

Draft Subject to Approval by the University Court at the meeting of 20 October 2023

UNIVERSITY COURT OF ST ANDREWS

AT ST ANDREWS ON THE 9TH DAY OF JUNE 2023 AT A MEETING
OF THE COURT OF THE UNIVERSITY OF ST ANDREWS

Present: Professor Stuart Monroe, *Acting Senior Lay Member* (presiding); Professor Dame Sally Mapstone, *Principal*; Professor Brad MacKay, *Deputy Principal*; Adrian Greer, *Deputy Chair of Court and Chancellor's Assessor*; Stella Maris, *Rector's Assessor*; Iain Anderson, Jonathan Hewitt, *General Council Assessors*; Cllr Robin Lawson, *Provost of Fife's Assessor*; Professor Sharon Ashbrook, Dr Morven Shearer, Dr Stephen Tyre *Senate Assessors*; Dr Lorna Dargan, *Non-Academic Staff Assessor*; Alex Duncan, Dr Malcolm Petrie, *Trade Union Nominees*; Juan Rodriguez, *President of the Students' Association*; AK Schott, *Director of Education Students' Association*; Tim Allan, Alison Johns, Ros King, Professor Ewan McKendrick, Jenny Stewart, *Non-executive Members of Court*.

In regular attendance: Derek Watson, *Quaestor and Factor*; Alastair Merrill, *Vice-Principal Governance*; 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)*; Niall Scott, *Vice-Principal (Communications)*.

In attendance (observer): Ray Perman, *Senior Lay Member (Elect)*, Barry Will, *President of the Students' Association (Elect)*, Cam Brown, *Director of Education Students' Association (Elect)*

Apologies: Dr Leyla Hussein, *Rector*; Professor Catherine O'Leary, *Senate Assessor*; Frank MacInnis, Eve McCurrich, Professor Anu Ojha *Non-executive Members*; Ester Ruskuc, *Vice-Principal (Strategy, Policy, and Planning)*.

PRELIMINARIES

The Acting Senior Lay Member formally opened the meeting.

Court extended condolences to the Lord Chancellor, Lord Campbell following the death of his wife, Lady Elspeth Campbell of Pittenweem, and stood for a minute's silence in remembrance.

WELCOME

The Acting Senior Lay Member welcomed all attendees and observers and noted apologies.

FAREWELLS

Court noted the resignation (with regret) of Professor Anu Ojha as a Non-executive member. Professor Ojha has taken a prestigious and demanding full-time role on the Executive Team of the UK Space Agency as Director of Championing Space. Court expressed its thanks for the significant contribution of Professor Ojha during his comparatively short time on Court, and wished him well. It was noted that G and N would consider the recruitment of another Non-executive member in the near future.

Court expressed its thanks to the demitting Sabbatical Officers Juan Rodriguez and AK Schott, and to Stella Maris, Rector's Assessor, for their engagement with Court, their insightful contributions, and the way in which they had brought the student voice into Court's discussions and considerations. This would be the last Court meeting for all three student representatives as Stella steps down as Rector's Assessor on graduation. Court joined with the Acting Senior Lay Member to wish them well in their future endeavours.

STARRING OF ITEMS

Members noted those items currently starred on the Agenda.

DECLARATION OF INTEREST

There were no Declarations of Interest.

I MINUTES OF MEETING AND MATTERS ARISING

1. Meeting Minutes and Matters Arising

i) Minute of the Court Meeting held on 14 April 2023

The minute of the Court meeting held on 14 April 2023 (on file, Minutes 2022-2023 No.3, pp 29-38) was agreed as a correct record.

ii) Minute of Special Meeting of Court held on 28 May 2023

The minute of the Special Court meeting held on 28 May 2023 (on file, Minutes 2022-2023 No.4, pp39-50) was agreed as a correct record.

2. Matters Arising

i) *Pay, Pensions and Industrial Action update*

The Vice-Principal (Governance) provided a verbal update on developments since the October meeting of Court.

- *Pensions:* - a further joint statement had been issued on 25 May by UUK and UCU outlining how both parties were working on the future of USS benefits. This reaffirmed the commitment to the restoration of pre-April 2022 benefits, where this could be done in a demonstrably sustainable manner, and noted the further improvement in the published USS Financial Management Plan figures for March. A stability sub-group had been formed under the USS JNC, looking at the longer-term management of risk, including the possibility of conditional indexation.

These positive developments stood in contrast to the ongoing stalemate over the dispute on pay and conditions, which continued to be fuelled by internal divisions within UCU.

- *Pay:* - At the UCU congress over bank holiday weekend, the General Secretary had narrowly escaped a vote of no confidence brought by the UCU Left faction, but lost a vote of censure. Controversially, Congress had also passed a resolution on Ukraine criticising NATO and President Zelensky, and calling for the cessation of military support to Ukraine.

This caused significant public backlash as well as concern within the University. Following the request made by the Vice-Principal (Governance) at the local JNC, for a statement on the local UCU branch's position in relation to this resolution, the University was pleased to note that the branch subsequently passed a motion distancing itself from the Congress resolution.

The next UCU Higher Education Committee meeting was scheduled for 30 June. In the meantime, the University had made clear to the local branch that it remained willing to discuss any proposals they may have for local measures to reduce the impact of the MAB and the dispute.

II REGULAR BUSINESS

PRINCIPAL'S BUSINESS

3. Report from the Principal

i) Written

Court received the Principal's written report (on file, COURT/22/66) 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.

- *League tables:* - The QS World Ranking was now expected in late June. This was a league table where the University works hard to retain its placing in the face of stiff competition. The University was currently in the top100, and the hope was that the University would retain its current placing.

The University had retained its 4th place in the Complete University Guide 2024, and continued to rank top in Scotland.

- [Deprioritisation of HE Funding](#): - The Principal highlighted the new Scottish Government's decision on 2 May to cut £20m of university funding that has been promised to the sector in the 2023-24 budget. The Principal continued to engage strenuously with the Cabinet Secretary for Education and Skills, and with government ministers to emphasise the impact, both practically and symbolically, of this move which evidenced a deprioritisation of Higher Education in the Government's strategic view.
- [Withers Report](#): - The report of James Withers' Independent Review of the Skills Delivery Landscape was due to be published on 7 June 2023 and will recommend major reform to the way skills are delivered in Scotland. Court will be further updated as relevant.
- [Horizon Europe](#): - The Principal continued to meet regularly with John Lamont Parliamentary under Secretary of State for Scotland to receive updates on the state of current negotiations.
- [Student Visa Routes](#): - The Principal highlighted the recent UK Government announcement of changes to student visa routes which restricted the ability for international students to bring family members on all but Postgraduate research routes. These restrictions had been implemented as part of a plan to reduce net migration.
- [Student Members of Court](#): - The Principal on behalf of the PO, paid tribute to the student representatives on Court for the way in which they had represented the student body. They had been committed, eloquent and engaged. Their contributions had changed the nature of discussions and ensured that the students' perspective was held centrally in view. Stella Maris who had served as Rector's Assessor for three years had been a remarkably committed and effective advocate. Thanks were expressed to all along with good wishes for the future.

Comments and questions for members related to the HE Freedom of Speech Bill and any potential implications for Scotland; the opportunity to seek to influence policy as political parties prepare their manifestos in anticipation of an election; the improvement in the Gender Pay Gap; and the improvement in impact rankings.

PARC BUSINESS

4. [Minute of the Meeting held on 26 May 2023](#)

Members received the minute of the meeting (on file, COURT/22/67).

5. [Projects for Approval](#)

Court received the paper (on file, COURT/22/68) which provided an overview of the project for which the approval of PARC, (and as relevant Court) was required:

- Nature based carbon (Corrour)
- Abbey Park

The Quaestor provided an update on developments since the meeting of PARC.

Corroul: -The process to reach a contractual close on Corroul continued, and the intention was now to bring this to PARC in September, and thence to Court in October. There would be no need to require a decision of the Extraordinary Committee of Court over the Summer (as has been mooted as a possibility at the May PARC).

Abbey Park: - Work continued on the preparation of an Outline Business Case, However it was now intended that the Full Business Case would be brought forward in 2024 (and not June 2023 as stated in the paper). The delay was due to issues around funding costs as a result of fluctuating interest rates. Given that the residences lease would be for a 50-year term, it was considered prudent to let the market rates settle before committing.

Members asked questions on the implications of the delay on the overall timing of the project; the rationale for the delay; and on the mix of accommodation on the site. It was confirmed that as the site was owned by Robertsons, it was for that company to decide what the land was used for (the suggestion having been made that it should be made available for Social Housing rather than an hotel). In response to a further question concerning affordability for students, Court was reminded of the process undergone to fix student rents, which does not take account of external market rents. Student rents are reviewed annually in a process of dialogue between the Students' Association President and the Director of Residential and Business Services and discussion assumes that all student rental levels will increase in line with UK RPI (all) annually, in the context of a review of the actual cost movements that have been or are expected to be seen by the University in providing its residential services. The proposed rent increases for each Academic Session are presented to PARC in the year before implementation. The University remained cognisant of the need to provide more student beds, and the Residential Capacity Group continued its focus on this issue, including the exploration of all viable options.

The plan to provide Postgraduate accommodation in close proximity to the Old Burgh School (the location of the St Leonard's Postgraduate College) was commended.

Court Office confirmed that site visits had been planned for the autumn to afford Court members the opportunity to visit the sites of projects in the Capital Plan. This would be enormously helpful in providing context generally, and in relation to Abbey Park specifically, would allow members to appreciate fully the potential significance of unlocking the rear access to the Old Burgh School site.

6. Projects for Information

Court received the Projects for Information paper (on file, COURT/22/69) which provided a summary of in-train and planned capital projects. The Appendices to the summary included updates on the following projects:

Post Completion

BMS; Younger Hall; Learning and Teaching Commons-Butts Wynd/ODU Refurbishment; Purdie Labs 3222-324; Main Library.

Under Construction

Eden Campus; St Andrews West; Grange.

Working to FBC

Student Residences – Gap Site 3; Albany Park; Student Association Roof.

Working to OBC

Kenly; Mathematics and Statistics; New College; North Haugh Campus Development; Eden Campus Enterprise Centre.

Court noted the need for the renewal of the Students' Association roof following the identification of a major structural issue identified in the Students' Association 601nightclub and StAge venue. The Roof consists of Reinforced Autoclaved Aerated Concrete. This product was widely used in public buildings in the 60s and 70s and has been found to be at potential risk of catastrophic failure. The venue had been immediately closed and the project team were progressing multiple work streams on the complex and challenging project. Given the need to progress quickly, PARC had agreed to the proposal to bypass the OBC stage and to allow the team to move straight to the preparation of a FBC.

The Estates team were commended for their swift action. It was noted that the costs of this project had not been budgeted for in the Capital Plan (and could not have been foreseen), but that the project would have to be funded.

7. Summary Financial Report to 30 April 2023

Court noted the summary of the University's financial position as at 30 April 2023 (on file, Court/22/70). The CFO provided explanation as to the increased cost of the Finance Improvement Project which was due to increased complexity and the need to access specialist IT resources.

8a. Draft University Financial Plan 2023/24 to 2025/26

The Chief Financial Officer presented the paper (on file, Court/22/71) which presented the draft Financial Plan for the next three years from 2023/24 through to 2025/26, including the latest Capital Investment Plan covering the same time period.

The plan presented a challenging picture. The very significant increases in inflationary pressures principally driven by supply issues in both goods and services/people and the Russian invasion of Ukraine, coupled with market driven changes in insurance, had placed considerable, and long-term pressure on the HE sector and on the University. There continued to be no inflationary support from the UK or Scottish Governments.

Continuing high student retention numbers and strong application numbers across all existing cohorts of students provided confidence in the continued attractiveness to the courses' core teaching market. This would need to be replicated as the University looked to expand its reach into the digital marketplace with a range of credit bearing, and non-credit bearing, offerings.

The draft Financial Plan delivered a breakeven position across the first two years with a small surplus being delivered by year three as the impacts of strategic investments and careful cost management deliver financial stability.

New debt has been assumed, accessed on a phased period from the end of 2024/25, to support the Capital Investment Plan. The requirement of this would be crystallized by the development and agreement of the Capital Plan through the appropriate governance route. The interest to service the debt appeared in year three, on the assumption the debt is taken late in the academic year. The increase in debt impacts future years expenditure, building further from year four as more debt is called down to support capital expenditure.

In discussion questions and comments from members related to the advice given and available to the CFO re debt, including the involvement of external advisors and members of Court (referencing the PARC Sub-group to advise on increased debt facilities); the importance of communication around debt to avoid any sense that it was free money; the business case for Digital expansion, and the importance of being able to identify return on strategic investment, including in relation to the Business School. Members noted that it would be helpful for Court to receive more information on this in relation to Digital, and it was agreed that consideration would be given by the CFO to identifying a separate line of reporting around Digital; the importance of the managed operating surplus of 2%; the model for the rental of space at Eden Campus; the importance of diversification of income; and the capacity of the University to be nimble and respond to opportunities and circumstances.

Following discussion, Court approved the Financial Plan.

8b. [Revolving Credit Facility Renewal](#)

The Chief Financial Officer presented the paper (on file, Court/22/72) which provided an update to Court on the renewal of the existing £25m revolving credit facility (previously approved by the REC) and which comes to an end In July 2024. It was noted that there had been some developments since the circulation of the paper and that an addendum would be issued to accompany the paper

to reflect these¹ (on file, Court/22/72 Addendum) and the additional information presented verbally by the CFO. The CFO summarised the terms of the renewal, relating to value; term; pricing and interest rate; and financial covenants, and answered questions from Members on fees on drawdown, and on the facility fee. The CFO also explained the mechanics of the process and next steps required to put the renewed Facility Agreement in place. The addendum issued for the paper Court/22/72 would reflect the updated information provided by the CFO, and to record the facility fee.

Court NOTED

- (i) the due expiry date of the existing RCF;
- (ii) the update provided by the CFO on the current borrowing activities of the University;
- (iii) that the CFO had agreed more agreeable terms with Royal Bank of Scotland plc to enter into the new £35,000,000 RCF for 3 years (with the option to extend for a further two years) by way of an amendment and restatement agreement;
- (iv) the key terms of the Facility Agreement including covenants, interest rates, and cost of repayment.

Court APPROVED

- a. the University **entering** into the amendment and restatement agreement appending the Facility Agreement on the terms detailed by the Chief Financial Officer and as reflected in Court/22/72 and Addendum;
- b. **delegated authority** to the Chief Financial Officer to negotiate, finalise and conclude the terms of the ARA and Facility Agreement and any other documentation required to be provided by the University in connection with the ARA or Facility Agreement in accordance with the University's Scheme of Delegation;
- c. the **signing of the Documents** by the Chief Financial Officer (before a witness if required) on behalf of the University; and
- d. the Chief Financial Officer **to issue and certify as true copies** any document which is to be delivered by the University in connection with the Documents.

9. *People Strategy*

Court noted the People Strategy (on file, Court/22/73) which had been approved by PARC at its May meeting.

The draft People Strategy had been presented to the meeting of PDAG (also in May) and the convenor of PDAG commented on the quality and relevance of the work undertaken and of the powerful nature of the People Strategy as

¹ Court/22/72 Addendum - dated 9 June 2023

a tool, and of the importance of it to building an offering to staff and developing an employer brand. The importance of linking it with financial strategy was also noted, as was its rigorous and succinctness. The strategy recognised the importance of human capital, the challenge would be to manage expectations and to ensure that the University did not over promise and under deliver.

Other topics covered in the discussion included benchmarking; the construction of the staff offer; strategic workforce development; data collection; communication, specifically the need to communicate the strategy to all staff; and the need to nurture all cohorts of staff across the piece.

The enthusiasm of Court around the People Strategy was clear, as was the view that Court would welcome more discussion of people issues at Court generally. This was noted, and it was agreed that thought would be given as to how a “People” element could be built into the Court Away Day.

10. [Institutional Indicators Update](#)

Court noted the paper (on file, Court/22/74) which provided the routine summary of institutional performance against agreed KPIs. It was noted that specific questions on the detail of the KPIs could be directed to the Vice-Principal Strategy, Policy, and Planning offline.

[Committee and Assurance Group Reports](#)

11. [Audit and Risk Committee](#)

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

In addition to the items covered below the Convenor highlighted the SI Governance report (on file, ARC/22/38) and the discussion of it reflected in the minutes; made Court aware that there had been brief discussion with the External Auditors around the difficulties currently being experienced globally by EY, with reassurance provided that there was no issue to be considered in relation to the University’s relationship with the External Auditors; and referenced the content and spread of the internal audit plan.

i) [Minute of the meeting held on 18 May 2023](#)

Court noted the report of the meeting on 18 May 2023 (on file, COURT/22/75).

ii) [Risk Management Update](#)

The risk management update (on file, COURT/22/76) was presented for information.

The Vice-Principal (Research, Collections, and Innovation) in response to a specific question, confirmed his view that the research funding level cited in the Risk Register was correct, and provided further information re the development to the research landscape including in relation to research applications and the improvements that were being seen post pandemic. Further detail was also provided of the steps being taken to mitigate any risks to research income as a result of government funding policy and other actions which were outwith the University's control.

12. [Governance and Nominations Committee](#)

The Acting Senior Lay Member as Convenor of G and N presented the following updates on G and N business.

i) [Minute of the meeting of 25 May 2023](#)

The minutes of the meeting of 25 May 2023 (on file, Court/22/77) were homologated by Court. Court specifically noted the succession planning approvals, and the change re in-person meetings as detailed in the minutes.

ii) [CER Report of Recommendations and Findings](#)

Alison Johns commended the findings of the quinquennial Court Effectiveness Review (on file, Court/22/78).

The Vice-Principal (Governance) briefly summarised the paper which contained a substantial number of recommendations with detail contained in Annex A to paper 22/78 on how these might be taken forward, together with indicative timescales. It was proposed that progress should be reviewed by G and N on regular basis, with reports to Court via the G and N Minutes; and that an overall report on implementing the CER should be provided to next summer's Court.

Court welcomed the report and its findings, commenting on its composition, and relevance; the success of pre-Court meetings with lay members; the importance of increasing the engagement of Court members; the importance of the student voice; the need to be able to identify where and how the Court adds value including how best to utilise the skills set and expertise of members; the importance of meeting in person and face to face briefing; the role of Court members as ambassadors for the University; and how the findings of the CER could best be communicated.

Court considered the recommendations and the proposals at Annex A of the paper for how these are to be taken forward, and agreed that progress should be overseen and monitored by G and N.

(iii) [Role of the Rector](#)

Court received the paper (on file, Court/22/79) presented for information. Court homologated G and N's approval of the revised role descriptions of the Rector

and Rector's Assessor, and the appointment protocol for the Rector's Assessor as detailed in the paper.

13 People and Diversity Group

Minutes of the meeting of 17 May 2023

Court noted the minutes of the meeting of PDAG on 17 May (on file, Court/22/80) presented for information.

Annual Report to Court

The Convenor of PDAG presented the Annual Report of PDAG to Court (on file, Court/22/81) and updated Court on the work of the Assurance group, and of areas of particular recent development, including the ongoing work on the Race, Equality Charter. Dr Akira O'Connor, Chair of the Race Equality Charter team, had given a presentation to the May meeting of PDAG (see minutes above). His presentation on the extensive work being done had been inspiring and exciting, and it was suggested that it would be of interest and benefit to Court for it to receive an update on this at a future Court meeting. This would allow Court to see the tangible results of the work being done in this space, and the steps taken since Court had considered the Staff BAME Network Report, and the subsequent SUMS Report².

Court noted the annual report of PDAG to Court.

III REPORTS

14(i) Student Members' Report

Court received the report from the Student Members of Court (on file, COURT/22/82).

14(ii) Presentation on the Students' Association Strategic Plan

The President of the Students' Association presented the Students' Association Strategic Plan 2023-2027.

The presentation set out the mission and vision of the plan; and its areas of focus (i) student experience; (ii) partnership; (iii) sustainability; (iv) Postgraduate engagement; (v) volunteer development; and (vi) delivery and measurement of success.

Court commended the Sabbatical Officers on the production of the Strategic Plan.

² Informal meeting of Court 20210927; Court/21/61.

IV DISCUSSION ITEM

15. Student Mental Health and Wellbeing

Court received the paper (on file, Court/22/83) which sought to enhance awareness of the provision the University makes to support its students' mental health and wellbeing; the increase in the number and proportion of students presenting with mental health issues; and how the University is responding to these changing and growing student needs. The paper also set out the wider context within which the University was operating and some of the challenges this raises.

The Vice-Principal Education (Proctor), and Vice-Principal (People and Diversity) additionally delivered a presentation on Student Mental Health and Wellbeing.

The presentation provided information on current provision in the University to support students; a picture of mental health nationally (evidencing increasing demand and increasing need); changing provision, including the development of prevention in partnership with students and responsive approaches; and information on the funding and policy landscape, noting the role of external agencies and the implications of pressure of the NHS and mental health services both locally and nationally, which resulted in the need for the University to bridge gaps in support.

Court noted the work that the University was undertaking to support students' mental health and wellbeing, the increasing need and demand for such support and the way in which the University was looking to develop and reframe its offering. Court was also invited to further reflect on the wider context within which the University was working and discuss how the University and Court might seek to influence national and local decision-making to ensure better mental health provision for students and the wider population.

Questions raised in discussion related to level and severity of need; timescales for service provision, how priority is established; support for staff who have to deal with students *in extremis*; the extent of legal responsibility including in the institution to maintain confidentiality; the financial implications of increased support; and some of the drivers for an increase in mental health issues.

Court was asked to note the excellent work being done by the support services team which reinforced the view that the University was a safe and supportive environment and a caring institution. The ongoing challenges to response to the increasing demands for support did not negate the work already being done and the provision in place.

The slides from the presentation have been placed on the Court Sharepoint site.

V COURT AND SENATE OFFICE BUSINESS

16. Court and Senate Office Business

i) Vacation Arrangements

Court noted the arrangements as detailed in Court/22/84.

ii) Dates of Court Meetings 2023-2024/2024-2025

Court received notice of the dates of future meetings (on file, Court/22/85)

iii) Minutes of the meeting of Senate on 24 May 2023

Court noted the minutes of the meeting of Senate on 24 May 2023 (on file, Court/22/86)

VI Vote of thanks

The Principal invited Court to join with her to thank Professor Stuart Monro for his admirable service to Court and to the University over his 9-year tenure. It was hoped that, although he was no longer a Court member, ways would be found to allow the continuation of his relationship with St Andrews in some capacity in the future.

DATE OF NEXT MEETING

The next meeting of Court will take place on Friday 20 October 2023 at 10am in Upper College Hall.

Court Office Draft 29 June 2023