Court

Minute of Meeting held on Wednesday 16 February 2011
in the Senate Room

Present:
Ms Susan Ashworth Employee Representative, Mr David Anderson General Council Member, Mr Ken Brown Co-opted Member, Dr Otwyn Byron Senate Member, Professor Muffy Calder Senate Member, Mr Peter Daniels Co-opted Member, Ms Susan Dunsmore General Council Member, Dr Robin Easton Co-opted Member, Professor Eleanor Gordon Senate Member, Mr Tommy Gore SRC President, Dr Gordon Hay Senate Member (from item 4 inclusive), Rt Hon Charles Kennedy MP Rector (Chair), Mr Alan Macfarlane General Council Member, Cllr Jim Mackechnie Glasgow City Council Representative, Ms Margaret Anne McParland Employee Representative (attending in place of Mr Alex Ross), Professor William Martin Senate Member, Mr Matt Morrison, SRC Member on Court, Ms Margaret Morton Co-opted Member, Professor Anton Muscatelli Principal, Dr Alan Owen Senate Member, Mr David Ross General Council Member (Convener of Court), Professor Michael Scott-Morton Co-opted Member, Professor Adrienne Scullion Senate Member, Mr Kevin Sweeney General Council Member

In attendance:
Professor Anne Anderson (Head of College of Social Sciences and Vice-Principal), Ms Mary Beaton (Estates & Buildings, observer), Professor Steve Beaumont (Vice-Principal Research & Enterprise), Mr Ian Black (Director of Human Resources), Professor John Chapman (Head of College of Science & Engineering and Vice-Principal), Professor Frank Coton (Vice-Principal Learning & Teaching), Professor Anna Dominiczak (Head of College of Medical, Veterinary and Life Sciences and Vice-Principal), Mr Robert Fraser (Director of Finance), Professor Neal Juster (Vice-Principal Strategy & Resources), Mr Jim McConnell (Director of Estates and Buildings), Ms Deborah Maddern (Administrative Officer), Mr David Newall (Secretary of Court), Professor Andrea Nolan (Senior Vice-Principal), Professor Murray Pittock (Head of College of Arts and Vice-Principal), Ms Susan Stewart (Director of Corporate Communications), Mr Steve Sutton (Estates & Buildings, observer)

Apologies:

Members: Mr Alex Ross Employee Representative, Mr Murdoch MacLennan Chancellor’s Representative

Attenders: Professor Graham Caie (Clerk of Senate and Vice-Principal)

CRT/2010/23. Announcements

Court welcomed Mr Matt Morrison to his first meeting as SRC Member on Court and Professor Anne Anderson to her first meeting as Head of College. Court also welcomed Ms Mary Beaton and Mr Steve Sutton from Estates & Buildings, who were attending the meeting as observers.

Court congratulated Professor Muffy Calder on the award of an OBE in the New Year honours list.
CRT/2010/24. Minutes of the meeting held on Wednesday 15 December 2010

The minutes were approved.

CRT/2010/25. Matters Arising

With regard to minute CRT/2010/17.2 Glasgow University Archaeological Research Division (GUARD), a progress report was requested on the matter of some GUARD staff having been asked to stay on at the University to complete commercial contracts, when they had expressed an interest in voluntary severance. Mr Newall responded that the majority of the 32 staff in the unit had left by 31 December 2010. A small number had remained to complete commercial contracts, one individual to the end of January, one to the end of February and two would leave the University by the end of March. The 5 remaining posts were the subject of consultation under the University’s Structural Change and Redundancy Committee processes, as had previously been agreed by Court.

CRT/2010/26. Report from the Principal

CRT/2010/26.1 Funding Environment

A government Green Paper had set out a range of options for the future of universities in Scotland, including funding solutions. A technical working group of economists, which included the Principal, would provide advice to the government, including analysis of the funding position for higher education in Scotland, relative to the rest of the UK. The funding arrangements which would apply in the shorter term remained unclear in the run-up to the Scottish Parliamentary election, and were not likely to be finalised immediately thereafter.

CRT/2010/26.2 Financial Return to SFC

The University had been asked by the Scottish Funding Council (SFC) for a revised mid-year forecast, to take into account details provided in an indicative grant letter for 2011/12 received from the SFC. Court agreed that the SMG estimate previously presented to Court at the September strategy day should form the basis of the return.

CRT/2010/26.3 Cost Reduction

At the Court Strategy Day in September 2010, SMG had been asked by Court to produce a plan to bridge an estimated £35M+ funding gap through the generation of new income and the removal of £20M of costs, split £3M, £10M and £7M over financial years 2010/11, 2011/12 and 2012/13 respectively. Court was now asked to consider a paper from SMG which outlined the proposed approach to closing the financial gap.

The Principal explained that SMG had produced the plans on the basis of the latest funding information available. The revised financial forecast, on which Court was being asked to comment, was based on information contained in the Draft Scottish Budget, the Ministerial Letter of Guidance to the SFC, the indicative grant letter from the SFC for 2011/12, the University’s 2010/11 Period 5 Management Accounts and the individual forecasts presented at the January round of budget meetings by the Budget Holders for the four Colleges and University Services. The forecast also included a number of assumptions including significant growth in overseas fees, voluntary severance costs, salary savings and investment in new staff. If predicted growth was not achieved, then more cuts to costs would be needed.
The Principal added that much of the University’s income was earmarked for particular areas, for example research, and could not be vired to cover other areas. It was also important that the University was able to generate a surplus in order to be able to sustain its infrastructure.

Since September, the SMG had undertaken a thorough review of the University's work, in academic Schools and in support services. It believed that £15M of the expected £35M gap could be met through growing income, mainly from international and postgraduate student recruitment. There remained £20M to be addressed through reducing costs. SMG had examined costs with the guiding principle of retaining the University's international reputation for academic excellence and the student experience. An Early Retirement and Voluntary Severance scheme had been launched in January 2011. Interest to date indicated that the scheme would achieve many of the savings, but would not fully close the funding gap.

The SMG had identified a number of areas which it believed should be subject to further scrutiny in terms of their alignment with the University's strategic plan. It was anticipated that withdrawing from, or reshaping, these areas might result in net savings of up to £2.5M. However, it was stressed to Court that it might wish to consider other options, and should indicate if it was of the view that there were other potential areas for cost reduction. It was also emphasised that SMG was proposing consultation on the areas identified, using terms of reference included in the paper, and that it was Court that would make final decisions. There would be an opportunity for Senate scrutiny and further Court discussion. The consultation process would also allow for further information to be gathered.

The convener of Court, David Ross, notified Court that Dr Gordon Hay was not present for the agenda item given that he had a personal interest in the matter, being a member of one of the areas named for consultation.

Mr Ross emphasised that Court was not being presented with detailed information on individual areas on which SMG was proposing consultations. It was not being asked to make decisions on the merits of the SMG’s recommendations on the areas that they had identified. Court was being asked: if it had views on the financial forecasts presented; if it had views on the level of risk in the budget; whether it agreed to consultation on the areas identified; and whether it approved the proposed process of consultation.

Mr Ross presented a set of comments on behalf of, and agreed by, the lay members of Court, with regard to the proposed consultations. These were that:-

- the lay members had agreed that while the SMG paper referred to named areas of activity being assessed in terms of their fit with University strategy, there might nevertheless have been other areas in the same category which had not been named. The lay members would therefore like a fuller explanation from SMG of the method by which the areas named for consultation, as opposed to other areas, had been identified;

- with respect to the consultation groups, the lay members thought it vital that a lay member of Court be present on each group;

- with regard to wider aspects of the paper under discussion, more information was sought by the lay members on how the proposed investments fitted with University strategy;

- the lay members also considered that the non-financial needs and benefits of the University, although not more important that financial considerations, should be taken into account and that the remit include consideration of alternative ways of delivering the activity in question;

- once Court had determined what action should be taken after the completion
of the consultation, Court would need to consider the relationship between that determination and the existing structural changes process of the University;

- milestones for monitoring progress towards achieving international recruitment targets should be set now along with actions to be undertaken if these targets were not being achieved;

- Court should receive regular reports on the progress towards meeting the agreed financial targets in international recruitment and voluntary severance; and

- in addition to the suggested meeting of Court in May, the April meeting of Court be retained in order to receive interim reports on the achievement of these financial targets including those arising from voluntary severance, as well as the additional SMG information requested by the lay members on the method by which the areas named for consultation, as opposed to other areas, had been identified and on how the proposed investments fitted with University strategy.

Court agreed that this should occur.

The Rector, Charles Kennedy, was invited to comment. Mr Kennedy responded that in his discussions with students and staff across the University, anxiety had been expressed about the nature of the consultation process, about why Glasgow had decided to pursue this route when other institutions had not made their plans clear, and about the funding position after the election and whether this might require revision of the financial projections. He added that the University’s reputation as an excellent institution for both home and international students was high, and it was critical that the student experience continued to be central to University activity.

The Principal responded that other institutions’ approaches were not known. The approach being taken at Glasgow was flexible in the context of a fluid funding environment, although as a rapid solution to the funding question in Scotland was not expected, to wait for a possible funding outcome nationally was likely to mean continuing uncertainty for staff and students, which was not in the interests of the University. The areas identified for consultation had been considered over a period of time and in the view of the SMG they were not well aligned with the University's strategic priorities.

The SRC President Tommy Gore stressed that all students were concerned about the current situation and there was a clear message that the consultation process must be genuine, involving staff and students. He had been disappointed to see that consideration of the student experience appeared towards the bottom of the terms of reference for the consultations.

Dr Alan Owen asked for confirmation that the outcome of any given consultation could be to decide not to proceed with reduction in, or withdrawal from, an area of activity. This was confirmed, as was the fact that Senate would be given the opportunity to debate the proposals in the paper.

It was asked on behalf of the Senate Assessors whether each consultation panel could contain an external representative.

Ms Ashworth expressed a concern that the SMG paper referred to the possible closure of the voluntary severance scheme before the next Court meeting; in her view this seemed pre-emptive. Court agreed that the scheme should remain open until 2 weeks after the additional (May) meeting of Court, and that it should receive regular email updates on the level of interest in the scheme.

**ACTION DN**

Dr Byron asked for clarification on the shape of possible further cost cutting in the future. Court heard that this remained open as a possibility, since the approach was
flexible. If public funding cuts were higher than anticipated, or if the uptake of voluntary severance was not as high as indicated in the paper, or if other targets such as international recruitment were not met, then further savings would be needed; however, further areas for consultation had not been identified at this stage.

Court also heard that the possibility of a salary freeze or similar salary saving methods had been considered, but were unlikely to be taken forward given the practicalities.

Court noted the current financial forecasts and the risks identified in relation to these, and agreed that it had no additional comment on whether the level of risk in the budget was commensurate with the University achieving its strategic priorities.

Court agreed to SMG consulting in the areas identified in the paper and stated its strong wish that the consultations be inclusive, transparent and fully engage with the students and staff potentially affected by the proposals, and that lay members of Court should be represented on the consultation groups. Court would be advised on the composition of the consultation groups. Court approved the process of consultation subject to the additional points agreed to by Court.

CRT/2010/26.4. Key Activities

Court noted a summary of some of the main activities in which the Principal had been involved since the last meeting of Court, covering internal and external activities beyond the daily operational management and strategy meetings. The activities were under the broad headings of: Lobbying and influencing; Internationalisation/Academic Development; Alumni Events; and Academic input to Policy.

CRT/2010/27. Report from the Secretary of Court

CRT/2010/27.1 Western Infirmary Site

At its December meeting, Court had approved in principle the acquisition of the larger part of the Western Infirmary Site (10 acres, referred to as ‘Site A’, out of a total Site area of 14 acres), at a maximum cost of £10M. Court had decided to delegate to a Project Group responsibility for reviewing the terms of the transfer, and authority to approve the transaction on Court’s behalf if it was satisfied that the terms were satisfactory. The Project Group had met on 17 January to review the main issues, and to consider those matters that had arisen in recent discussions with Health Board officials. There were several points on which further information/assurance had been required if the University was to proceed with the acquisition. These included: further information on land condition; clarification of any planning constraints that Historic Scotland might impose on the development of the site; and satisfactory agreement with the health authority regarding the authority’s responsibility for property maintenance in the period when it would occupy the main hospital site as a tenant of the University.

On 16 February, the Project Group had re-convened to discuss progress. There had been a positive developments on the matters listed above, including news that Historic Scotland now had no plans to list property on the Site. Negotiations with the Health Board meanwhile continued, in particular regarding; the terms of any profit share arrangement should the University develop part of the site for commercial purposes; and the nature of the advance opportunity to purchase that the Health Board would offer the University in relation to the remaining 4-acre portion of the site.

Subject to satisfactory terms and conditions, and in response to the health authority’s request, the Group was seeking to conclude the transaction by 31 March 2011.
The Rector chaired the item, given that the convener of Court, David Ross, would speak to the paper.

At the meeting on 13 October, Court had approved the recommendations contained in a report on Governance, including a proposal to amend the composition of Court, such that the Co-opted members would increase from 5 to 11, the Senate members would decrease from 7 to 4 and the General Council members would decrease from 5 to 2. The key drivers for the proposal to amend the composition of Court had been the desire to have a clear lay (external) majority in line with good governance practice and to increase Court’s ability to co-opt a range of relevant expertise to help it address its work effectively. A draft ordinance on Court membership had been the subject of a formal 8-week consultation exercise that had concluded on 28 January. At the December meeting of Court, a summary of the discussion on the matter at December’s Senate meeting had been provided in the Court papers. Email replies from Senate members to the consultation exercise had also been made available in full to Court members for the present meeting.

David Ross explained that the working group on Governance had met on 3 February to consider the inputs received through the consultation exercise on Court membership. The feedback from the General Council had generally been positive; that from Senate had not been, in particular on the matter of the proposed reduction in the number of Senate Assessors on Court. The working group had considered carefully the points raised by Senate. A number of the concerns appeared to reflect misconceptions, and the working group felt, in particular, that it was important for Senate to be assured that Court fully recognised the authority of Senate in setting academic standards and that it would continue, through the input of Senate Assessors and others, to give due weight to academic matters in its deliberations. Mr Ross commented also that some of the comments from Senate members had referred to the University management as the source of the proposed changes; this was not the case, since the review of Court’s composition had been the initiative of himself as convener of Court and of other Court members. Having considered the issues raised through the consultation process, and the importance of recognising the depth of feeling expressed by Senate at its meeting in December, the working group had decided to recommend to Court that it modify its proposals, such that the future number of Senate Assessors should be 5 rather than 4, with the number of co-opted members correspondingly reduced from 11 to 10. The working group had suggested also that the Nominations Committee should ensure that, in recommending individuals to Court for co-option, it should identify at least one member suitably experienced in the management of high quality academic research.

Professor Scullion suggested that the proposed increase in the number of Senate Assessors did not go far enough, given Senate’s strongly held views on the matter, and expressed concern that the timing of the proposed changes could be very damaging in the current context of cost reduction. In addition, the changes were not strictly necessary in the context of governance. Dr Owen referred to a recent Green Paper on options for the future of higher education in Scotland and to a concern that Senate would not be content that its views had been listened to. Mr Ross explained that the guidance was clear and that a lay majority was required as a matter of good governance; in this respect Glasgow stood out among other peer institutions in Scotland as having a lack of external representation. It was of considerable importance that the institution was aligned with good practice. The Green Paper had been considered by the Working Group. Professor Scullion commented that it was the decrease in Senate representatives not the increase in lay members that was being questioned.

6/11
Mr Anderson and Professor Scott Morton expressed support for the paper and its recommendations. It was commented that consultation had occurred, and that, in such a process, not all viewpoints would prevail. Mr Macfarlane commented that the General Council through its business committee supported the proposed modifications to Court membership.

A vote was taken and by a majority of 13 in favour to 7 against, Court approved the working group’s recommendations:

1. that the draft Ordinance as submitted to Senate and the General Council be confirmed by Court, with the alteration that the number of Senate members be reduced to 5, not 4, and that the number of Co-opted members be increased to 10, not 11.

2. that Court should ask Nominations Committee to ensure that, in recommending individuals to Court for co-option, the Committee should bear in mind the desirability of having: one co-opted member of Court who was suitably experienced in the management of high quality academic research; and at least three co-opted members who, as graduates of the University, were members of the General Council.

Court noted that the priority in any individual co-option process would be to seek to secure a sustainable balance of the necessary skills and experience on Court which complied with the requirements of good governance, given the available candidates of the appropriate quality. As a result in seeking out, and ultimately recommending, any particular candidate for co-option to the Court, Nominations Committee would take into account the skills and experience of the existing members of Court and thus what skills and experience it was in the best interests of Court to secure at that time in order to achieve or maintain that balance.

CRT/2010/27.3 Ordinance Relating to Senate Membership

At its June 2010 meeting, Court had noted that Senate proposed to adopt an inclusive approach to its composition in the new University structure, to ensure the continued membership of academic heads of unit. The composition of Senate was governed by a University Ordinance, which had been amended over a number of years by other Ordinances. In June, Court had endorsed Senate’s recommendation that a new Ordinance be promulgated.

Court had been provided with details of the proposals from Senate, which included 2 draft Ordinances; one of them proposed to replace completely the main Ordinance on Senate membership and the later Ordinances which amended it, because of the extent of the changes. The other draft Ordinance amended the process for election of certain categories of non-Professorial academic staff to Senate, in light of new academic units in existence following the restructuring and in light of changes of changes in terminology for academic roles.

The initial drafts had already received comments from Senate members. Court approved the drafts, ahead of the normal consultation period, which would include further contact with Senate and contact with the General Council.

Court agreed that it would benefit from a briefing on the work of Senate and its committees. 

ACTION GC

CRT/2010/27.4 Employment Ordinances – Nos 204 and 205

In 2010, Court had approved draft Ordinances relating to the University's employment procedures for academic and related staff. The substantive Ordinance would allow the University to simplify its HR procedures in line with good employment practice. It had
been accompanied by an enabling Ordinance, which was technical in nature and established the University's power to vary or revoke an Ordinance of 1992 which (unusually) had been issued by the University Commissioners. Court noted that both Ordinances had now received royal approval via the Privy Council, and that Human Resources was taking forward the development of new procedures, which would be brought to Court for approval via the HR Committee.

CRT/2010/27.5 Annual Schedule of Court Business
Court noted the annual schedule of Court’s regular business items.

CRT/2010/27.6 Rectorial Election
Court noted that the next Rectorial Election would be held on Monday 21 to Tuesday 22 February. The person elected would hold office for a period of three years. Two candidates, the writer AL (Alison Louise) Kennedy and the present Rector, Rt Hon Charles Kennedy MP, had been nominated.

CRT/2010/27.7 Court Committee appointments
Court approved a recommendation made on behalf of the Nominations Committee that Mr Hamish Guthrie be re-appointed to the Audit Committee for 4 years from 1 March 2011.

Court noted that, with Nominations Committee’s approval, Professor Ewan Cameron had replaced Stuart Reid on the Human Resources Committee.

Court noted that an advertisement had been placed in the press for 2 Co-opted Committee members, for the Finance Committee and Human Resources Committee, and that it would be kept advised, through Nominations Committee, of recommendations in respect of appointments.

CRT/2010/27.8 Appointments of Heads of Schools
Court noted the following appointments:

**College of Medical, Veterinary and Life Sciences**

**School of Medicine**
Professor Massimo Pignatelli appointed as Head of the School of Medicine from April 2011.

**College of Science and Engineering**

**School of Psychology**
Professor Philippe Schyns appointed as Head of the School of Psychology from 1 February 2011 to 31 July 2015.

CRT/2010/27.9 Appointment Committees for Heads of Schools and Research Institutes
Court noted that the following Senate Assessors would be on appointing committees for Headships of Schools and Research Institutes, which were Court appointments. The current Head and term of office were shown.
College of Medical, Veterinary and Life Sciences

Dental School (Professor Jeremy Bagg to 31.7.11)

Senate Assessor: Professor Muffy Calder

School of Veterinary Medicine (Acting Head Professor Ewan Cameron, not beyond 31.7.11)

Senate Assessor: Dr Alan Owen

Institute for Cardiovascular & Medical Sciences (Professor Andy Baker to 31.7.11)

Senate Assessor: Dr Gordon Hay

College of Science and Engineering

School of Geographical and Earth Sciences (Professor Trevor Hoey to 31.7.11)

Senate Assessor: Professor Adrienne Scullion

For Heads of Schools, the appointing committee would normally comprise the Principal or nominated Vice-Principal (Convener); the Head of College; a cognate Head of School; a representative from the School; and a Senate Assessor on Court. For Heads of Research Institutes, the appointing committee would normally comprise the Principal or nominated Vice-Principal (Convener); the Head of College; a Head of School; Research Institute staff representative; and a Senate Assessor on Court.

CRT/2010/28. Reports of Court Committees

CRT/2010/28.1 Finance Committee

CRT/2010/28.1.1 Financial KPIs

The Director of Finance, Robert Fraser, highlighted the level of operating surplus as being low as compared to competitors, in part as a result of different targets set for English institutions by HEFCE. Year on year income growth was also low compared to other universities, whereas the percentage of salaries as a proportion of turnover was high.

Court noted the KPIs.

CRT/2010/28.1.2 Financial Information

Court noted Period 5 2010/11 Financial Information. In line with a recommendation in the 2010 Internal Audit review of Court governance, information including an income and expenditure statement would be provided to Court at each of its meetings. Court would pass on any comments to the chair of the Finance Committee.

CRT/2010/28.2 Human Resources Committee

The report was noted. Court heard that the pay award would be paid in February 2011 and backdated to August 2010.

CRT/2010/28.3 Estates Committee

Court noted and endorsed Estates Committee’s approval of CapEx applications in respect of: 13 University Gardens in the sum of £500k; and the proposed refurbishment
of the Anatomy Suite, Thomson Building in the sum of £3M. Court also noted details of a possible move of some Hunterian Museum collections, including items in storage, to the Kelvin Hall.

**CRT/2010/28.4 Health, Safety & Wellbeing Committee**

The report was noted.

**CRT/2010/29. Annual Report from Students’ Representative Council**

Tommy Gore SRC President presented the SRC’s annual report for 2009/10.

Mr Gore emphasised that the SRC aimed to work productively with the University, as evidenced by the successful outcome of the 2010 Enhancement-led Institutional Review (ELIR). The ELIR Report identified clear evidence of a strong and effective partnership between the SRC and the University, which had resulted in significant developments in policy and provision, all of which contributed positively to the student experience at Glasgow.

Court noted highlights of three main areas of the SRC strategic plan, covering:-

Representation and Engagement, where there had been an increase in the number of candidates standing in sabbatical positions, an increase in the number of Student Representatives trained, and positive external representation such as political lobbying on Scottish Government consultations regarding Housing and HMOs, work with the Glasgow City Council, and success for student media;

Student Wellbeing, where the Advice Centre had seen a 20% increase in casework, with academic casework making up a large proportion of the total, helping to drive outcomes such as new policies, e.g. the Carers’ Policy. The Centre had also assisted in student finance matters including a Benefits Uptake Week. There had been an increase in minibus journeys provided by the SRC. Mr Gore highlighted in particular the help given to International students, who were at the core of a considerable amount of the work carried out by the SRC. There had been new volunteering opportunities specifically for international students, and the SRC had consistently been rated highly by international students, with a 96% approval rating in the International Student Barometer.

Volunteering and Employability, where there had been an increase in the number of volunteers to over 600, an expansion of the Conversational English programme, with the development of the Language Cafe, and £15k funding allocated to Clubs and Societies who catered for over 5500 members.

Future work by the SRC would include development of a new Strategic Plan, ongoing discussions about funding, and restructuring of the Council.

Court thanked Mr Gore for a highly informative presentation.

**CRT/2010/30. Report from the Rector**

The Rector reported that a visit to the University by the Minister of State for Universities and Science, in which he had participated, had been successful.

On behalf of Court, Mr Ross thanked the Rector for all his contributions to the University and Court and his work representing the University’s students.
CRT/2010/31. Communications from meeting of Senate 3 February 2011
Court noted communications from Senate.

CRT/2010/32. Any Other Business

There was no other business.

CRT/2010/33. Date of Next Meeting
The next meeting of the Court will be held on Wednesday 13 April 2011 in the Senate Room
The other dates for the 2010/2011 Session are:
Wednesday 11 May 2011 - additional meeting [not now proceeding];
Wednesday 22 June 2011