

University Court

19 June 2019, 14:00 to 17:00

INVERNESS COLLEGE, UHI (ROOMS 203/04)



Attendees

Board members

Garry Coutts (Chair), Clive Mulholland (Principal & Vice Chancellor), Willie Printie, Alan Simpson (HISA Representative), Rosemary McCormack, Anton Edwards (Rector - Chair of Foundation), Andrew Rogers, Neil Stewart, Gareth Davies, Alistair Dodds, David Sandison, Heidi May, Kirsty Macpherson, Michael Foxley, Linda Kirkland, Poonam Malik, Sarah Helps, Fiona McLean, Fiona Larg (Chief Operating Officer & Secretary), Lydia Rohmer (Vice Principal Tertiary), Crichton Lang (Deputy Principal), Neil Simco (Vice Principal Research & Impact), Stuart Gibb (Vice Principal International & External Engagement), Diane Rawlinson (Vice Principal FE), Gary Campbell, Roger Sendall (Head of Governance & Records Management)

Meeting minutes

1. WELCOME & APOLOGIES

The chair opened the meeting and thanked Inverness College UHI for hosting the Court and for providing an interesting and informative morning session.

 Court Agenda 19 June 2019.pdf

1.1. Apologies

Apologies for the meeting were received from Andrea Robertson and Roddie Burns.

1.2. Declarations of Interest

None.

1.3. Notification of other business

- Scottish Government: Climate emergency declaration.

1.4. Starring

Items 5.1, 7.1, 7.2 and 7.5 were starred for discussion.

2. MINUTES OF MEETINGS

2.1. Approval of the minutes of: 20 March 2019

The Court resolved to approve the minutes of the meeting held on 20th March.

 UC19-026 2019-04-05_13-47-47-MeetingMinutes.pdf

2.2. Matters Arising

The Court reviewed the paper setting out actions and matters arising from the previous meeting. The following points were noted:

- The Audit Committee remain concerned about financial sustainability risks. The committee is particularly concerned about a lack of visibility of substantive information to provide appropriate assurance for members in relation to the implementation of effective controls and planned actions to mitigate prolonged exposure to financial challenges. A substantive report on actions to address identified financial risks is required for the next meeting of Court.
- The COOS reported that the Partnership Council had agreed a framework for new academic partner agreements and that work was continuing with colleagues to further develop the content of the proposed new agreements. Court urged further progress with a view to implementing new agreements before the end of the calendar year.

 UC19-027 Matters arising.pdf

2.3. Review of Delegated Decisions

None.

2.4. Minutes from Committees of Court since last Court meeting

2.4.1. Finance and General Purposes Committee

Niall McArthur

The Chair of FGPC provided a verbal report in connection with the committees recent meeting. The following points were noted:

- The committee had reviewed the draft University budget for 2018/19 and had agreed to recommend its approval by Court.
- FGPC had approved the FE allocations recommended by FDPG and PC that included an embedded increase in relation to national bargaining. FGPC was advised that one academic partner objected to the recommended allocations and noted that a commitment had been made to conduct a review of the process to ensure that the agreed methodology had been correctly applied. This review would include independent scrutiny and it was understood that this review would be progressed within the next week.
- NHC, SAMS, Orkney and Shetland colleges are currently forecasting deficit positions at year end. The University's DOCR is monitoring the situation closely and is working with colleagues in an effort to identify appropriate mitigation.
- FGPC was encouraged to note that the Partnership Council have committed to progressing an appropriate form of the Transparent Approach to Costing (TRAC) across all University and academic partner activities in order to provide a robust evidence base for future decisions.
- The DOCR will host a financial briefing and Q&A session for members of FGPC and members of Court will also be invited to attend.

 UC19-028 Minutes_Finance & General Purposes Committee (FGPC)_050619.pdf

2.4.2. Audit Committee

The following points were highlighted by the Chair of Audit:

- Committee members are concerned about continued exposure to financial risks as reported at item 2.2 above.
- Scottish Funding Council SFC have confirmed that they will be content with receiving a single audit certificate from the University in connection with FE credits in future in preference to receiving separate certificates from each assigned college.
- Implementation of TRAC had been an outstanding low priority internal audit action for a number of years that had been subject to numerous deadline extensions. The committee was pleased to note the recent commitment made by Partnership Council to implement a form of TRAC across the institution and had subsequently increased the priority level of this outstanding action from Low to Medium.

 UC19-029 Minutes_Audit Committee_270519.pdf

2.4.3. FE Regional Board

Court received a report from the Chair of FERB. The following points were noted:

- FERB is concerned that additional funding provided to assist with the implementation of national bargaining is likely to be consolidated within core funding allocations in future years and this may result in a reduction in available resources.
- The SFC had committed to providing funding to enable military veterans to access courses.
- Members of FERB felt that there was a need to further develop financial monitoring of assigned colleges financial status to provide members with a better understanding of the data and key assumptions presented.
- FERB had received an interesting presentation from Roddy Henry Depute Principal of Inverness College in relation to the implementation of data dashboards. It was noted that these provided a useful monitoring tool for members and that a joint session for Court and FERB members would be welcome in due course once the system had been developed further.

 UC19-030 Minutes_Further Education Regional Board_070519.pdf

2.4.4. Academic Council/Activity Report

Court noted the report.

 UC19-031 AC Officers Report 12 March 2019.pdf

2.4.5. Honorary Awards - RESERVED

Court noted the minutes of the meeting held on 31 May 2019.

3. CHAIRMAN/PRINCIPAL'S COMMENTS

Crichton Lang

The Chair thanked members for participating in the recent Court and committee effectiveness review interviews and online surveys.

The Chair noted that this would be the Principal and Vice Chancellor's final meeting before he retired at the end of July. The chair thanked the Principal & Vice Chancellor on behalf of Court for his dedicated service and contribution to the development of the University over the past five years.

The Principal then provided a report on his activities and progress made since the previous meeting of Court with a particular focus on initiatives that were underway and that were currently being progressed through Partnership Council in an effort to collectively address financial challenges. These included; obtaining a commitment from Partnership Council to improve data and to implement a form of TRAC across the entire institution, developing plans to review curriculum management, exploring potential efficiency savings including development of self service activities and the potential benefits of forming a VAT group with some partners, seeking to identify opportunities for growth and developing a robust process to measure the impact and effectiveness of strategic investments and a consistent process for monitoring and reporting on such projects.

It was accepted that visibility and reporting of such actions and work streams to Court on a regular basis needed to be improved and it was noted that a substantive paper would be provided to Court for the next meeting.

3.1. Quarterly Status Report

Noted.

 UC19-033 June 2019 SMT and AP Quarterly Status Report.pdf

3.2. University Assembly - Work plans from each group

The Deputy Principal provided Court with a report in connection with the attached paper that had been prepared for consideration by Court and Academic Partner Boards of Management. The following points were noted:

- Each of the programme board working groups had been asked to develop recommendations for consideration by court and academic partner boards in accordance with a transparent evidence based assessment of the key challenges.
- The working groups had begun their deliberations in February with the aim of developing recommendations for consideration by Court at this meeting. However, the groups had struggled to obtain appropriate information and evidence to inform their debates in good time and the pace of the process was slower than had been hoped for. Indeed, many of the frustrations and challenges reported by Court in relation to addressing financial challenges were shared and recognised by the programme board work streams.
- The paper sought permission from court and academic partner boards to continue the programme board process and to facilitate progress by obtaining a commitment from Court and academic partners to; release staff to work collectively on identified change projects and to release/share all relevant information about staff and financial matters necessary to enable a detailed examination of savings and the potential benefits to be gained from working collectively.
- Court expressed frustration at the lack of progress achieved to date and agreed to support the two recommendations presented.

 UC19-034 Programme Board June.pdf

4. COMMITTEES & MEMBERSHIP

4.1. Appointment process for new Principal & Vice Chancellor - RESERVED

Court approved the process outlined within paper UC19-035.

4.2. Appointment of Trade Union members

Court noted that there would be a need to appoint two trade union members to serve on Court following the adoption of new Articles of Association.

The COOS explained that the University does not have a recognition agreement in place with any union but had written to the four unions who do have agreements in place with academic partners. She advised that the EIS and UCU unions had agreed between themselves that EIS should nominate a governor to be appointed to Court to represent all academic staff.

The Unison and GMB unions have not been able to agree a single representative for professional services staff between themselves therefore the Nominations Committee have recommended that the Chair of Court should resolve the deadlock by the drawing of lots. Accordingly, GMB was identified as the union that should be invited to appoint an appropriate governor to represent all professional services staff in due course.

 UC19-036 Appointment of Trade Union members.pdf

4.3. Appointments to Assigned College Boards

Court noted the attached paper.

 UC19-037 Assigned College Board appointments.pdf

4.4. Remuneration Committee - Amended Terms of Reference

Court approved the updated terms of reference and membership document UC19-037a.

 UC19-037a UC Rem Comm TOR - 100619.pdf

5. STRATEGY & PLANNING

5.1. CFHS Purchase

Court noted paper UC19-038.

 UC19-038 CFHS Purchase.pdf

5.2. Critical Performance Indicators Report

Court noted paper UC19-039.

 [UC19-039 Critical Performance Indicators Report.pdf](#)

5.3. Regional Outcome Agreement

Court approved paper UC19-039b.

 [UC19-039b 2019-20 Highlands and Islands Regional Outcome Agreement.pdf](#)

6. GOVERNANCE & RISK

6.1. UHI Governance Effectiveness Review - Recommendation to implement tertiary committee to replace FERB

Fiona Larg

Court discussed the paper prepared by the Chair and Vice Chair of Court in connection with the effectiveness review process and including a summary reports from the Thinking Board online effectiveness survey tool. The following points were noted and agreed:

- Concerns were expressed by some members that the recommendation to urgently replace FERB with a tertiary committee was inappropriate in the context of the current programme board discussions which included a governance work stream. This recommendation was viewed by some members as potentially undermining that process.
- The Chair apologised for the tone of the report and the lack of background information for context, he explained that the recommendation to replace/evolve FERB into a Tertiary committee or consultative forum was not new, indeed, Court had previously agreed to develop tertiary structures. The recent effectiveness review interviews conducted with members of Court and FERB had identified very strong support amongst members including the academic partner chairs to implement tertiary governance structures as soon as possible. Members were frustrated that there was currently no formal committee or forum for academic partner chairs to engage and discuss tertiary business. FERB is a committee of Court and Court has the authority to amend the terms of reference and membership. The recommendation was intended to improve dialogue and engagement with academic partners on all aspects of university business quickly. It was not an attempt to undermine the Programme Board.
- The importance of strong links between FE Regional Board and the Scottish Government were highlighted.
- Court requested that a detailed proposal should be presented to the next meeting of Court including draft terms of reference and membership for the proposed new group.
- It was agreed that the COOS and HGRM would review responses and develop an implementation plan for consideration by Court at the next meeting.

 [UC19-040 Effectiveness Review.pdf](#)

6.2. Articles of Association - written resolution

Court agreed the text of a written resolution for circulation to company members following the meeting. It was noted that the date of circulation would be 19th June 2019.

 [UC19-041 Articles Resolution.pdf](#)

6.3. RSB Self Evaluation

Court approved UC19-042.

 [UC19-042 Regional Strategic Body self-evaluation.pdf](#)

6.4. Delegated Authorities Schedule - Amended version

Court approved UC19-043.

 [UC19-043 Delegated Authorities Schedule \(June 2019\) updatedv2.pdf](#)

6.5. Risk Management

Court noted paper UC19-044.

 [UC19-044 Corporate Risk Register.pdf](#)

6.6. Student Residences - Occupancy Update

Court noted paper UC19-045.

 [UC19-045 UHI Student Residences Update.pdf](#)

6.7. Phase 2 Student Residences Development

Court rejected the proposal to develop a second phase of student residences at Fort William.

 [UC19-046 FW 2 residences 0619.pdf](#)

6.8. Remuneration Committee Principles - RESERVED

Court endorsed the principles outlined within paper UC19-047.

7. FINANCE AND PERFORMANCE

7.1. 2019/20 University Budget

Niall McArthur

Court considered paper UC19-048 comprising the draft 2019/20 budget for the University as recommended for approval by the Finance and General Purposes Committee.

Following due consideration Court agreed to accept FGPC's recommendation and to approve the budget as presented.

During discussion the following points were noted:

- Court requested clarification from the DOCR to explain the rationale for not making any provision within the budget for likely under occupancy of student residences in AY2019/20 or for expected new rental income following the University's purchase of the Centre For Health Science.

 [UC19-048 2019-20 draft UHI budget.pdf](#)

7.2. Academic Partner Financial Monitoring

Court noted paper UC19-049.

 [UC19-049 Academic Partner Financial Monitoring.pdf](#)

7.3. 2018/19 Q3 Management Accounts

Court noted paper UC19-050.

 [UC19-050 2018-19 Q3 Management Accounts.pdf](#)

7.4. 2018/19 Q3 Re-forecast

Court noted paper UC19-051.

 [UC19-051 2018-19 Q3 Re-forecast.pdf](#)

7.5. Finance System Project Update

Fiona Larg

The COOS reported that following extensive delays the University had finally reached a settlement agreement with Technology One earlier in the day. A full report would be provided to FGPC in due course.

8. ACADEMIC BUSINESS

8.1. International Student Recruitment Phase 2 PC 220519

Court approved paper UC19-052 presented by the VP International & External Engagement.

 [UC19-052 International Student Recruitment Phase 2 UC 120619.pdf](#)

8.2. National Student Survey (NSS)

Court noted paper UC19-053.

 [UC19-053 National Student Survey \(NSS\).pdf](#)

9. REPORTS & CIRCULARS

9.1. Public Sector Equality Duty Report

Court noted paper UC19-054.

 UC19-054 PSED report.pdf

9.2. HISA Report

Court noted paper UC19-055.

 UC19-055 HISA Court Update June 2019.pdf

9.3. UHI Foundation

Court noted the minutes of the meeting held on 15th May 2019.

 UC19-056 Minutes_UHI Foundation_150519.pdf

10. Any Other Business

10.1. Scottish Government: Climate Emergency

Court noted Climate Change Secretary Roseanna Cunningham's statement to the Scottish Parliament on 14 May 2019 in relation to the declaration of a global climate emergency and the need for institutions such as universities to consider how best to act to assist and educate society to address and prepare for associated impacts. Court noted that development of the University's new strategic plan would provide an appropriate opportunity to address this challenge.

11. DATE OF NEXT COURT MEETING: 18th September 2019

12. RESERVED BUSINESS - exit non members.

Reserved items reported above were discussed in a closed session at the end of the meeting.