

***Draft Subject to Approval by the University Court at the meeting of 21 January 2022***

**UNIVERSITY COURT OF ST ANDREWS**

VIA MICROSOFT TEAMS ON 22 OCTOBER 2021 AT A MEETING OF THE COURT OF THE UNIVERSITY OF ST ANDREWS

**Present:** Ms Catherine Stihler, *Senior Lay Member*, (presiding); Professor Sally Mapstone, *Principal*; Professor Stuart Monro, *Deputy Chair of Court*; Professor Lorna Milne, *Master of the United College and Deputy Principal*; Mr Adrian Greer, *Chancellor's Assessor*; Ms Stella Maris, *Rector's Assessor*; Cllr Altany Craik, *Provost of Fife's Assessor*; Mr Iain Anderson, Mr Jonathan Hewitt, *General Council Assessors*; Professor Mark Harris, Professor Sharon Ashbrook, Dr Derek Ball, and Dr Morven Shearer, *Senate Assessors*; Dr Lorna Dargan, *Non-Academic Staff Assessor*; Dr Malcolm Petrie, *Trade Union Nominee*; Ms Lottie Doherty, *President, Students' Association*; Ms Leonie Malin, *Director of Education, Students' Association*; Ms Alison Johns, Lord Duncan of Springbank, Mr Frank MacInnis, Ms Eve McCurrich, Professor Anu Ojha, Ms Jenny Stewart, *Non-executive Members*.

**In regular attendance:** Professor Brad MacKay, *Senior Vice-Principal International Strategy and External Relations*; Professor Tom Brown, *Vice-Principal Research and Innovation*; Mr Alastair Merrill, *Vice-Principal Governance*; Professor Clare Peddie, *Vice-Principal Education (Proctor)*; Professor Katie Stevenson, *Vice-Principal Collections, Music and Digital Content*; Mr Derek Watson, *Quaestor and Factor*; Mr Andy Goor, *Chief Financial Officer*; Ms Margaret Sinclair, *Executive Officer to the University Court and Senate*.

**In attendance (part only):** Dr Catherine Eagleton, *Director Libraries and Museums*.

**In attendance (advisory capacity):** Mr Niall Scott, *Director of Corporate Communications*.

**Apologies:** Dr Leyla Hussein, *Rector*; Mr Alex Duncan, *Trade Union Nominee*; Mr Tim Allan, *Non-executive Member*.

**PRELIMINARIES**

The Senior Lay Member formally opened the meeting, made all necessary Health and Safety and administrative announcements, and indicated that Agenda Item 18 would be taken before Agenda Item 17.

**WELCOME**

The Senior Lay Member welcomed all attendees and observers. Court was invited to note that the following members of Court had demitted office on 31 July 2021: Professor Sir David Wallace, Ken Dalton (Non-executive Members); Donna Pierz-Fennel (Non-Academic Staff Assessor); Dan Marshall, and Amy Gallacher (Students'

Association Sabbatical Officers), and to welcome new Court members: Alison Johns and Professor Anu Ojha appointed as Non-executive Members of Court and Dr Lorna Dargan, elected as Non-Academic Staff Assessor. The Non-executive Members and Non-Academic Staff Assessor took up office on 1 August 2021. The new Sabbatical Officers of the Students' Association term of office commenced on 1 July 2021. Court also noted that Dr Morven Shearer had commenced her second term of office as a Senate Assessor to Court.

## **STARRING OF ITEMS**

Members noted those items currently starred on the Agenda, which now included PARC Business - Item 13-Institutional Indicators Update.

PARC Business - Item 14-Review of Coherent Provision was additionally starred at the request of the Deputy Chair of Court.

## **DECLARATION OF INTEREST**

No Declarations of Interest were intimated.

### **I. OPENING BUSINESS**

#### **1. Meeting minutes and matters arising**

##### **i) Minute of the Court Meeting held on 11 June 2021**

The minute of the Court meeting held on 11 June 2021 (on file, Minutes 2020-2021 No.4, pp 50-63) was agreed as a correct record.

##### **ii) Covid -19 Update**

The Vice-Principal Governance provided a verbal update on the University's activities to manage the Coronavirus pandemic and recent developments.

- Since the beginning of September there had been a total of 39 staff and 62 student positive cases of Covid reported. The first two weeks of the Semester had seen a slight increase in the numbers of student cases, but this had levelled out and the University, like other HEIs across Scotland, had not seen anything like the uptick in numbers experienced in the autumn of 2020.
- Public Health Scotland had indicated that they no longer regard universities as a significant risk in terms of outbreak management. The Covid Rapid Response Team remained active, and the University had recently agreed an updated protocol with NHS Fife on how the institution can support and supplement their contact tracers.

- Cases were now running at an average of around 6 staff and 6 students a week. Virtually all of the student cases were in private accommodation.
- There remained no evidence of transmission in any educational or learning setting; and no evidence of transmission between staff and students, or vice versa. The staff cases reported appear to have been acquired through family and social connections and there was no particular pattern of infection and no evidence that the workplace was a source of transmission.
- The pre-semester campaign to encourage students to be vaccinated before their arrival in St Andrews had been highly successful. Of the over 80% of students who declared their vaccination status in their pre-arrival checklist, 97.6% had had at least one shot, and 86.1% were fully vaccinated by the time they arrived.
- The University had worked with Public Health Fife to arrange dedicated vaccination clinics from late August through to the beginning of teaching; drop-in clinics had continued at the Community Hospital; and the University continued to work with Public Health Scotland and the Students' Association to arrange a vaccination van outside the Students' Association building.
- The Scottish Government's vaccine passport initiative was now live. It had been confirmed that University events such as graduation were not affected by the new regulations, but the University remained concerned that overseas students, particularly those who had non-MHRA recognised vaccines, are currently excluded from the passport scheme.
- The University continued to participate in the DHSC LFD Collect initiative, and over 3500 test kits had been handed out to staff and students since the Semester began. In addition, the Students' Association and Athletics Union were encouraging members of societies and sports clubs to test before attending events.
- This Semester continued to be treated as a period of transition. Although the Scottish Government have lifted most of the restrictions that were in place last academic year as part of their move to "beyond level 0", the University had taken a cautious approach, maintaining the requirement for face-coverings, keeping large lectures on-line, and timetabling to allow for voluntary physical distancing of 1m wherever possible. Particular attention has been paid to ventilation, and the University's approach to this was recently highlighted as good practice by trade union representatives speaking at the Scottish Government's expert working group on ventilation in the workplace.

- Interim guidance on flexible working in line with Government guidelines on a gradual return to work has been introduced and this will be reviewed before the end of the calendar year.
- The University remains an active participant in the Scottish Government's Covid Leads group, and continues to advocate the practical, proportionate and balanced approach that St Andrews has adopted throughout the crisis period.

Members asked questions on preparedness for the return of any formal restrictions, receiving assurance that the University continued to monitor all developments closely and would be able to respond appropriately, and on vaccination numbers amongst staff. No figures were available, but the sense was that uptake was at a high level, consistent with this demographic nationally.

### **iii) ELIR Report and Next steps**

Court noted the reports and action plan (on file, Court 21/01).

## **2. Report from the Principal**

### **(i) Written**

Court received the Principal's written report (on file, Court 21/02) which provided an update to Court on recent events, activities and general University news.

Court noted its contents and approved the recommendation that, following their elections as a Fellow of the Royal Society and Fellow of the British Academy respectively, Professor Sir Ian Boyd of the School of Biology and Professor Andrew Pettegree of the School of History be appointed by the University as Bishop Wardlaw Professors.

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

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

#### **Ranking**

- Court joined with the Principal to acknowledge the efforts of the University community which had resulted in the Number 1 ranking in The Times and Sunday Times Good University Guide. This unprecedented achievement had been a hugely heartening one for the institution.

#### **Induction**

- The Principal addressed recent press coverage (principally in The Times and the Herald) on the form and content of the mandatory induction courses run for all students each year at matriculation.

The Principal provided additional information and detail. These courses were largely produced at the request of and in partnership with students. They covered good academic practice; consent; equality, diversity and inclusion; and sustainability. PGR students were also required to complete a compulsory module in research integrity. These courses were scheduled during matriculation as this was the best means of ensuring that they were completed by everyone who needed to undertake them.

Each of these online courses required reading and reflection in order properly to be undertaken. They contained background briefings on strategic and legal material, and had embedded video content. They also contained mandatory quiz elements at their conclusion, completion of which was a condition of passing the module. It was a couple of questions from these modules which had particularly engaged the interest of the press, who had essentially ignored the bulk of the material in the courses, and focused on the questions in a way that trivialized them and also misrepresented their function in the course as a whole. For the record, it was not the case, as reported, that students were asked to accept their personal guilt. The answer to the question at issue was explicitly that no one should feel guilty for displaying unconscious bias, but that if guilt was felt, acknowledging it can be a useful starting point for tackling bias. The President of the Students' Association and the Principal had written jointly to The Times to correct this fundamental error, but The Times declined to publish the text of the letter. The Director of Corporate Communications had been successful in placing a letter in the Herald.

The University stood by its courses, and with its students on this matter. These courses had an important role in promoting diversity and consciousness in the University community, something to which Court was committed.

Court members thanked the Principal for the clarification and explanation. Court was strongly supportive of the University's approach and commended the Principal on the University's stance. The presence of an obvious agenda by certain newspapers was also commented upon.

### **Community**

- As referenced in her report, the Principal indicated that there had been a small but concerning number of reports of negative behaviour towards students, a number of which had involved pupils from Madras College. The University was well sighted on this issue and the Principal had met with the Rector of Madras to raise concerns in relation to this matter. The Principal

was also supporting colleagues through the One St Andrews initiative, established by the University to strengthen connection with the community, businesses, and local schools

### **USS and pay**

- This would be covered in detail under Agenda Item 6 – below, but the Principal offered some initial reflections. Individual ballots on industrial action were running at UCU branches across the country on the pay and the pensions dispute, with the results due on 8 November, after which the union would meet to decide what action to take.
- These were national disputes, the most long-running and contentious of which was manifestly USS. The University's stance throughout the current valuation had been to prioritise the provision of a pension scheme that is attractive, that contains a meaningful element of defined benefit, and which is sustainable and affordable. The prospect of students suffering through strike action or action short of a strike as a result of the current dispute was deplored by all, including those UCU members who may be considering industrial action. However, it had to be appreciated that if the current JNC benefit reform package was not adopted by February 2022 the Trustee will, as it is empowered to do, trigger changes to contribution rates which would see contribution rates rising dramatically over six-monthly steps in a series of uplifts which would be unaffordable to members and institutions alike. The seriousness of this situation needed to be fully taken on board, by employers, members, and unions.
- The next immediate steps were the statutory consultation with employers which was launching imminently, and the results of the industrial action ballot. Court would be kept informed on both.

### **Nursery**

- Court was made aware that following some disruption in the activities of the University nursery against the backdrop of the pandemic, a full review of the governance, management and practices at the University nursery was being undertaken to ensure that the nursery can operate smoothly, carrying the confidence of all concerned.

Following the update, the Principal, with contributions for the Master and the SVIPSER, answered questions from Members on student numbers including providing detail of the practical mitigating measures being taken to manage the increased numbers; the reasons for the overshoot; and the ongoing thinking behind strategic planning for admissions.

Members also commented on the results of the recent academic promotions round reported at paragraph 45 of the report (which provided encouraging data relating to the success rate of female applicants), and received additional information as to the ongoing efforts to encourage staff, especially women to apply. It was suggested that it would be helpful to know the figure for the proportion of male to female applicants in the total application pool (109) (rather than simply the % rate for the 74 successful applicants).

Responding to specific questions from the Non-Academic Staff Assessor on professional services staff promotion and pay, it was explained that a decision would be taken later this autumn on the reintroduction next year of the biennial review of professorial and senior professional staff pay, which had been suspended last year due to the pandemic. There was also discussion of the gender pay gap in the context of Grade 9 Professional Service staff; with the University acknowledging its awareness that Grade 9 distorts the professional services Gender Pay Gap data. Whilst the reasons for this were largely understood, the issue remained constantly under review with consideration being given to the question of how best to encourage women to put themselves forward for more senior leadership roles.

### **3. Report from the Rector**

The President of the Students' Association and the Rector's Assessor presented the Rector's Report (on file, Court 21/03). The report prepared on behalf of the student representation to Court (the Rector's Assessor, the Students' Association President and the Students' Association Director of Education) updated Court of the co-ordinated work undertaken by them so far this Semester.

Discussion focused on (i) the issues of Culture and Inclusivity, Para.4.2 of the report; (ii) the proposal for a Review of Complaints and Discipline to address a perceived distrust from some students that complaints may not be treated seriously or action taken to resolve them. Such distrust could lead to underreporting of incidents, particularly those involving students of colour and /or relating to complaints of discrimination or inequality; and (iii) the request for increased support for student representatives on Court.

The Vice-Principal Education (Proctor) and Vice-Principal Governance provided a response to the points raised.

The disciplinary and complaints procedures covered students and staff of the University, but the University had no jurisdiction over members of the wider community. However, the University stood ready to offer support and advice to those who had experienced incidents. Students were encouraged to report any and all such incidents both to the Police and to the University. This was important as the Police did not automatically inform the University of incidents, and it was important that the University was made aware of incidents so that appropriate support could be offered.

The disciplinary process was kept under continuous review by Student Services and the Student Conduct team, and the recent publication of the first review from Report and Support provided an opportunity to consider what more could be done to build trust and address underreporting.

In relation to the request for additional support for Student representatives, it was important to clarify what was being asked for, and to distinguish between the support and training provided to them as members of Court (which was Court's responsibility) and as Sabbatical Officers (which was the responsibility of the Students' Association). The Students' Association was actively reviewing the support offered to the SA representatives as Sabbatical Officers. All student members of Court had undergone the Court Induction process, attended Advance HE's Student Governor's programme, and continued to receive ongoing advice and support from the Vice-Principal Governance and the Court Office in relation to Court matters. The University would welcome feedback on how the induction process could be improved, and what additional training/support might be beneficial.

Court welcomed the return of students to the town and University and the resumption to some normal traditions, signalled by the return of Raisin Monday. Members expressed concern at the recent press surrounding incidents of drink spiking nationally, and specifically in Dundee. It was understood that no incidents had been reported in the town of St Andrews but confirmed that the Students' Association had issued a statement and safety advice for students.

Court noted the report.

## **II. PARC BUSINESS**

### **4. Minute of the Meeting held on 16 September 2021**

Members received the minute of the meeting (on file, Court 21/04).

### **5. Indicative Entrant Numbers**

Court received the paper (on file, Court 21/05) which provided a summary of indicative entrant student numbers for the forthcoming academic session 2021-2022.

Court noted the update, and welcomed confirmation that there would be further updates, in due course, from the Student Numbers Strategy Group.

### **6. USS Pension Update**

Court received the paper (on file, Court 21/06). The paper provided an update on the USS 2020 valuation in the light of the USS Joint Negotiating Committee's,



decision in favour of the package of changes put forward by UUK to allow the valuations to be concluded and had been update since PARC.

The Vice-Principal Governance presented the paper.

- The statutory consultation of scheme members on the proposed benefits changes begins on 1 November, and USS will provide material to distribute to scheme members from the beginning of week commencing 25 October. This will include a modeller to allow individual USS members to understand the impact of the proposed changes on their personal circumstances.
- In advance of that, the University had organised, through the Pension Communications Group, information sessions run by Isio pensions. These went beyond the “nuts and bolts” information sessions offered over the summer, and provided opportunities to explore more specific issues such as the level of prudence built into the Trustee’s calculations; the Trustee’s retention of 2020 as the valuation date; the performance of USS investments relative to other schemes; and the pros and cons of alternative approaches to valuations such as conditional indexation and CDC.
- Over 100 members attended these sessions, and recordings of the presentations were available on the USS Updates webpage. An accompanying compendium of questions raised was also being prepared.
- So far, no alternative proposals to the JNC package had emerged, although the local branch of UCU had (it was understood) written to the UCU negotiators encouraging them to table the proposals that had been informally floated in August so that these can be properly costed, scrutinised and tested for affordability.
- The Trustee has set a new “backstop” position that it will impose in the event of a failure to agree the JNC or an equivalent package of benefit reforms by the end of February. This would see contribution rates rising to 34.7% next April and by six monthly increments thereafter to 57% of the total salary bill.
- Ballots for industrial action on pensions and on pay/working conditions were now running at individual institutions until 4 November, with the outcome by 8 November. If turnout exceeds 50% and there is a majority in favour, there could be strike action and action short of a strike beginning as early as late November.

Court members who had attended the briefing sessions expressed appreciation for the approach taken and the quality of information provided. Court noted (i) the package of benefit reforms now agreed by the USS Joint Negotiating Committee; (ii) the Trustee's decision in relation to the October 2021 increases and the University's response to the UUK consultation on this; (iii) plans for consulting scheme members on the proposed benefit reforms over the Autumn;(iv) the ongoing ballots for industrial action; and (v) the longer-term plans for the reform of USS.

## **7. Projects Overview**

Court noted the paper (on file, Court 21/07) which provided a review of the construction market and the current unprecedented difficulties being experienced by the construction market in relation to both affordability and the availability of materials plant and labour; with consequential impact on price and project timescales. The paper was presented for information and to provide context for the project papers following.

## **8. Project for Approval**

The Quaestor presented the paper (on file, Court 21/08). Court noted that PARC had at its meeting of September approved the requests for approval and funding as detailed in the paper relating to:

- Project proposal for redevelopment of Madras South Street;
- Outline Business Case for the postgraduate and staff residential development at Grange Road; and
- Full Business Case for the Bat Colony laboratory Research Project.

Court noted and endorsed the approvals by PARC.

## **9. Projects for Information**

Court received the Projects for Information paper (on file, Court 21/09) which provided a summary of in-train and planned capital projects. The Appendices to the summary included updates on the following: - The Laidlaw Music Centre; Eden Campus Professional Services Relocation; BMS Reinstatement and Modernisation; Eden Campus; St Andrews West; Younger Hall Refurbishment; Learning and Teaching Commons Butts Wynd/LOUD Refurbishment; Student Residences – Gap Site 3; Kenly Wind Farm; New North Haugh Building; Main Library; and North Haugh Hub.

## **10. Annual Report from the Investment and Treasury Group**

Court received the paper (on file, Court 21/10) which presented an overview of the work of the Investment and Treasury Assurance Group over the last twelve months.

#### **11 Annual Development Update**

Court received the paper (on file, Court 21/11) presented for information, which outlined the Annual Development Update relating to philanthropic fundraising to 31 July 2021.

#### **12. Summary Financial report to 31 July 2021**

Members received the report (on file, Court 21/12) which provided a summary of the University's financial position as at 31 July 2021.

#### **13. Institutional Indicators Update**

Members noted the report (on file, Court 21/13) which contained the regular update on strategic performance indicators presented to PARC.

#### **14. SFC Review of Coherent Provision**

Court received the paper (on file Court 21/14) presented to PARC which provided an overview from the University's perspective of the SFC Review of Coherent Provision including potential opportunities and areas for potential mitigation.

#### **15. Enabling Strategies Bi-annual Update**

Court noted the paper (on file, Court 20/15) which presented the first Bi-annual update to PARC on the five enabling strategies addressing People, Digital, estate, Accommodation, and Finance. The enabling strategies had undergone a refresh for the start of 2021, and the paper provided details of this along with the refreshed T- Maps.

### **III DISCUSSION ITEM**

#### **16. Major Changes in the Research and Publishing Landscape**

The Director Libraries and Museums joined the meeting for this Item.

##### **Context**

Over recent years the way in which research is presented to the outside world has undergone some fundamental shifts. These have included a huge shift from print to digital, and changes to discovery and access. These changes are accelerating. This has implications both academically and financially for the University.

The Vice-Principal Research, Vice-Principal Collections, and the Director Libraries and Museums provided a briefing to Court on this complex and challenging topic, highlighting its current importance and relevance, and explaining the major changes and developments relating to access and publishing (specifically Open Access). The ongoing work of the Library in actively managing and supporting the end-to-end research cycle was also covered.

### **Open Access**

The Vice-Principal Research provided an overview of the huge range of research outputs generated by the University, and the form in which these outputs are made available and identifiable outside the University. Much of research output is now being made available through Open Access routes which allow content to be freely available to other researchers globally.

The University is justifiably proud of its ongoing position within the world's top 10 institutions for having content available through Open Access, and recognises the value of making research available for Open Access, but this has financial implications (as well as implications for data storage, verification and identification). Specific research funders also have requirements relating to the Open Access of research output. As a result, there are significant and rapidly increasing resource demands and costs increases which the UK research framework, government policy, best practice, and compliance require the University to fund.

### **The cost implications of Open Access**

The costs of academic publishing is increasing; with a total UK annual sector spend of *circa* £50m on subscriptions to publishers. This includes almost no support for, or discounts on, Open Access publishing. In the absence of a contractual arrangement or subscription model which covers Open Access universities are being required to pay Article Processing Charges (up to £8000 with Elsevier) for a journal article to be published Open Access. This charge to be paid in addition to any subscription or other contractual sum. In this environment, it is essential to negotiate new "Read and Publish" deals with publishers to reduce costs to sustainable levels whilst supporting full and immediate access to open research. UK universities are currently negotiating as a consortium with Elsevier, the world's largest publisher of academic research, to secure such a deal. Elsevier publishes *circa* 20% of UK research output and the importance of reaching a good deal with this publisher, which will set a precedent for others, should not be underestimated.

The Senior Lay Member thanked the presenters for their excellent briefing and affirmed the importance of Open Access. During discussion Members commented on the potential impact of the revolution in publishing on league tables (receiving confirmation that this was something being considered by the Academic Reputation group), and the importance of recognising the potential cost impact of Article Processing Charges on early career academics.

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

## **18<sup>1</sup>. People and Diversity Assurance Group**

### **i) Minute of the meeting on 22 September 2021**

Court noted the minute of the meeting (on file, Court 21/22) presented for information.

### **ii) Report from Staff BAME Network**

The Convenor of PDAG introduced this item. The paper now presented (on file, Court 21/23) constituted the formal report to Court of testimonials from the Staff BAME Network report, with recommendations on the terms of a response.

The paper had taken account of full discussions of the Network Report at PDAG on 22 September and the informal meeting of Court members on 27 September.

The Vice-Principal Governance was invited to summarise the report and to provide an update on progress in appointing an independent external consultant to undertake a review of the University's approach to race and ethnicity. This review will provide a baseline for the next phase of the Diverse St Andrews strategic theme, and make practical recommendations to address challenges and achieve constructive change in practice and culture. The review will cover strategy and governance, operations and process, and people and culture, and will involve widespread consultation with staff and students, including focus groups, as well as individual interviews with key stakeholders.

Specific terms of reference for the review have now been agreed with the Convenor of PDAG and the Head of EDI, and an appropriate consultant identified, both an individual and company experienced and highly regarded in the field. Work was underway to finalise arrangements for the review to begin early in November, with a view to completion early 2022 - to coincide with the appointment of the new Vice-Principal Diversity and People. The Convenor of PDAG emphasised that the aim was to complete the review in time for it to be the first order of business on the desk for the new VP.

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<sup>1</sup> Item 18 taken before item 17.

The final Terms of Reference will be placed on the Court Sharepoint site and Court updated on progress via PDAG.

Court noted that the intention was to produce a report which would be used to shape the future of Diverse St Andrews and that there would be full transparency as to findings and recommendations.

Court affirmed the need to move at pace with this, and to be seen to be doing so. Members commented favourably on the choice of consultancy and the individuals identified to lead the review, who had particularly strong credentials in this field. The role of PDAG in providing a mechanism for addressing these concerns so swiftly was also commented on, and the suggestion made that this should be recognised in the annual Court Effectiveness review.

Court noted the Staff BAME Network paper and agreed to the proposed terms of the response to the network outlined therein.

#### **IV REGULAR BUSINESS**

##### **17. Audit and Risk Committee**

Jonathan Hewitt, Convenor of the Audit and Risk Committee (ARC) presented the minutes of the ARC September and October meeting and summarised the main business considered at those meetings.

##### **(i) Minutes of the Meetings held on 2 September and 7 October 2021**

Members noted the reports of the meeting (on file, Court 21/16a,b).

##### **ii) Annual Report of the Academic Assurance Group**

ARC had received the report at its meeting of 2 September 2021. The report had this year been reformatted to provide a single document which covered both the report of the AAG and the information required for by the Scottish Funding Council (which requires an annual statement on the University's monitoring and review activity related to maintaining standards and assuring and enhancing the quality of its provision). ARC approved the report which has been updated post ARC to reflect the recent league table results. The final report was now presented as the Annual Institutional Statement of Internal Subject Review for Academic Year 2020/21 (on file, Court 21/17).

Court endorsed ARC's approval of the report and noted that the Senior Lay Member will sign the Quality statement which will accompany the report to confirm Court's approval of it.

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

This paper (on file, Court 21/18) presented for information provided the quarterly risk report for Q3, 2021 (risk dashboard and narratives). The Convenor highlighted USS and Cyber security as two key risks which had been discussed at length by ARC. The topic of Cyber Security had also been the subject of a detailed presentation to the Committee by the Chief Information Officer.

#### **(iv) Audit and Risk Committee Annual report, 2019-20 Annual Report**

Court received the annual report of the Audit and Risk Committee (on file, Court 21/19) which was approved by the Committee for submission to the University Court and to the Scottish Funding Council.

The Vice-Principal Governance responded to a question from an individual member requesting additional detail regarding the finding by the SPSO against the University. This related to a complaint referenced in the Report of Complaints Handling (for the year 2020-21). This report had been received by ARC at its meeting of September 2021 (on file, ARC 21/11 refers) and a briefing provided to the Committee. The Vice-Principal Governance provided a brief summary of the matter (within the bounds of confidentiality) and of the actions being taken by the University as a result of the finding. The matter did not relate to issues of Diversity or Equality (which was the concern of the member) but rather to the interface between the Complaints Handling Process and HR disciplinary processes, which was the subject of ongoing discussion with the SPSO. Court members can access the Complaints Handling report which gives appropriate details of this matter on the Court Sharepoint site.

#### **(v) Annual Internal Audit Report**

Court received the Internal Report of the Internal Auditors dated October 2021 (on file, Court 21/20) and noted the overall opinion for the period 1 August 2021 to 31 July 2021 which was:

*“significant assurance (with minor improvements) can be given on the overall adequacy and effectiveness of the organisation’s frameworks of risk management , internal control and governance”.*

Members also received assurance that the Infrastructure and Estate review (2021.05) which had been cancelled with the agreement of ARC and replaced with an additional Cyber Security Audit, remained on the radar, although it might resurface in a slightly different form. The importance of including a review of this area in an internal audit plan was commented upon; this was something to be kept in mind by PARC when considering internal audit plans.

#### **(vi) Financial Statements 2020-2021**

**(Court 20/21)**

The Chief Financial Officer presented the Financial Statements. These had been reviewed by ARC at its meeting of 7 October and recommended to Court

for approval. As reflected in the ARC Minutes, the Committee had scrutinised the Financial Statements in detail, including meeting with the External Auditors.

The Convenor of ARC commended the Financial Statements to Court. The year had seen strong performance in difficult circumstances, and the Finance Team were thanked for their efforts.

Court noted the unqualified opinion on the Financial statements issued by the External Auditors and requested and approved and adopted the Financial Statements.

## **19. Senate**

### **i) Minute of the meeting held on 22 September 2021**

Members noted the report of the meeting held on 22 September 2021 (on file, Court 21/24).

## **20. Court Office Business.**

### **i) Resolution 2021 No 1-Degree of Bachelor of Medicine and Bachelor of Surgery (MBChB)**

Court gave final approval to the Resolution promulgated by Court at its June meeting.

The Resolution gives effect to the provisions of the University of St Andrews (Medicine and Dentistry Act) 2021 and allows the conferral and award of the conjoined degree of MBChB. The Resolution is effective from the date of approval by Court.

## **V ANY OTHER COMPETENT BUSINESS**

### **i) Future Court Meetings**

Court received the paper (on file, Court 21/26) which updated Court on current plans for a return to in person meetings of Court and Court Committees.

Court members noted the intention to hold its April 2022 meeting in person.

## **VI DATE OF NEXT MEETING**

The next meeting of Court will take place on Friday 21 January 2022 at **12 noon**, via TEAMS.



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Catherine Stihler, Senior Lay Member (Presiding)

Margaret Sinclair,

Executive Officer to the University Court & Senate

Clerk to Court

Draft 2 November 2021.