzies  
Ms Ruth Moir (for item M19/9)  
Dr Gillian Murray  
Professor Garry Pender  
Professor John Sawkins

### **M19/1 WELCOME AND ANNOUNCEMENTS**

The Chair welcomed those attendees who joined the meeting via Skype.

The Chair welcomed Morag McNeill in her new role as Deputy Chair of Court from 1 January 2019. The Court relayed its thanks and appreciation to Mr Tony Strachan for the extraordinary dedication which had characterised his contribution to the role, for the discretion and subtlety of approach he brought to the role, and for his wise counsel.

The Chair of Court acknowledged with thanks the presentation that had been given on Safeguarding at the Court Dinner Meeting the previous evening and praised the approach of Safeguarding Services in their induction of staff of encouraging team members to engage with six new people every day. She encouraged Court members to consider emulating this approach in the context of the Court's aims to enhance stakeholder engagement.

### **M19/2 APOLOGIES**

Apologies had been received from Mr Roger Murray, and from Professor Mushtak Al Atabi, who had been invited to be in attendance.

### **M19/3 MINUTES OF THE MEETINGS OF THE COURT HELD ON 13 AND 14 DECEMBER 2018**

The Court approved as accurate records the minutes of the meetings of Court held on 13 and 14 December 2018.

### **M19/4 DECLARATION OF INTERESTS**

The Chair of Court invited declarations of interest. No interests were declared.

## **M19/5 MATTERS ARISING**

The following were reported as matters arising:

- **Reserved section (Ref sections 30, 33 FOI(S)A).**
- the Secretary of the University reported that, following interviews on 10 January 2019, Witt/Kieffer had been appointed as the executive search company to support the search for the next Heriot-Watt Chair of Court, having earlier been successful in winning the tender for the search for appointees to the Chancellor and new Pro-Chancellor roles. In response to a question about the elections process for the Chair of Court role, the Secretary of the University confirmed that the University is keeping a watchful eye on what others in the Scottish sector are planning with a view to remaining in broad alignment with them, including in aspects such as the level of remuneration set for the Chair position. The Heriot-Watt Chair of Court election would take place in the early part of 2020 and, in the meantime, the University will learn from the universities of Dundee and Aberdeen who are currently advertising, as well as others who will follow them in the period ahead; and
- the Secretary of the University thanked those members who had signed up to represent the University at key community events in the annual calendar and highlighted that several church events on particular dates in 2019 had yet to attract a similar commitment. Court members were encouraged subject to their availability to confirm their willingness to sign up with the Court minute taker after the Court meeting.

## **M19/6 REPORT FROM THE PRINCIPAL (Paper Ct1/19/05)**

The Court noted and discussed a report from the Principal, who summarised key matters reported for information and interest. The principal reported on the launch of Strategy 2025, thanking Court members for their contributions to the strategy development process. He also drew particular attention to the following:

- continuing uncertainty surrounding Brexit and the Immigration Bill, with assurances obtained for current staff, while other closely associated matters remain in a state of flux. Universities Scotland is lobbying on postgraduate study visas with the hope that success in this aspect will open up international recruitment. Meanwhile, major concerns surround Erasmus and Erasmus Mundi funding - while substitute funding may be provided, it is unclear what the arrangements will be in Scotland and this issue extends beyond the purely financial into the educational partnership process and advancement of language experience;
- the potential seriousness but unknown extent of impact of a no deal Brexit. While it appears that EU entrants will be fine for 2019 entry, the visa status of these students might change in the final year with the potential for attrition in applications which are currently worth £5.4 m p.a. The Court noted that £96 m of student tuition fees is allocated across Scotland and that the sector will be lobbying hard to retain as much of that funding as possible, to support subject growth areas for example; in the worst case scenario, all of this stream of funding might be lost. The Principal reported that the priority for government is retention of Horizon 2020 funding, with assurances of support for existing projects. A worst case scenario would involve the incremental loss to the University of an overhead contribution of £0.8 million p.a. over a five year period, with a central case assumption of half of that loss;
- in relation to tariffs and broader income associated with Brexit, wide economic impacts are likely to come from inflation; however, currency fluctuations in a downward direction may favour international students and income to the Dubai Campus;
- the Principal remains on the Westminster Ministers Group on Brexit;
- various strands of work being undertaken on the results of the Staff Engagement survey, including an informal "Let's Talk" initiative and UE-led engagement and communications to increase the visibility and transparency of the UE across the University; and
- a Heriot-Watt/Confucius Institute concert in the Edinburgh Botanical Gardens on 20 February celebrating the Chinese New Year to which all Court members would be welcome.

In relation to the impact of Brexit on staff members, the Principal reported that the University is providing guidance and support to EU staff who are applying for UK citizenship. A member of the Court requested that Court members receive a very brief summary of the key Brexit issues that the University should be concerned about at the next Court meeting.

**M19/7 STUDENT RECRUITMENT (Oral report)**

The Court received and discussed an oral report from the Global Executive Director on student recruitment

**Reserved section Ref Section 33, FOI(S)A.**

**M19/8 ANNUAL REPORT FROM THE DUBAI CAMPUS (Paper Ct1/19/02)**

The Court received and discussed the annual report on the Dubai Campus for the year 2017/18. The report also outlined developments for 2018/19. The Vice-Principal (Dubai) drew attention to key features of the report, including the contribution to Strategy 2025, successful student recruitment, student successes, and new additions to the portfolio of courses. The Court also noted that positive steps are being taken to develop research activity and there shall be future opportunities to include research undertaken at the Dubai and Malaysia campuses in REF2021 which are currently being evaluated. The Vice-Principal (Dubai) reported on moves by the Dubai Knowledge and Human Development Authority to introduce a classification system to rate Dubai Free Zone universities. The University aims to achieve the highest classification possible.

**Reserved section (Ref: section 33, FOI(S)A).**

Court members were invited to input their thoughts to the style and content of future annual reports.

**M19/9 DUBAI OPTIONS APPRAISAL: REPORT TO COURT (Paper Ct1/19/03)**

**Reserved section (Ref: section 30, 33 FOI(S)A.**

**M19/10 STRATEGY 2025 (Paper Ct1/19/04)**

The Court received and discussed a final version of Strategy 2025, noting the minor changes that had been made to the document since the last meeting of Court in December 2018. The Court noted a few areas in which Strategic Performance Indicators have yet to be defined. The Principal confirmed that he would brief the Court further at its next meeting in March 2019 on the development of key supporting strategies, such as the research and enterprise strategy and the online learning strategy.

In the course of discussion, the following observations and points were raised:

- there is an opportunity for the Court to consider its agenda planning in relation to Strategy 2025 and the University's values;
- it could be helpful for the Court to discuss the staff satisfaction strategic performance indicator which includes a challenging target. In response to a point raised about the need for a regular pulse check mechanism(s), between the planned annual assessment points, the Secretary of the University confirmed that this would be raised for discussion at the Staff Committee;
- the University should be in the vanguard in the area of sustainability and embed this in its flourishing community aims; and
- it would be helpful for the Court to receive regular reports from its March 2019 meeting onwards, to understand the direction of various work-streams, and to monitor progress.

**M19/11 OPENING REMARKS FROM THE CHAIR OF COURT**

The Chair of Court had no additional comments or report to add at this point.

#### **M19/12 REPORT FROM THE SENATE (Paper Ct1/19/06)**

The Court noted a report relating to the meeting of the Senate held on 13 December 2018. The Court noted that several matters requiring Court approval had been dealt with by the Court at its meeting on 14 December 2018. All other items in the report were presented for information.

#### **M19/13 UPDATE FROM THE STUDENT UNION (Paper Ct1/19/07)**

The Court noted and discussed a report on recent news and activities of the Student Union (SU). The President of the Student Union drew attention in particular to the Student Union building and continuing work by the SU to develop plans for a new building to meet the needs of students at the Edinburgh Campus. He urged that this project be elevated as a high priority in the Capital Plan. The Vice-Principal confirmed that a place-marker with a value of £2 million had been held in the Capital Plan. This sum would be insufficient to cover the cost of a new building; however, the University's capital plans are due to be revised on the timescale of the current planning round. The current plans contain some provisional allocations which on revision could in principle meet some of the costs. However, it is probable that a funding gap would remain and that the project would be an attractive prospect for fundraising, for example from alumni. Another Court member raised the suggestion of raising finance from the land assets at the Edinburgh Campus. The Principal confirmed his support to move towards a firm commitment to invest in a new Student Union building.

The Vice-President (SBC) reported on work under way in preparation for the SU election campaigns and to consolidate University-wide new student representative structures, as well as a range of other focused student support activities.

Supplementary to the written report she reported on the forthcoming 2019 National Student Survey (NSS) and NSS relevant matters at Scottish Borders Campus. The Vice-President reported the view that issues identified earlier, regarding assessment feedback, staff to student communications and student facilities, had not been adequately addressed on the SBC Campus, giving rise to concerns. In follow-up to the Vice-President's report, the Principal said that he would consult further with the Vice-President and agreed that the Court would be advised of the outcome before or at the Court meeting in March 2019.

The Chair of Court encouraged Court members who have not already done so to visit the Scottish Borders Campus soon.

#### **M19/14 REPORT ON THE 2018 COURT AND SENATE EFFECTIVENESS REVIEW (Paper Ct1/19/08)**

The Court noted and discussed the outcomes of the 2018 Court and Senate Effectiveness Review, including:

- the final report received from the Good Governance Institute commissioned to conduct the review;
- the reports of the meeting of the GNC held on 29 October 2018, including proposed actions in response to the 10 recommendations in the report;
- the report of the discussion of the University Executive on 22 January 2019, which outlined the view of the UE in relation to the proposed actions and proposed additions to the actions proposed by the GNC; and
- planned forthcoming consultation with the Senate at its meeting on 27 February to garner views and input from the Senate to inform the full and final response to the recommendations emerging from the Review.

Court members noted the view that, while there were elements in the report that were helpful and the review had been a useful exercise, the timing of the review had been disadvantageous in some respects, especially in relation to matters which had impacted negatively on morale at the time of the review, but advantageous in relation to the work simultaneously under way to develop Strategy 2025. The UE had reported disagreement with some of the reported interpretations of the findings of the review.

The following comments and recommendations were made by individual members in the course of discussion:

- further consideration should be given to the recommendation that small numbers of Court members be invited to sit in observation at Senate meetings, on the basis that this would aid Court members' understanding of the issues discussed and generally support the desired engagement between members of the Court and the Senate;
- the workload allocation model for academic members of staff and the workload arrangements for other staff ought to include the commitment of time to the Court, if they do not already do so;
- general support for the 'Lead Governor Scheme' proposal, with the additional suggestion that pair-up arrangements should be in place for less than three years before being rotated;
- the view that the Annual Stakeholder Meeting is not an ideal forum for gaining useful interaction between the Court and the Senate;
- the view that it would be useful to gain clearer shared understanding about the role of Senator;
- in relation to the necessity to report the findings of the Effectiveness Review publicly, the University should also develop clarity around areas of rebuttal and be prepared also to report on that;
- the Secretary of the University advised that it was nevertheless timely to look afresh at the structure of governance at overseas campus, especially at the Dubai Campus (while no endorsement was voiced for the report recommendation to establish an international operational board);
- the outcomes of the review ought to inform the approach taken in the 2019 internal effectiveness review; and
- progress against actions proposed in response to the report's recommendations should be reviewed by the Court after six to nine months.

The Chair of Court suggested that the Court Papers Review Group and a group of colleagues from the Senate should co-join to produce a formal joint response to the recommendations of the Effectiveness Review report.

#### **M19/15 REPORT ON RECRUITMENT TO COURT COMMITTEE VACANCIES (Paper Ct1/19/09)**

The Court noted and endorsed a proposal to proceed with arrangements for public advertisements to fill a range of forthcoming vacancies on Court committees. It was noted that no expressions of interest had been received following the recent call for applications via Court members by word-of-mouth. Court members were advised that the opportunity to suggest suitable candidates will remain open.

#### **M19/16 REPORTS FOR RECEIPT AND INFORMATION (starred items)**

##### **16.1 Report from the Interim Business Committee (Paper Ct1/19/10)**

The Court noted a report from the Court Interim Business Committee which related to an item of business dealt with on 11 January 2019. This concerned authorisation of the receipt of a gift of £1 million to Heriot-Watt University Malaysia for the purpose supporting a Tan Sri Yeoh Tiong Lay Global Scholarship Programme.

##### **16.2 Court rolling programme of business (Paper Ct1/19/11)**

The Court noted a report of the planned rolling programme of Court forward business, as at January 2019.

##### **16.3 Forthcoming events (Paper Ct1/19/12)**

The Court noted a report of forthcoming University events of potential interest to Court members and the executive.

##### **16.4 Obituary (Paper Ct1/19/13)**

The Court noted with sadness a report of the recent death of Liz Smith, former Payroll Manager in the Finance Office.

**M19/17 DATE OF NEXT MEETING**

Friday 22 March 2019.

Date .....

Signature .....