

University of the Highlands and Islands

University Court

Wed 23 September 2020, 14:00 - Wed 23 September 2020, 16:00

By VC Webex Teams

Present

Garry Coutts (Chair), Crichton Lang (Interim Principal and Vice Chancellor), Fiona McLean (Vice Chair), Linda Kirkland, Willie Printie, Florence Jansen (HISA President), Rosemary McCormack, Anton Edwards, Andrea Robertson, Gareth Davies, David Sandison, Heidi May, Poonam Malik, Sarah Helps, Brian Crichton, Jack Shetata, Michael Foxley, Angus Campbell, Lesley A. Cole, Sara O'Hagan, Beverly Clubley (Observer), Fiona Larg (Chief Operating Officer & Secretary -in part), Neil Simco (Vice Principal Research & Impact), Gary Campbell (Vice Principal - Strategic Development), John Kemp (Vice Principal Further Education), Lydia Rohmer (Vice Principal - Tertiary), Stuart Gibb (Vice Principal - International), Niall McArthur (Director of Corporate Resources), Roger Sendall (Director of Corporate Governance), Max Brown (- in part)

Meeting minutes

1. WELCOME & APOLOGIES

Court noted that Mr Campbell had been appointed to Court in accordance with a request from Highlands and Islands Enterprise (HIE) to replace Alistair Dodds who had now taken on a new role as Chair of HIE. The Court formally record its gratitude to Mr Dodds for his service to Court and to the work of the University's Audit Committee in particular.

 Court Agenda 23 September 2020.pdf

1.1. Apologies

Apologies were received from Kirsty Macpherson and Malcolm Burr.

1.2. Welcome new members

The Chair welcomed Angus Campbell, Flo Jansen, Jack Shetata and Bev Clubley to their first Court meeting.

1.3. Declaration of Interest

The Chief Operating Officer & University Secretary declared an interest in agenda item 11.2

1.4. Notification of other business

None additional. A request was made to discuss the University's response to the Black Lives Matter campaign, however, it was noted that this item was included for discussion within a broader initiative as reported within the matters arising report at section 2.2.

1.5. Starring

- The Court agreed to consider agenda item 8.3 as reserved business (item 11.1).
- Items 4.1, 6.2, 7.1, 9.2, 9.3, 11.1 and 11.2 were each starred for discussion.
- It was noted the agenda issued in advance of the meeting included a reference to paper UC20-072 in relation to the University's Voluntary Severance Scheme. This paper had been intended as a late item, however, the paper had not been finalised to date. An update on progress with the VSS scheme to date was provided at section 2.4.5 and a verbal report would be provided at item 11.2.

2. MINUTES OF MEETINGS

2.1. Approval of the minutes of 17 June 2020

The minutes of the meeting held on 17th June 2020 were reviewed and approved.

2.2. Matters Arising

Matters arising from the previous meeting were discussed. The following points were noted:

- #6 - The University in company with other HEIs had issued a formal statement and commitment to progress actions in support of the advancement of equality and diversity issues and public sector equality duties. It was noted that the Court would receive a presentation on this matter at its November meeting.
- #2 - New Academic Partnership Agreements - The Chief Operating Officer and University Secretary reported that the new agreements were in near final form. The University's lawyers were making a number of minor amendments to reflect current policy and practice in relation to intellectual property and references to data sharing information were being refreshed and presented separately as an appendix to provide greater flexibility in relation to possible future changes to data processing activity. It was anticipated that final documents would be ready for formal approval within a period of a few weeks.

2.3. Review of Delegated Decisions

None.

2.4. Minutes from Committees of Court since the last Court meeting:

2.4.1. Audit Committee - report, and minutes 27 August 2020

Court noted the minutes of the Audit Committee meeting held on 27th August 2020 and also reviewed a summary note provided by Mr Gribben the new co-opted independent Audit Committee Chair for members information.

The Chair of Court advised that the Audit Committee Chair had recently met with the Chair and Principal of Perth College UHI in an effort to seek agreement on the scope and progression of an independent review of culture and behaviour within the college. This review was an outstanding action within the colleges agreed action plan following recent internal and external audit investigations of college systems. It was noted that the meeting had been positive and that a timescale for completion of the review had been agreed.

Court recorded its thanks to Mr Gribben for agreeing to Chair the audit committee on an interim basis. It was noted that the University would seek to recruit a new member of Court with specific skills and experience relevant to serve as Chair of the Audit Committee in due course.

2.4.2. Finance & General Purposes Committee: 8 May and 9 September 2020

The Chair of FGPC provided Court with a brief report in connection with a special meeting of FGPC committee held on 8th May 2020. Court noted that the meeting had been convened to consider a business case in relation to the merger of Shetland College with NAFC Marine Centre and a recommendation to implement a Voluntary Severance Scheme for all University staff. It was noted that the primary driver for the scheme was an identified need to conserve cash and to rapidly reduce controllable expenditure in the context of imminent financial challenges and uncertainty over future income streams as a result of an anticipated reduction in HE and FE student numbers in the context of the ongoing coronavirus pandemic and associated physical distancing regulations. Court noted that the committee had reviewed and approved the core elements of the Voluntary Severance policy documentation and had authorised management to finalise the documentation and to implement a voluntary severance scheme open to all University staff.

The Chair of FGPC also provided Court with a summary report in relation to the committees most recent meeting held on 9th September 2020 at which the committee had received a presentation from the Vice Principal Further Education/Senior Advisor: Change Implementation and the University's Change Management Project Director in relation to progress and challenges with agreed financial management change actions. The following points were highlighted and discussed:

FGPC had expressed concern that the original objectives and beneficial reasons for wanting to implement an aligned finance service were becoming obscured or confused. One of the primary drivers for this activity was to address capacity and resourcing issues within local finance teams who were struggling to attract or retain staff by bringing colleagues together within a new aligned framework that would help improve resilience. It was important that these key objectives remained visible as primary drivers for positive change. It was suggested that consideration should be given to reassessing or postponing the proposal if there was not appropriate commitment and buy in from partners and instead to focus efforts on delivering a common finance system.

It was noted that academic partner chairs had agreed to the development of aligned finance services to better inform regional decisions and to develop greater consistency of reporting through discussion held at the FE Regional Board more than a year ago and the lack of progress was extremely frustrating and needed to be resolved quickly.

FGPC had identified three key priorities; most important was a need to ensure that good/reliable data was available upon which to make decisions, secondly to work towards common reporting systems and thirdly to consider working towards a common or aligned finance service

The committee also highlighted a need to clearly articulate and communicate the objective of the project

The committee had also expressed concern in relation to a lack of pace and slow progress with implementing changes to other financial work streams including, development of a new Resource Allocation Mechanism (RAM) and a Partnership Financial Recovery Strategy.

Furthermore the committee had requested proactive efforts from management to identify substantive additional budget savings in year to reduce the forecast deficit and to work towards delivering a sustainable financial model.

[UC20-052 Minutes_Finance and General Purposes Committee_080520.pdf](#)

[UC20-052a Minutes_Finance and General Purposes Committee \(FGPC\)_090920.pdf](#)

2.4.3. Regional Strategy Committee - 1 September 2020

The Chair apologised for late circulation of the minutes of the Regional Strategy Committee held on 1st September 2020.

Court reviewed the minutes of the meeting and noted the following key discussion points and concerns that had been identified and discussed by the committee:

1. The Regional Strategy Committee concurred with FGPC in relation to the need to make decisions in accordance with robust data and Court encouraged all partners to share requested information timeously in an effort to develop core data sets and to increase the pace of implementing agreed actions.
2. The committee was concerned that delays in progressing agreed actions were partly due to a lack of financial resource and issues with capacity and competing priorities and had recommended that additional resource should be made available to support key strategic initiatives that would deliver efficiencies and facilitate required changes for the long term benefit of the University partnership.

[Minutes_Regional Strategy Committee \(RSC\)_010920.pdf](#)

2.4.4. Academic Council/Activity Report - 10 June 2020

Court noted the Academic Council Activity Report in relation to the meeting held on 10th June 2020. It was noted that the Academic Council was meeting again on 24th September and that the report from that meeting would be presented to Court in November. The Principal and Vice Chancellor advised that the membership of Academic Council was currently under review.

[UC20-054 AC Officers Report 10 June 20.pdf](#)

2.4.5. Remuneration Committee - 2nd and 16th September 2020

Court noted the minutes of the meetings held on 2nd and 16th September 2020.

[UC20-055 Minutes_VSS - Rem Co Panel_020920 redacted version.pdf](#)

[UC20-055a Draft Minutes_UHI Rem Co - VSS_160920 \(2\).pdf](#)

3. CHAIRMAN'S COMMENTS

The Chair provided Court with a summary of his main activities since the last meeting and an overview of the current challenges and issues facing the institution.

The following points were noted:

- Demands on staff are intense with many challenges beyond the control or direct influence of the University. In addition, many issues (as reflected in the papers for the meeting) are closely inter-related and this has created a complex, difficult and disjointed environment for decision making. Accordingly, the Chair identified a need to simplify reporting and he requested that the Principal work with senior management and the Partnership Council to develop a single crisis management report for consideration by Court at its next meeting.
- Good progress had been achieved in relation to progressing the recruitment process to appoint a new Principal and Vice Chancellor and the Chair thanked all those members who had assisted with this process. It was noted that the process was expected to be concluded within a fortnight.

3.1. Quarterly Status Report

Court noted paper UC20-056 comprising the academic partner and University senior management status reports for the period 1st June - 31st August 2020.

 [UC20-056 September 2020 SMT and AP quarterly report.pdf](#)

3.2. Vice Chancellor's Report

Item 3.2 and 3.3 were considered together.

The Principal and Vice Chancellor provided Court with a verbal report in relation to his main activities and priorities over the past quarter which have been dominated by the crisis management agenda and leading the institution through the ongoing public health crisis.

The following points were noted:

- The University partnership is continuing to actively engage with its change management process in an effort to address financial sustainability and other organisational challenges that pre-date the pandemic, however, the current situation has created additional demands on staff time and available resources and all staff are busier than ever with many competing priorities, inevitably the pace of change has been slower than originally planned and there was an identified need to review priorities, to consolidate actions where possible and to re-focus attention on delivering actions that would provide the most benefit.
- The Principal and Vice Chancellor highlighted the huge amount of work and substantial demands on staff resulting from the current situation with staff working continually through the summer period to support current students, to result graduands, to maximise recruitment and to ensure business continuity at a level and with demands not experienced by the sector previously. The Principal explained that staff had performed exceptionally well in the circumstances and could not have done a better job.
- Significant uncertainty remains in relation to student recruitment and associated income streams for 2020/21. Early indications suggest that active applications for full-time HE programmes re slightly increased on 2019/20, however, it is not clear at present exactly how many of these applications will translate into enrolled students. Better data will be available after 30th September.
- The University does not yet have any clarity in relation to likely FE recruitment. Early data reports suggest that FE recruitment is substantially lower than the previous year across the entire college sector. Reliable FE recruitment data will not be available until October 2020.
- The Principal and Vice Chancellor then advised members that he had determined not to apply for the substantive post of Principal & Vice Chancellor in February 2020 due to personal and family commitments. He thanked Court and staff for supporting him in the role of Principal and confirmed that he remained fully committed to leading the institution until a new Principal was in post and to assisting the new Principal once appointed.

3.3. Crisis Management Action Plan

Court noted paper UC20-057.

 [UC20-057 Crisis Management Action Plan update.pdf](#)

3.3.1. Minutes from the Special UHI Partnership meeting held on 1 July 2020

Court noted paper UC20-057a.

 [UC20-057a Minutes_Special UHI Partnership meeting - 1 July 2020_010720.pdf](#)

4. HIGHLANDS AND ISLANDS STUDENT'S ASSOCIATION

4.1. HISA Report

Court discussed paper UC20-058 provided by the President of HISA setting out a summary of progress and achievements made by the students' association during the last quarter. The following points were noted:

- Court was particularly pleased to note good levels of engagement and participation with online freshers activities.
- Digital poverty and connectivity issues for students studying from home remain an area of concern that may lead to increased withdrawals or drop out rates and HISA is pleased to be working with the University to try and address these issues.

 [UC20-058 HISA Court Update Sept 20.pdf](#)

5. COMMITTEES & MEMBERSHIP

5.1. Recruitment of new Principal & Vice Chancellor Update

Court noted paper UC20-059.

 UC20-059 recruitment update0920.pdf

5.2. Annual Effectiveness Review

Court noted paper UC20-060 regarding the intended process for conducting required annual effectiveness reviews of Court and senior committees.

 UC20-060 Effectiveness Review.pdf

5.3. Appointments to Assigned College Boards

Court homologated the decisions contained within UC20-061 relating to the appointments of independent members to the boards of assigned incorporated colleges.

 UC20-061 Board Appointments July 2020 NHC and PC-1.pdf

6. STRATEGY & PLANNING

6.1. Outcomes from Recruitment and Engagement Project

Court noted paper UC20-062.

 UC20-062 200917 Summary of recruitment and engagement project_Court.pdf

6.2. SFC Sectoral Review

Court discussed paper UC20-063 relating to the University partnership's response and inputs to the Scottish Funding Council Review of Coherent Provision and Sustainability. Court highlighted the need to proactively engage with the review and to promote the significant role and potential for the University partnership to deliver community and economic benefits for the region and for the nation that were wholly consistent with government objectives and to enhance the University's status as an anchor institution.

 UC20-063 SFC review 230920.pdf

Exit F Larg At 15:25

7. GOVERNANCE & RISK

Enter N McArthur
15:30

7.1. Corporate Risk Register

Court noted paper UC20-064 providing a summary report of the University's common risks and associated mitigating actions.

 UC20-064 Risk Management Update (1).pdf

7.2. Partnership Records Management

Court endorsed the recommendations contained within paper UC20-064a outlining a proposal to develop and implement consistent tertiary partnership records management and disposal and retention policies throughout the University partnership.

 UC20-064a Partnership records management PC.pdf

8. FINANCE AND PERFORMANCE

8.1. Academic Partner Financial Monitoring

Court considered paper UC20-065 and noted the challenging financial position and circumstances that were currently affecting the partnership.

Court noted that information relating to the cash balances held by the five incorporated colleges was at at March 2020 and therefore was of very limited use to Court in terms of understanding the current situation. Court requested that more recent or actual data be provided with future reports whenever possible.

 [UC20-065 AP Finance Monitoring.pdf](#)

8.2. Financial Sustainability/University Budget Reforecast

Court noted paper UC20-066 providing an update on the University's 2020/21 budget and the savings that are currently being implemented and/or targeted in an effort to reduce the forecast deficit.

 [UC20-066 - UHI budget reforecast 20-21.pdf](#)

9. ACADEMIC BUSINESS

9.1. Annual Quality report to SFC on institution-led review AY 2019-20

Court approved the annual report to the Scottish Funding Council in relation to the 2019/20 institution led subject and service review - paper UC20-068.

 [UC20-068 SFC annual report AY19-20.pdf](#)

9.2. National Student Survey Results 2020 (NSS) Summary report (full report in reading room)

Court noted the National Student Survey results for 2020 which unfortunately demonstrated an overall decrease in student satisfaction of 2.27% from 2019 results despite receiving increased scores in 12 of the 27 questions surveyed. It was noted that small cohorts of students meant that the University's percentage results were highly volatile. A more detailed analysis of the results highlighted areas of good and exceptional practice as well as areas that would require targeted enhancements.

 [UC20-069 NSS Brief report 2020.pdf](#)

9.3. Postgraduate Taught Experience Survey (PTES)

Court noted paper UC20-070 setting out a summary of actions that would be progressed to support enhancements in advance of the 2021 NSS and PTES surveys.

 [UC20-070 NSS and PTES 2020 - Next Steps.pdf](#)

9.4. Update on ELIR 2020

Court noted paper UC20-071.

 [UC20-071 Staff update on ELIR Sept 2020.pdf](#)

10. DATE OF NEXT COURT MEETING

10.1. Next meeting confirmed for 25 November 2020

11. RESERVED BUSINESS

11.1. Student Residences

Court considered three papers in connection with the management and operational challenges associated with the University's student residences at Inverness, Fort William, Elgin and Dornoch including forecast occupancy data, anticipated impacts on student income and current efforts intended to try to reduce exposure to under occupancy and reputational risks associated with potential poor service delivery by third party managers. It was noted that the risk of under occupancy in 20/21 had increased significantly as a result of the ongoing pandemic as a result of adjustments to curriculum delivery with more classes delivered online and with students choosing to study from home instead of in halls where physical distancing rules needed to be strictly applied.

Action: DOCG to publish background information and relevant reports relating to the residences project within admin control portal.

Roger Sendall

 UC20-067a Residences update.pdf

 UC20-067b Student Residences Financial Report 19-20 and 20-21.pdf

 UC20-067c FGPC residences update 2020917.pdf

11.2. Voluntary Severance Scheme

The Chair of Court and the Chair of the Remuneration and Finance and General Purposes Committees provided Court with a verbal update in relation to progress with implementing a voluntary severance scheme for employees of the University and the discussions held at two meetings of the Remuneration Committee on 2nd and 16th September 2020. The following points were noted and agreed:

- Applications for voluntary severance had been invited and received from University staff in accordance with a published scheme deadline of 31st July 2020. The core requirements of the scheme had been approved by FGPC in May and the Remuneration Committee was identified as the committee responsible for reviewing and considering individual applications for severance in accordance with the remuneration policy and obligations contained within the University's financial memorandum with the Scottish Funding Council and governance codes.
- It was noted that the Remuneration Committee had not considered any individual applications to date, this was because the committee had determined that there would be a benefit in obtaining independent assurance from the University's lawyers and from internal audit to confirm that the scheme was legally compliant and that systems for the determination and payment of severance settlements were consistent with obligations contained within the University's financial memorandum. It was noted that this work was progressing and that a further committee meeting was scheduled for 30th September.
- Court noted that no specific savings target had been set or identified by Court or FGPC for the voluntary severance scheme. The scheme was open to all staff who are not on fixed term contracts for the purpose of identifying opportunities for voluntary severance in the context of uncertainty over 2020/21 student income as a means of rapidly reducing controllable costs. Accordingly, individual applications for severance would be considered and determined by the committee in accordance with an assessment of value for money with severance payments funded from reserves.
- Court heard that determination of individual applications for voluntary severance required careful consideration on the basis of no clear indication or target being set in relation to the amount of savings required and in the context of the ongoing Executive Office review process and development of the University's new strategic plan.