

Ct4 – 9 February 2004**Court**

In the Chair: Mr Gavin Gemmell

Present also: Principal John Archer
Mr Graeme Bissett
Mr David Brew
Dr Doug Clark
Professor Bob Craik
Mr Jim Dignan
Mr David Guest
Professor Paul Jowitt
Ms Katy Lavery

In attendance: Professor Andy Walker, Deputy Principal (Resources)
Professor Denis Hall, Deputy Principal (Research)
Professor Brian Smart, Deputy Principal (Development & Learning)
Professor Ian Mason, Dean of the University
Professor Brian Wherrett, Dean of the University
Dr Roger Wardman, Acting Head, Scottish Borders Campus
Mr Peter Wilson, Secretary of the University
Mr Peter Kerr, Director of Estate & Building Services
Mr Richard McGookin, Director of Planning
Mrs Mairi Thornton, Director, CAMS
Mr Martin McCrindle, Director, Human Resources
Mr Stefan Kay, Director of Campus Services, Scottish Borders Campus
Mr Alastair Hood, Assistant Secretary

Mr Paul Gregory, Director of Planning & Development, Scottish Borders Council

Minutes

Date of Meeting: 9 February 2004

Ms Janet Lowe
Mr James Maguire
Dr Judith McClure
Mr Andrew Muirhead
Mr Ray Perman
Ms Yvonne Savage
Professor John Simmons
Dr Ian Steel
Dr Stan Zachary

43 APOLOGIES

Apologies for absence were intimated from The Rt Hon The Lord Mackay of Clashfern, Professor Austin, Mr Brown, Professor Eilbeck, Professor Howie, Mr Jobson, The Hon Lord Johnston, Dr Kedslie, Councillor Scobbie, Professor Swaffield, Mr Taylor and Mr Woods.

44 MINUTES

The Minutes of the meeting of the Court held on 15 December 2003 were approved.

45 MATTERS ARISING FROM THE MINUTES

45.1 Proposed Ordinance 43 and revision to Ordinance 37

With reference to Ct 38.9 and 38.10/03-04, it was reported that the Ordinances had been publicly displayed for the period of 28 days required, and that no objections or observations had been received.

The Court confirmed the new and amended Ordinances.

46 OBITUARY (Agenda Paper A)

Noted an obituary notice relating to Dr Wilhelmina Barns-Graham, an Honorary Graduate of the University.

47 NEW YEAR HONOURS

Noted with pleasure the conferral of the undernoted Honour:

Rt Hon Menzies Campbell PC MP, Member of Convocation
– Knight Bachelor

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48 COMMUNICATIONS FROM THE CHAIRMAN OF COURT

The Chairman alluded to his recent attendance at the University's Anniversary Service and at the Chaplaincy Lecture, both of which had been well attended and greatly enjoyable, and which he commended to members of the University community for future years.

49 COMMUNICATIONS FROM THE PRINCIPAL AND PLANNING & MANAGEMENT EXECUTIVE

The Court received information and briefing from the Principal on the following areas:

- Directorship of Human Resources

The Director of Human Resources, Mr Martin McCrindle, would be leaving the University shortly to take up the equivalent post at the University of Stirling. The Principal, on behalf of the Court, expressed to Mr McCrindle the thanks of the University for his contribution to the University, and best wishes for the future.

- Provision of Legal Services
- Opening of Graduate School, Kazakhstan

The Principal and colleagues had attended the opening of a new Graduate School in the Kazakh-British Technical University where the University's MSc programme in Petroleum Engineering would be offered and which would provide future opportunities for Heriot-Watt in both teaching and research.

- Annual Meeting of the General Convocation - 17 March 2004
- HE Policy and Consultations

Issues included the debate on the proposed introduction in England of variable tuition fees and a Graduate Contribution Scheme as embodied in the Higher Education Bill, which had proceeded to a second reading by a narrow margin in a Commons vote on 27 January. Universities UK strongly endorsed the Bill, and Universities Scotland had called for additional funding in Scotland. There remained variations of opinion as between HEIs, the Scottish Parliament Enterprise Committee and public reports of statements by the First Minister and his deputy on the provision to be made,

- Funding Council's Joint Corporate Plan
- New SHEFC/SFEFC Director of Funding – Ms Riona Bell
- Research Pooling

The University was involved with partner institutes in submitting by late March a proposal for the pooling of research resources in Physics.

- Joint Research Institutes between Heriot-Watt and Edinburgh

A framework of collaborative institutes between the two universities was under development, aimed at the creation of a greater critical mass of high quality research in key areas, and at gaining more favourable Research Assessment ratings and more internationally adjudicated grants.

- Returns submitted to Funding Councils 2003-04 in support of recurrent funding

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50 COMMUNICATIONS FROM THE SENATE COUNCIL (Agenda Paper D)

50.1 Title of Professor Emeritus

Approved the conferment of title of Professor Emeritus on Professor R G Harrison, School of Engineering & Physical Sciences, with effect from 11 February 2004.

50.2 Revision to Ordinance 1, Admission and Matriculation

Approved the revised draft Ordinance detailed in Appendix A to Agenda Paper D.

50.3 Report on the Financial Position of the University

Noted that the Senate Council had received a presentation on this topic by the Director of Finance.

50.4 Honorary Appointments

Noted the appointment of Honorary Research Fellows (3) and of one Honorary Lecturer and one Honorary Professor.

50.5 Validation Agreement with Edinburgh College of Art

Noted that negotiations were in hand to assure the quality of courses and arrangements for the benefit of existing students.

50.6 Congregation – Moscow – January 2004

Noted that a Congregation for the Conferment of Degrees and Diplomas had taken place on January 29 2004 at the British Embassy Residence, Moscow at which the Degrees of MSc and Postgraduate Diplomas in Petroleum Engineering had been awarded, and the Honorary Degree of Doctor of Letters conferred upon the British Ambassador to the Russian Federation, Sir Roderic Lyne.

50.7 Honorary Degrees 2004

Noted that the Honorary Degrees Working Group, with the delegated authority of the Senate, had approved the award of honorary degrees in 2004 to the undernoted individuals. All had accepted the proposed award:

<u>Date</u>	<u>Award</u>	<u>Recipient</u>	<u>Citation</u>
29 January Moscow	DLitt	Sir Roderic Lyne British Ambassador to the Russian Federation	Distinguished career in public service and promotion of international educational opportunity
9 July SBC	DLitt	Mr Jasper Conran Designer	Outstanding contribution to design
13 and 14 July Edinburgh	DLitt	Mr John Houston Painter	Distinguished artistic career
	DSc	Sir Brian John Stewart CBE Chairman, Scottish & Newcastle Breweries	Distinguished career in the brewing industry
	DLitt	Ms Susan Rice CEO, Lloyds TSB	Distinguished business career
	DSc	Ms Anna Kajumulo-Tibaijuka Director, UN HABITAT	Distinguished contribution to welfare economics and women's rights

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DUniv	Councillor Eric Milligan Lord Provost of Edinburgh 1996-2003	Distinguished record of public service
DUniv	Mr Philippe Busquin European Commissioner for Research	Distinguished record of public service and promotion of academic research
DLitt	Ms Tanni Grey-Thomson Paraplegic Athlete	Outstanding career as an athlete and role model to young people
DSc	Professor Sir Keith O’Nions Chief Scientific Adviser, Ministry of Defence	Distinguished academic career and contribution to science policy formation.

Noted further that replies were awaited from two individuals who had been offered awards to be presented at the November ceremonies.

51 FINANCE COMMITTEE – REPORT (Agenda Paper E)

The Court received information on the following topics arising from a meeting of the Committee on 26 January 2004.

51.1 Financial System

Noted a progress report on the Oracle Financial System.

51.2 Management Accounts

The Committee had received Management Accounts for the four month period to 30 November 2003 and had noted:

- a deficit for the period of £1009k which was better than budget by £226k
- a comparison of performance to date with the original SHEFC budget
- an expected outturn surplus of £1622k which was £37k worse than the revised budget
- that pressure would be put in the budgeting round on all Schools to achieve operating surplus

51.3 Edinburgh Business School

Noted a report arising from a meeting of the Board of Edinburgh Business School, setting out matters discussed and agreed by the Board.

51.4 Sports Academy

Noted a summary report on progress.

Noted updated information from the Secretary of the University indicating a slight delay due to staffing levels deployed by the contractor, and to technical problems relating to the drains which would entail some extra cost. Any overspend would be traded off against other savings and subventions from donors, including the Alumni Fund. The Secretary also alluded to the possible extra cost which might arise from the adjudication of an arbiter on the monies withheld from Melville Dundas.

51.5 Interactive University

Noted an update on the progress and financial position of the Interactive University, currently in negotiation with Scottish Enterprise-Network regarding a second round of funding. A proposal and revised business plan would go to the SE-N board in March.

Noted that SCHOLAR England was being piloted in Cumbria and promised a good return on investment.

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Noted that the arrangements for secondment of Heriot-Watt staff to the Interactive University had 18 months to run for those who had not taken contracts with the Interactive University or moved to other employment.

51.6 Scottish Borders Campus – Future Options

Noted that the Committee had considered a confidential briefing on this topic, and that the Planning & Management Executive had undertaken an assessment of the resources and commitments associated with a scenario for future development which appeared most likely to attract the support of the Funding Council (cf also Minute 52 below).

51.7 Catering & Residences and Conferences

Noted proposals for the reorganisation of the University's conference activity and the Catering & Residences operation into two wholly owned subsidiary companies, and issues considered by the Committee.

Noted further points raised by Court members including:

- the need for better explanation of the business plans
- the need for the Audit Committee to be satisfied as to the mechanisms for operation, control and risk management
- the need for clarity in the allocation of assets between the University and the companies as proposed
- the need in any event for a high-level appointment in the area of conference management
- the need to ensure that commercial success did not entail any countervailing reduction in Funding Council support

Noted that the Finance Committee recommended in principle that the proposals be approved and further developed, subject to further scrutiny at a later date.

The Court agreed that the proposals be taken forward.

52 SCOTTISH BORDERS CAMPUS – CO-LOCATION PROJECT

The Court received from Professor Simmons an update on the current position with respect to the possible co-location with Borders College, setting out information relative to the various options and the position likely to be adopted by the Funding Councils.

The Court agreed to authorise the Vice Principal to advise the joint Property & Investment Committee of the Funding Councils at its meeting on 13 February 2004 that the University supported in principle the options outlined.

It was noted that further work would be required before any final decisions could be made either by the University or by the Councils. The Court further noted and concurred with the Chairman's request for the exercise of confidentiality in this matter pending any public comment by SHEFC.

53 STAFFING STRATEGY COMMITTEE (Agenda Paper F)

The Court received information and recommendations from the Committee on the following matters:

53.1 Catering & Residences and Edinburgh Conference Centre

Noted the proposal for restructuring Catering & Residences and the Conference Centre (cf Minute 51.7 above) as they affected existing and future members of staff.

53.2 Appraisal and Performance Review

The Committee had noted progress in the implementation of pilot schemes.

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53.3 Pay Structures

The Committee had noted progress in negotiations, but that the AUT was balloting its membership on possible industrial action.

53.4 Treatment of Disclosure Information

The Court approved and adopted a policy document on this matter as set out in Appendix A to the agenda paper, subject to the observation that the University would not act on behalf of third parties in relation to seeking disclosure.

53.5 Computing & Telecommunications Usage

The Court approved and adopted a policy document on this matter as set out in Appendix B to the agenda paper.

53.6 Conflict of Interest

The Court approved and adopted a policy document on this matter as set out in Appendix C to the agenda paper.

54 KEY PERFORMANCE INDICATORS (Agenda Paper G)

Noted that the major Boards reporting to the Planning & Management Executive had undertaken a programme of work to develop key performance indicators of main activities of the University. Noted, as set out in the Paper, a summary of 16 indicators grouped under four main headings – Student Recruitment/Student Numbers; Learning & Teaching; Research & Knowledge Transfer; Finance/Resources.

Received commentary on the relevant areas from Professor Craik, Professor Hall and Professor Walker.

Noted with approval that the indicators presented, or developments thereof, would inform future editions of the University's strategic plan.

The Court concurred in the Principal's expression of thanks to Mr McGookin and Ms Kirkwood-Smith for their extensive work in support of the production of the Indicators.

55 DATES OF COURT MEETINGS

Noted that the next meeting would take place on 22 March.

Agreed to postpone the September 2004 meeting by one week to Monday 4 October to suit the other obligations of both the Principal and the Chairman.