

*As approved by University Court at the meeting of 18 October 2024*

## **UNIVERSITY COURT OF ST ANDREWS**

AT St Andrews on the 7<sup>th</sup> DAY OF JUNE 2024 AT A MEETING OF THE COURT OF THE UNIVERSITY OF ST ANDREWS

### **Present:**

Ray Perman, Senior Lay Member (presiding); Professor Dame Sally Mapstone, Principal; Professor Brad MacKay, Deputy Principal; Adrian Greer, Deputy Chair of Court and Chancellor's Assessor; Iain Anderson, Jonathan Hewitt, General Council Assessors, Cllr Robin Lawson, Provost of Fife's Assessor; Professor Sharon Ashbrook, Professor Catherine O'Leary, and Dr Morven Shearer, Senate Assessors; Dr Lorna Dargan, Non-Academic Staff Assessor; Dr Malcolm Petrie, Trade Union Nominee, Alex Duncan, Trade Union Nominee; Barry Will, President of the Students' Association, Cam Brown, Director of Education, Students' Association; Tim Allan, Alison Johns, Ros King, Frank MacInnis, Professor Ewan McKendrick, Eve McCurrich and Jenny Stewart, Non-executive Members.

### **In regular attendance:**

Derek Watson, Quaestor and Factor; Alastair Merrill; Vice-Principal (Governance); Professor Clare Peddie, Vice-Principal Education (Proctor); Professor Tom Brown, Vice-Principal (Research, Collections, and Innovation); Professor Monique MacKenzie, Vice-Principal (Digital Education, Research, and Environment); Dr Rebekah Widdowfield, Vice-Principal (People and Diversity); Ester Ruskuc, Vice-Principal (Strategy, Policy, and Planning); Niall Scott, Vice-Principal (Communications); Professor Ineke de Moortel (Master); Andy Goor, Chief Financial Officer; Margaret Sinclair, Executive Officer to the University Court and Senate (as Clerk).

### **Apologies:**

Stella Maris, Rector; Dr Stephen Tyre, Senate Assessor.

### **In attendance as Observers**

Ronnie Bowie, incoming Non-executive Member; Professor Allan Watson, incoming Senate Assessor; Hitanshi Badani, Director of Education, Students' Association (Elect); Moira Maguire, Court Co-Optee (PDAG and Rem Com).

## **PRELIMINARIES**

The Senior Lay Member opened the meeting and welcomed all attendees.

## **FAREWELLS**

Court joined with the Senior Lay Member to bid farewell to those members stepping down at the end of July. Tim Allan, Adrian Greer, Professor Ashbrook, Professor Catherine O’Leary and Barry Will were all thanked warmly for their contribution to Court; with the specific contributions of each to respective committees being particularly noted, along with their commitment, collegiality and support of the University and Court.

## **STARRING OF ITEMS**

Members noted those items currently starred on the Agenda.

Item 1 and 2 - Meeting minutes and Matters Arising

Item 3 – Principal’s Report to Court

PARC Business

Items 4 – Minute of the meeting held on 24 May 2024; Item 5 – Summary Financial report to 30 April 2024; Item 6 - Draft Financial Plan 2024/25-2026/27; Item 7 – Projects for Approval; and Item 9 – Institutional KPIs.

Item 10 – Student Numbers – Immediate and Future Planning

Item 11 – Student Members’ Report

Item 12 – Report from the People and Diversity Assurance Group

Item 13 – Report from the Governance and Nominations Committee

Item 14 – Report from the Audit and Risk Committee

No additional items were starred.

## **DECLARATION OF INTEREST**

There were no new declarations of interest.

### **I OPENING BUSINESS**

#### **1. Meeting minutes**

##### **(i) Minute of the Court Meeting held on 5 April 2024**

The minute of the Court meeting held on 19 January 2024 (on file, Minutes 2023-2024 No.3) was agreed as a correct record, subject the correction of a typographical error (the addition of the word Court at page 14 of the meeting pack), and the addition of substantive text at page 48 of the minute (page 8 of the pack) to reflect that an update on the accommodation review will be provided to Court at its October meeting.

## **2. Matters Arising**

### **Independent Investigation – Update**

The Convenor of G and N provided an update.

The first dialogue meeting had taken place, and had focused on establishing the ground rules, and a shared purpose for the dialogue which was to help find a way to allow the Rector to resume participation at Court and her engagement with the broader aspects of the role.

There was a need to build a relationship of trust and to listen to the Rector's concerns but with the aim of developing a shared understanding of the role of court members and charity trustees, and what that looked like in practice in terms of standards of behaviour required of all members of Court including the Rector. The aim remained to develop this understanding in order to allow the Rector to come back to Court.

The Convenor aimed to focus the dialogue on three broad areas:

- The two tests that Morag Ross KC had used, of acting in the best interests of the university and not bringing the university into disrepute;
- What independence in the role of a Court member means in practice;
- How the Nolan Principles embedded in the Code of Conduct translate into standards of behaviour.

The meeting had also surfaced some of the Rector's current concerns, in particular her belief that there is a sense of double standards in how she has been treated, and her view that she has been subjected to unfair censorship. Whilst she is intent on preserving the role of Rector, she contends that these and other issues must be dealt with, and that these issues, which are of direct concern to her, cannot be ignored.

The Rector has agreed to the ground rules for the process and to two further dialogue sessions before the end of the month. It has been suggested that the next one focused on what the role of independent advocacy, means in practice, and how that intersects with behaviours compatible with the Code of Conduct, and in particular the Nolan Principles of leadership, duty and respect.

The Rector was reminded that Court had accepted Morag Ross' KC report in its entirety and that she was subject to the same standards and requirements as all Court

members, and that Court had an obligation to maintain those standards of governance.

Whilst a fair amount of ground was covered, and the meeting was cordial, it was fair to say that there was no sign of movement in the Rector's position.

Members noted the update.

Although there were no questions from members to the Convenor of G and N one member stated their increasing concern about current progress in reaching a conclusion of this matter. The report by Morag Ross KC had contained a clear finding that the Rector had breached her responsibilities as a Court member and Charity trustee. That finding had been accepted in full by Court. Court had been advised that this was sufficient to warrant notification to the Scottish Funding Council as regulator. Several months have elapsed. The situation could not be ignored or Court risked placing itself collectively in breach of their respective duties as Court members and Charity Trustees.

Whilst the steps taken thus far demonstrated the seriousness with which Court was taking the matter of the Rector's conduct, including the important process of dialogue to assist the Rector to reach an understanding of her roles and responsibilities in relation to Court, the dialogue process could not continue indefinitely. The SFC would have to be notified at the point when the statement on University Governance was submitted and, in addition to stating the fact of the breach, there would have to be a clear indication of what actions had been taken, including to ensure that the breach would not be repeated. Given this, it would not be sufficient to say dialogue was taking place. Court was encouraged to reach a decision re action by this date.

## **II PRINCIPAL'S BUSINESS**

### **3. Principal's Report to Court**

#### **(i) Written**

Court received the Principal's written report (on file, Court/23/44) which provided an update to Court on recent events, activities, and general University news.

#### **(ii) Verbal report and update**

The Principal provided a verbal report to Court on a number of matters as detailed below.

At its last meeting Court had been notified of the excellent report following the recent review of by the Quality Assurance Agency (QAA) panel via its Quality Enhancement and Standards Review (QESR) method and a copy placed on the Court Sharepoint site for information. Further thought had now been given as to how Court could be provided with assurance as to academic standards and quality of academic excellence in the University, and the suggestion was that rather than a formal discussion item at Court, Court members would have the opportunity over the summer to arrange an informal briefing individually with the Proctor.

### **World-leading**

**Paragraph 1- -Rankings** The QS World University Rankings had been published. The University remained in the top 7% in the world but was now placed 104<sup>th</sup> rather than 95<sup>th</sup>. Consideration was being given to the reasons for this, and to identify any action that could be taken accordingly. It was notable that over half of the UK institutions in the table had also fallen down the rankings.

### **Sustainable St Andrews**

**Paragraph 55:** The Principal highlighted the new partnership with the National Centre for Atmospheric Science (NCAS) which has been established by the University and which will focus on modelling climate change. There had been an excellent meeting on 6 June when the VPRCI and the Principal had met with Professor Stephen Mobbs MBE (Executive Director of NCAS) Professor Jacqui Hamilton (Science Director of NCAS), and Dr Ioana Colfescu (Senior Research Scientist and NCAS Board member). This was a potentially significant relationship and it had been particularly gratifying that the representatives of NCAS had referenced the importance of the University Strategy in their consideration of the University as a potential partner.

Court also noted that a substantial gift to endow a Chair for Earth and Environmental Science had recently been finalised.

### **Policy Horizons**

**Paragraph 75-77:**These paragraphs related to the SFC Indicative Funding

Allocations for 2024-25 which had been published on 18 April.

The long-delayed Scottish Funding Council (SFC) indicative funding allocations for 2024-25, were clearly shaped by politics, with interventions on funding decisions, – including on ‘numbers of places’ vs ‘unit of resource’ – that were not acceptable.

At a national level, the SFC was required by the Scottish Government to find £28.5m of savings. Following extensive engagement between the SFC and Scottish Government, representing a concerning shift in decision making which impacted the autonomy of the sector, savings have been taken from within the SFC teaching budget in a number of areas. Whilst these cuts and the political manner in which they have been brought about are detrimental for the sector as a whole, their impact is variegated, and a handful of institutions now face additional challenges. These challenges may well have significant consequences and the Principal remained deeply engaged through both US and UUK on what seems likely to be a turbulent period

## **II PARC BUSINESS**

The Senior Lay Member, as Convenor of PARC introduced the PARC business forwarded to Court; noting that the business forwarded on this occasion included the Summary Financial report which had been updated post PARC and the 3-year Financial Plan. Both were items of key financial importance.

### **4. Minute of the Meeting held on 24 May 2024**

Members received the minute of the meeting (on file, Court/23/61).

### **5. Summary Financial Report to 30 April 2024**

The Chief Financial Officer presented the report to Court (on file Court/23/62) which provided Court with a summary of the University’s financial position as at 30 April 2024.

Topics explored in the discussion included pay awards; salary scales and staff budget; timing of payments both in and out; details of specific figures; and USS (relevant to its investment in Thames Water); research income, including timing of receipts and profile of funding; other sources of income including projections on Digital; Tuition fee income; and receipts from St Andrews West.

Court noted the report and update.

## **6. Draft Financial Plan 2024/25-2026/27**

The Chief Financial Officer presented the draft Financial Plan for the next three years (on file, Court/23/63), including the latest Capital Investment Plan covering the same period.

Following review by PARC , which Court was assured had been robust and forensic, PARC had agreed to recommend the draft Financial Plan for approval by Court.

The Chief Financial Officer provided an overview of the plan, providing context, explaining rationale and assumptions, and highlighting some key areas and challenges.

There followed a detailed discussion during which question from members focused on income projections; timing; the need to service debt; student numbers; underlying assumptions; the detail of figure within the plan; confidence levels and forecasting. There was also discussion of the level of investment required for accommodation, and a request that cognisance be taken of the potential for climate change to be factored into capital planning.

More detail was provided by the VPRCI on the assumptions and evidence supporting the Research figures and update on current development in relation to Digital provided by the VP (Digital).

It was agreed that the “other income” figure quoted would benefit from being broken down into sub-headings so that there was transparency as to what comprised this figure. Members also requested that the detail of specific projections including for the Business School and Medicine, be made available along with any sensitivity analysis.

One member requested that the document be reworked with key assumptions enumerated and sensitivities identified and explained. The Chief Financial Officer confirmed that the information was available and that more detail could be provided to Court members on request. Going forward this could be appended to the Financial Plan.

Following a comprehensive discussion and noting the review of the plan by PARC,

Court approved the Draft Financial Plan covering the period 24/25 through to 26/27, noting the assumptions made and the risks that remained.

## **7. Projects for Approval**

Court noted the paper (on file, Court/23/64) which detailed a). Eden Enterprise Hub – Approve Outline Business Case and initial investment in advance of a Full Business Case (b) Second Data Centre – Approve proceeding to tender for the IT in advance of a Full Business Case.

## **8. Projects for Information**

Court received the Projects for Information paper (on file, Court/23/65) which provided a summary of in-train and planned capital projects. The Appendices to the summary included updates on the following projects:

### **Post Completion**

Younger Hall

### **Under Construction**

St Andrews West; Grange; Students' Association Roof; Power to X

### **Working to FBC**

Drochaid; Bat Lab; Rooftop Solar.

### **Working to OBC**

Digital Nexus Building; New College; Large Scale Solar.

Court noted the update.

## **9. Institutional Indicators Update**

Members noted the report (on file, Court/23/66) which provided the regular update on Indicators of Progress aligned to the University Strategy and was presented for information.

The new format, now embedded, was commended as working well. Members commented specifically on the progress in relation to the Gender Pay Gap (although it was noted that it was still above the Russell Group average), and Athena Swan.



### **III DISCUSSION ITEM**

#### **10. Student Numbers - Immediate and Future Planning**

The Deputy Principal, Vice-Principal (Strategy, Policy, and Planning), and Master delivered a comprehensive student number planning update.

The presentation gave an overview of student number modelling and planning; projections; admissions (including admission process and factors impacting on this); targets; risks, challenges, and mitigations.

The presentation contained a considerable amount of detail. Due to the need to continue to complete the other business of the meeting there was limited time available to digest the information presented, to ask questions, or for there to be a full discussion. Members commented that this was unsatisfactory as it was important, where an item was tabled for discussion, that sufficient time was allocated to allow that discussion to take place. This frustration was noted, and confirmation given that there will be consideration of how best to incorporate the discussion item in future.

Members asked questions relating to ratio of UG to PGT; access targets; and movement in student overall numbers; there was also a query about the presentation of some of the figures. Members were also invited to submit further questions by email. The request was made that there be a further opportunity provided to discuss this topic. It was also suggested that where presentations contained detailed information (including table and figures) that it would be helpful for the material to be circulated in advance.

The slides for the presentation have been placed on the Court SharePoint site. The version placed on the site has been updated to clarify the presentation of one of the tables.

### **IV REPORTS**

#### **11. Student Members' Report**

The President of the Students' Association presented a verbal report on the activities of the Students' Association commenting that this had been a successful year for the Association, although a year of change and challenge on many fronts.

Particular challenges faced included the cost-of-living crisis, accommodation crisis and responding to global events. Many of these challenges remained. A key achievement had been the setting up of the campus larder as an initiative to address the cost-of-living crisis which had been an impactful initiative and would continue through next year. The President also expressed thanks to the University for supporting the repair to the roof of the Students' Association events space which would now be fully available for use in the next academic year.

The Director of Education provided a brief update on progress of the Change programme. The programme was well advanced, and a proposal would be submitted to the Students' Association Board within the coming weeks. The review had confirmed that without a significant change in funding arrangements there would be a significant financial deficit and once again emphasised that the Students' Association would be seeking additional funding from the University.

## **V COMMITTEE AND ASSURANCE GROUP REPORTS**

### **12. People and Diversity Assurance Group**

The Convenor of PDAG briefed Court on the recent meeting of PDAG.

#### **(i) Minutes of the meeting of 15 May 2024**

These minutes (on file, Court/23/67) were presented for information.

#### **(ii) Annual Report to Court**

The Convenor presented the annual report of the assurance group to Court.

The report provided detail of what had been a successful and exciting year for PDAG, with the group receiving assurance as to the significant progress being made by the University in relation to key areas including Athena Swan; Gender pay; employer brand; HR services reorganisation; recruitment and reward; and communications.

The group had received detailed updates and briefings on a number of topics which evidenced the amount of work which is being done behind the scenes on the implementation of the People Strategy and the respective action plans, and to build the foundations for further implementation and development work. In this regard, the leadership of the Vice Principal People and Diversity and HR Director was particularly acknowledged.

### **13. Governance and Nominations Committee**

The Convenor of G and N presented the main items of business forwarded to Court by G and N.

#### **i) Minute of the meeting held on 23 May 2024**

Court noted the minute of the meeting on 23 May 2024 (on file, Court 23/69). The noting of the minute homologated the appointments and Committee moves detailed therein. Court also noted the re-nomination of Dr Malcolm Petrie to Court. The Convenor highlighted the election for Deputy Chair of Court which would take early next semester.

#### **ii) Court Effectiveness Review - Update**

Court noted the final progress update on the quinquennial review (on file, Court/23/70) presented for information.

#### **iii) American Foundation Trustees**

The paper (on file, Court/23/71) related to the appointment of Trustees to the American Foundation. G and N had approved the appointment of new Trustees (Ken Hutt, Maris Ann MCCulloch Ryan, and Richard Arnholt) and noted with thanks for their service, the retiral of Rick Grove.

Court endorsed the appointments and the amendments to the Board of Trustees detailed in the paper.

### **14. Audit and Risk Committee**

The Convenor summarised the main items of business forwarded to Court by ARC.

#### **(i) Minutes of the Meetings held on 16 May 2024**

Members noted the reports of the meeting (on file, Court/23/72).

#### **(ii) Annual Report Freedom of information: Data Protection and EIS Reports**

Court noted the report (on file, Court/23/73) which had been received by ARC at its meeting of 16 May 2024. The Committee had commended the quality of the report

and noted in particular the steps being made to make more information publically available as a matter of course.

### **(iii) Risk Management Update**

The risk management update (on file, Court/23/74) was presented for information. The paper provided (i) the quarterly risk report for Q2, 2024 (risk dashboard and narratives); and (ii) escalated risk narratives as at 07/05/24.

The Committee continued to discuss updates to the Risk Register framework. Progress on refreshing the mode of presentation was ongoing, and the Committee had requested that it see a draft of the revised format before it was finalised.

The Quaestor had attended the meeting to deliver a report on St Andrews' Innovation. This report and update from the Quaestor had been informative in bringing to life what SI was doing.

In relation to Internal Audit, Court was requested to note that the Committee had declined to approve the audit relating to the Digital Pillar. As indicated in the minute of the ARC meeting, the Committee had felt there was an inconsistency between the narrative and the rating. The report would be revisited at the next meeting.

## **VI COURT OFFICE BUSINESS**

### **i) Minute of the meeting of Senate 13 March 2024**

Court received the minute of the meeting of Senate on 13 March 2024 (on file 23/75), presented for information.

### **ii) Notice of Election of Senate Assessors to Court, Professorial Constituencies.**

Court noted the results of the recent elections (on file, Court/23/75) and endorsed the appointment of Professor Allan Watson, School of Chemistry, as Professorial Senate Assessor, Science and Medicine Constituency, and Professor Margaret Connolly, Schools of English and History, as Professorial Senate Assessor, Arts and Divinity Constituency. Professor Watson was elected to a scheduled vacancy for a period of 4 years (until 2028), Professor Connolly to a casual vacancy for a period of 3 years (until 2027).

## **DATE OF NEXT MEETING**

The next scheduled meeting of Court will take place on Friday 18 June 2024 at 10 am in Upper College Hall.

Ray Perman, Senior Lay Member (Presiding)

Margaret Sinclair,  
Executive Office to the University Court and Senate,  
Clerk to the University Court, Court Office  
June 2024