



Business Committee Meeting – ECCI, Infirmary Street

Thursday 12 October 2023 at 5.15pm

AGENDA

1. Welcome and Apologies
2. Presentation from Chris Cox, Vice-Principal Philanthropy and Advancement and Executive Director of Development and Alumni
3. Minutes of the Meeting of 27 June 2023 Paper 1
4. Matters arising from the Minutes of 27 June 2023*

Items for Discussion/approval

5. Business Committee Work Plan for 2023-24 Paper 2
6. Standing Committees Work Plans for 2023-24 Paper 3
7. Protocol for General Council Elections to Business Committee Paper 4
8. Process and timetable for election of next Convener and Vice Convener Paper 5
9. Protocol for General Council Involvement with University Strategies Paper 6
10. Observations by General Council Assessors
11. Draft Resolutions of the University Court [Tabled]
12. Ordinance 186 on General Council membership – Working Party report Paper 7

Items for information

13. Report from the Secretary of the General Council Paper 8
14. Minute of the Constitutional Standing Committee – 21 September 2023 Paper 9
15. Any other competent business*
16. Date of the next meeting - 7 December 2023

N.B. *Notice of any matters which Members may wish to raise under items 4 or 15 should be given to the Secretary not less than 24 hours before the meeting.

**Minutes of the Business Committee Meeting held on Tuesday 27 June 2023
5.15pm in the Raeburn Room, Old College**

Present	Dr William Duncan, Secretary of the General Council	
	Sir Philip Mawer, Convener of the Business Committee	
	Mr Arron Ashton	Ms Kirsty MacGregor
	Professor Alice Brown	Professor Francis McManus
	Lady Joyce Caplan	Mr Jock Millican
	Mr John Clifford	Dr Bruce Nelson
	Mrs Almira Delibegovic-Broome	Professor Graeme Reid
	Ms Candice Donnelly	Dr Bruce Ritson
	Dr Frances Dow	Mr Devin Scobie
	Ms Elisabeth Feldstein (online)	Rt. Rev Brian Smith
	Ms Moyra Forrest	Ms Krystyna Szumelukowa
	Ms Kate Hawley (online)	Lady Sarah Wolffe
	Professor Steve Hillier	

In attendance	Professor Kim Graham, University Provost
	Dr Mary Gunn (online) - Newly Elected Member to the Business Committee
	Ms Alison MacLeary, Assistant Secretary of the General Council

1. Welcome and Apologies

The Convener welcomed everyone to the final meeting of the session and thanked Professor Kim Graham for agreeing to speak to the Committee about the new role of Provost to the University. He gave particular mention to new members who had been invited to attend as observers: Manya Buchan, Ann Cormack and Mary Gunn.

Apologies had been received from Douglas Alexander, Manya Buchan, Gordon Cairns, Ann Cormack and Alastair Dunlop.

2. Presentation from Professor Kim Graham, University Provost

- The Convener introduced Professor Graham and invited her to speak about the role of Provost after a year in post and about the challenges she is dealing with;
- KG explained she is an Edinburgh alumna with a background in the Biological Sciences, and an Honours degree in Psychology;
- She received her PhD from Cambridge where she worked on dementia research, and since 2007 has pursued a career in university management first at Cardiff University, where she was Pro Vice-Chancellor Research, Innovation and Enterprise, prior to returning to her native Edinburgh to take up her current role as Provost in 2022;
- She believes in the transformative power of education and has a strong commitment to the University and to developing the new role of Provost to have a positive impact;
- The remit of the Provost encompasses a breadth of activities, ranging from oversight of the three Colleges to how the University's physical and digital infrastructure can better support teaching, research and innovation;
- As a proponent of a positive and inclusive culture, she is committed to ensuring policies and investment enhance the wellbeing of the University's staff and students (e.g., recent changes, such as ensuring parity for University of Edinburgh PhD stipends across the University);

- She works collaboratively to support colleagues in the Senior Leadership Team and across the University, including around projects and initiatives (e.g., Curriculum Transformation; the Climate and Sustainability Strategy; Size and Shape of the University; Digital Strategy; Research Culture);
- She meets regularly, and works closely, with the Principal to discuss key projects and University / sectoral challenges, and described their strong and effective working relationship.

Areas of Responsibility

- Acts as the Chief Academic Officer of the University, providing leadership, direction and strategic evaluation of academic matters;
- Oversees the delivery of academic matters within the three Colleges: Medicine and Veterinary Medicine, Science and Engineering, and Arts Humanities and Social Sciences, via line management and support for the Vice-Principals and Heads of Colleges;
- Similarly, oversees delivery of our research, innovation and international strategies, via overseeing and supporting the Vice-Principal of Research and Enterprise and Vice-Principal International; works closely with the Vice-Principal Students around the student experience, including Curriculum Transformation;
- Works with the Director of Finance and Deputy Secretary Governance and Strategic Planning on the planning and budget setting across the University, supporting the six budget-holders accordingly, and in alignment with successful delivery of the University of Edinburgh's Strategy 2030;
- Works closely with the Vice-Principal Corporate Services, Human Resources and Heads of College, to identify opportunities to enhance staff development, in alignment with delivery of the values-led ethos of the University's Strategy 2030;
- Ensures the promotion of a positive, inclusive academic culture across all parts of the University's activities, including working closely with the Vice-Principals and University Secretary on equality, diversity and inclusion, as well as academic freedom;
- Works with all Senior Leadership Team members, and others across the University, to develop strong and effective external relationships, including acting as Senior Responsible Officer for the Data Driven Innovation initiative within the Edinburgh and South East Scotland City Region Deal;
- Reports directly to the Vice-Chancellor and Principal of the University and deputises for him when necessary.

Discussion

A list of questions from members of the Committee had been sent to the Provost in advance of the meeting. These are outlined in Appendix 1 and the following were covered during the meeting as part of the discussion.

- **1. Developing a sense of a whole University community**
- The Provost role, with its breadth of activities / bird's eye view of the University, is uniquely placed within its structure to facilitate and bring together the University community around shared goals.
- The University is a large and devolved organisation but expectations can be set and encouraged for collaborative ways of working; aligned to this we are working closely with Heads of Schools, Heads of Colleges and through the Senior Leadership Team (SLT) to create a sense of cohesion, collective purpose and commitment to the shared values of the University;

- A key component of this has been building trusted relationships in the role of Provost, as a leader within a SLT which has recently undergone many changes to leadership roles, thereby helping galvanise a cohesive group with an appetite to deliver positive change;
 - It is also critical to focus on supporting a diverse community to identify shared goals, and supporting alignment of activities across the University with the strategic priorities; that remains a core part of the role going forward;
 - The Provost noted that visibility of the role was important to her, and she has now visited every School, talking to students and staff (professional and academic) at all levels in order to listen and understand what people feel about the University, and where they see bottlenecks / challenges;
- **2. The University's various strategies and reviews.**
- The Provost role involves oversight of the University's strategic goals / priorities but often her role is more one of facilitator and enabler of their development and delivery, while keeping an eye on intersections between them / impacts of decisions in one for another;
 - Involvement includes shaping and aligning reviews and strategies with the University's overall strategy and supporting individuals to consider mechanisms and key metrics for delivery, as well as the scale of impact in the context of where the University is currently (e.g., level of maturity and capacity for change);
- **3. The University's Global Strategy**
- The Provost works closely with the Vice-Principal and University Secretary on global activities. A new International Strategy is currently being developed by the Vice-Principal International; this had previously been delayed due to Covid, as well as the extensive changes within the SLT in 2022-2023 (including the appointment of new Heads of College and the Provost);
 - The strategy is currently in consultation and discussion with Heads of College, and International Deans, as well as consideration of alignment of the strategy with work on a new Research and Innovation Strategy, also in development.
- **4. The review of the Size and Shape of the university**
- Size and Shape is a piece of work led by the Deputy Secretary Governance and Strategic Planning designed to understand current and longer-term plans around student recruitment;
 - Work is progressing:
 - Phase 1 – recommendations focusing on UG and PG activity have been published
 - Phase 2 – will look at online learning and transnational education.
- **5. Marking and Assessment boycott**
- This is creating considerable, widely-reported concerns and the Business Committee was keen to know what is being done to resolve this dispute and to mitigate its impact on students, especially those about to graduate;
 - The Provost explained that the University participates in pay negotiations as part of a diverse group of almost 150 HE institutions who are part of UCEA, as wished for by UCU; any pay settlement is agreed through UCEA;
 - The Provost noted that the boycott is challenging in badly affected institutions, such as Edinburgh, and is having a distressing impact on students, especially those who are unable to be given their degree classification
 - The Provost is working closely with the Vice-Principal Students, Deputy Secretary Students and many others, including holding regular marking and assessment boycott Stand-Up

meetings to identify steps forward to address the challenges the boycott causes. This group is also working closely and supportively with Heads of Schools to understand particular issues affecting individual students in Schools and what interventions could help result in agreed decisions around awards;

- Clear communications have been developed to support Schools and affected students, and we are concerned and regret the distress and frustration this boycott is causing to our students.
- As the source of the problem is an impasse in national pay bargaining the scope for each University to resolve the matter locally is highly constrained, and at present it is not clear when students can be given their final results (the boycott is currently until September);
- It was noted that Edinburgh University has received a lot of negative media coverage; the Provost noted that this was largely due to the earlier timeline of Edinburgh's degree-awarding and graduation process, and highlighted that other affected universities across the UK were also now receiving negative coverage as they move into holding exam boards and graduations;
- In parallel and focusing on opportunities to enhance staff reward and recognition at local level, work has taken place to eliminate zero hours contracts, provide enhanced support for international staff (via International Leave to Remain), and we are working to consider how to reduce the number of fixed term contracts and address pay gaps;

The Convener thanked Professor Graham for her very informative presentation, and added that the Business Committee is keen to maintain and develop a constructive relationship and would appreciate input from the Provost as we develop our work plan for the next academic year.

The Provost replied that she had found the session very helpful and would be pleased to come again and to answer any remaining questions by correspondence. She then left the meeting.

3. Observations by General Council Assessors

Sarah Wolffe gave an oral report from the Court meeting of 19 June.

The following open items were covered:

- Principal's Report
 - Sir Peter Mathieson addressed the current industrial action, which is a subject of major concern to the Senior Leadership Team, and said that the University is constrained in the action it can take as part of a collective national pay bargaining process;
 - Gave a brief update on People and Money;
 - Reported that the University had received £4m in legacies;
 - Remarked that gender critical vs gender identity is a toxic area, highlighting the confrontation and abuse experienced by many during the abortive screening of the film 'Adult Human Female', and expected that greater police involvement might be necessary in the arrangements for any future attempt at screening the film;
- Student Experience Review
 - The student experience had been affected by external factors such as the Covid pandemic and the cost of living crisis;
 - More communal spaces for students are needed across the University and it was felt that the King's Buildings campus could be further improved by adding its own sports area;
- Sports Union Report
 - Celebrated its second highest membership ever.

4. Minutes of the Meeting of 27 April 2023

The minutes were approved.

5. Matters Arising from the Minutes of the Meeting of 27 April 2023

There were no matters arising.

6. Draft Resolutions of the University Court

None had been received.

7. Re-appointment Process for GC Court Assessors

- The committee congratulated Jock Millican and Sarah Wolffe on their re-appointment for a further four-year period;
- The Secretary and Convener had devised a procedural note (paper 2) describing the joint process with Court which it was proposed should be followed going forward;
- The purpose of this draft document was to establish clear criteria and stated procedures for reaching an early decision regarding re-appointments, which allowed for a variety of possible outcomes to be accommodated;
- WD will clarify the timeline for the re-appointment process with Dr Lewis Allan, Head of Court Services, and will insert dates alongside the flowchart diagram appended to the note;
- The committee approved Paper 2;
- Members were invited to contact WD directly with any further comments.

8. General Council Elections: Revised Protocol

- The Secretary reminded the committee that because any material changes to the Constitutional Arrangements embodied in Regulations can only be actioned through a Motion at a HYM, the revised Protocol (Paper 3) is intended to act as a guide. It set out the various stages of the election process in a more user-friendly way than the current rather legalistic Regulations, but the Protocol is consistent with the Regulations;
- Members were invited to feed back any comments. These will be considered at a meeting of the Constitutional Standing Committee in September which will undertake a final review of the draft;
- WD will liaise with Civica to ensure that best practice is reflected in the draft;
- Members will be invited to approve the final text at the BC meeting on 12 October.

9. Business Committee to decide on vacancy for co-option

- The Secretary referred members to paper 4 and reported that two nominations had been received to fill the vacancy caused by the death of Peter de Vink, which would be by co-option for the one remaining year of his tenure (2024). The nominations were
 - Lady Joyce Caplan: proposed by Moyra Forrest and seconded by John Clifford
 - Dr John Gillies: proposed by Kirsty MacGregor.
- It was agreed that the choice of whom to co-opt would be decided by a secret ballot of the Business Committee.
- Candidates would be invited to provide an up to 100 word statement for circulation with the ballot papers.
- Business Committee members would have 2 weeks to return their ballot paper, with the candidate securing most votes being chosen. In the event of a tie, the winning candidate would be chosen by drawing lots.

Action:-

- *As Candidates for Business Committee elections need both a proposer and seconder, any BC member who would like to second John Gillies should email WD by close of business on 29 June;*
- *Provided there is a seconder for Dr Gillies, WD will contact him to find out his willingness to be included in the ballot;*
- *Ballot papers should be returned to Alison MacLeary in the General Council office and will be forwarded to WD and PM as the returning officers;*
- *The candidate with the most votes will be co-opted and WD will inform BC members and the candidates of the outcome.*

10. General Council Prince Philip Fund and Scholarship appointments

- The Convener referred the committee to Paper 5, paragraph 7. It was agreed to fund a further award in the autumn of 2023.

11. Possible Subjects to be addressed by the Committees in 2023-24

- Members were referred to Paper 6 showing a list of possible topics for the Business Committee and its Standing Committees to explore in 2023/24;
- The Convener asked members of the Committee to input any comments or suggestions about subjects for the committees to address and about the conduct and structure of their meetings to himself and the Secretary by the middle of July. These would then be taken into consideration, in discussion with the Standing Committee Conveners, as plans for the coming academic year were developed.

12. Minutes of Standing Committee meetings

- Papers 7-11 contained reports from recent Standing Committee meetings and had been circulated in advance;
- No Members had given notice of their intention to raise any matters arising from them, but any who wished to raise a point were asked to do so directly with the relevant Convener.

13. Report from the Secretary of the General Council

- WD referred members to Paper 12, previously circulated, and drew attention to the meeting of General Council officers from the four "Ancient" Scottish universities on 6 June. A note of the meeting would be circulated shortly;

14. Any other competent business

The Convener expressed his gratitude to Joyce Caplan, Moyra Forrest and Bruce Ritson for their outstanding contributions during their period of office as members of the Business Committee.

A short drinks reception would follow the meeting, at which the Convener would invite members to drink a toast to thank the retiring members and to welcome new members to the Committee.

15. Date of Next Meeting

The next meeting of the Business Committee would take place at 5.15pm on Thursday, 12 October, 2023 in the Raeburn Room, Old College.

Questions for the Provost

1. Strategies and Reviews

With various reviews ongoing, how does the university review and maintain control of the myriad strategies and visions across every faculty and department? [Potentially a History Dept 'vision for 2035' could be at odds with a Faculty wide 'vision for 2035' or even the University's overall 2030 strategy?

2. Global Strategy

The review of the Global Strategy has now been delayed for two years: the last consultation with the General Council was in June 2021. Can you advise on progress?

3. Size and Shape Review

What is the next stage and what input is expected and when from the GC Business Committee?

4. Freedom of Expression

The University has also received adverse publicity from its repeated failure to enable the showing of the film 'Adult Human Female', thus calling into question its commitment to freedom of expression, a core value of any university. What is being done to rectify this?

5. Mental Health and Wellbeing

What is the University doing to tackle the worrisome levels of mental health issues in the university community - with particular reference to staff illness?

6. Creating a sense of whole university Community

What does the Provost see as the best route to creating a sense of whole university Community?

There has been tremendous investment in the university PHYSICAL infrastructure over the past two decades and ongoing - would the Provost also reflect on the levels of investment in internal 'relational' systems - especially as strong relationships are at the heart of organisational resilience?

Business Committee Work Programme

A. Business Committee

Assuming that the Committee has five meetings over the course of the academic year, the pattern of business is expected to look like:

- October 2023 – Presentation by Chris Cox Vice Principal D&A (to include up-date on the Historic and Contemporary Racism Review)
 - Court Assessor report/ Forward Look/Protocols/ Secretary's report
- December 2023 – Court Assessor report/Standing Committee reports/Secretary's report
- February 2024 – Court Assessor report/Review of HYM/Standing Committee reports/ Secretary's report
- May 2024 – Presentation by Janet Le Grand (Senior Lay member of Court)
 - Court Assessor report/Standing Committee reports/Secretary's report
- June 2024 – a shorter meeting, including Review of the Year/ Court Assessor report/ Standing Committee reports, as necessary/Secretary's report.

In addition to the above, there are certain items of ongoing work which may require BC input at some point. These include:

- HYM preparation and follow up
- GC membership – possible changes to Ordinance
- GC Office budget and resourcing
- Website transition
- Various aspects of GC comms. which have recently been discussed by PASC, including stepped up digital communication with members; possible review/redesign of Billet; first steps in engaging with social media.

B. Half Yearly Meetings

1) February 2024 – Principal's Report

2) June 2024 - We have already identified AI as the focus for the non-business part of the meeting.

Standing committees

Dates and speakers for meetings in Semester 1

19 October - PASC: no speaker as internal discussion about CG communications given changes in how these will be supported and managed

26 October - ISC: no speaker as discussion with new members of paper by ISC Convener

1 November – ASC: Lucy Evans (Deputy Secretary – Students)

9 November – CSC: no speaker needed

16 November – ISC: James Smith (VP International)

21 November – FSSC: Gary Jebb (Director of Place) and General Council budget allocations

23 November – ASC: Sharen Atwal (EUSA President)

29 November – PASC: Gemma Gourlay (Head of Social Impact, Department of Social Responsibility and Sustainability)

Members of the various Standing Committees have been notified of the dates of their respective Committees.

Apart from FSSC and CSC which will remain closed to its members only, the meetings of ASC, ISC and PASC will be open to other members of the Business Committee to join online if they so wish but without expectation they should do so, except where the Standing Committee Convener decides the meeting will be closed. ISC on 26 October will be a closed meeting.

Membership of Standing Committees

The Constitutional Arrangements include the following helpful provision in Part VI on the Standing Committees of the Business Committee.

‘The standing committees shall have such membership as is determined by the Business Committee, but, with the approval of the Business Committee, may co-opt to their number from outwith the membership of the Business Committee if circumstances or special interests so merit.’

Would Conveners wish to use this facility? If so, we should establish a process for creating supernumerary or Observer members and bringing forward names to the Business Committee for approval to enhance the skills range or expertise of Standing Committees.

Protocol for General Council Elections to the Business Committee

All elections by the General Council membership are governed by the *Regulations for General Council Elections*.

Consistent with the principles laid out in these *Regulations*, this Protocol is a description of the process for conducting an election to the Business Committee. It has been prepared by the Constitutional Standing Committee and approved by the Business Committee on [insert date].

This Protocol provides guidance to all who are involved in these elections and is available on the website of the General Council or on request from the General Council Office.

An election is held every year to appoint members to the Business Committee to replace those members who retire by rotation or otherwise at the end of the academic year, which is 1 August to 31 July. Members of the Business Committee must be members of the General Council. The result of the ballot is declared at the statutory Half-Yearly Meeting held in February.

The main stages in the election of members of the Business Committee are:

(1) Call for Nominations

The Secretary intimates the election to members of the General Council in the Billet for the statutory Half-Yearly Meeting held in June in the year before the election and calls for members of the General Council to submit nominations.

(2) Submission of Nominations for Election

- a. All nominations must be proposed and seconded by members of the General Council and Candidates cannot act as their own Proposer or Secunder. A Candidate for election must complete the nomination paper (Schedule E-: Business Committee Members), a copy of which is attached to this Protocol, and must submit this to the Secretary not later than 80 days before the date of the Half- Yearly Meeting in February.
- b. Each nomination must be accompanied by a head and shoulders photograph (preferably a digital photograph) of the Candidate taken within the preceding five years.
- c. In the event of the Candidate not having signed (with either a wet or a digital signature) the nomination paper, other evidence of the Candidate's consent to the nomination must accompany the nomination paper.

(3) Checking of validity of Nominations

- a. The Secretary checks that the Candidate and the respective Proposer and Secunder are members of the General Council and that any reference to any office or position connected with the University of Edinburgh contained in the nomination paper is consistent with the University records available to the Secretary. All other academic or professional qualifications, offices or positions stated in the nomination paper are accepted as submitted, except that if requested to do so by a member of the General Council prior to the declaration of the result, details of academic or professional

qualifications, offices or positions referred to in the nomination form will be checked by the Secretary.

- b. If, after checking, any statements are found to be false, the Secretary shall declare the nomination to be invalid.
- c. If, prior to the declaration of the result, a member of the General Council challenges the validity of a nomination, the Convener, whom failing the Vice Convener, of the Business Committee, following receipt of such application, shall investigate the matter and may, if circumstances warrant it, declare the nomination invalid.
- d. In declaring any nomination to be invalid, the procedures followed shall be in line with those recommended by Civica.

(4) Notification of Candidates to General Council

The Secretary publishes details of all valid Candidates, together with the names of their Proposers and Seconders, in the Billet for the statutory Half-Yearly Meeting in February. The statement by the Candidate contained in the nomination form is not published in Billet but is sent by Civica to all members of the General Council on the electoral roll, along with the voting papers and the photograph of the Candidate. The statement by the Candidate and photograph will also be made available on the website of the General Council.

(5) Holding an election

- a. In all cases where the number of valid Candidates exceeds the number of vacancies, a ballot shall be held and the Secretary shall publish details of the Candidates and their Proposers and Seconders in the Billet for the statutory Half-Yearly Meeting held in February.
- b. If the number of candidates nominated is equal to or less than the number of vacancies to be filled, the Secretary shall intimate in the said Billet that a ballot is not necessary.
- c. At any time before the date set for the return of voting papers, a Candidate may withdraw, or the Candidate's Proposer or Secunder may withdraw, the nomination. Such withdrawal must be intimated to the Secretary in writing and signed by the Candidate, or by the Candidate's Proposer or Secunder as the case may be. If because of such withdrawal, or in the event of the death of a Candidate during the said voting period, the number of Candidates left is equal to or less than the number of vacancies to be filled, the counting of the votes returned does not proceed.
- d. A casual vacancy is deemed to arise on the resignation, death, legal incapacity, or withdrawal of a person previously elected to the Business Committee, or in the event that the number of Candidates is less than the number of vacancies. Casual vacancies are filled by the Business Committee according to the process laid down in the Constitution for filling such vacancies.

(6) Eligibility to Vote

All members of the General Council as specified in the Regulations are eligible to vote in elections. Ballot papers are sent by Civica to all on the electoral roll which consists of:

- a. those members who have requested a postal vote before the closing date for registration for a postal vote shown on the General Council website, and
- b. those members whose email addresses are recorded in the General Council Register and have not withdrawn consent to be sent General Council electronic communications at that address.

(7) Voting

- a. An electronic ballot paper accompanied by details of the Candidates and their statements will be sent by Civica to all members on the electoral roll eligible to vote electronically.
- b. A postal voting paper accompanied by details of the Candidates and their statements will be sent by Civica to all members of the General Council on the electoral roll who have opted to receive a postal vote.
- c. If any member on the electoral roll fails to receive a ballot paper from Civica or if the voting paper is spoiled or lost, that member may make a declaration to this effect to the Secretary, who, on receipt of such declaration up to 5 days before the closing date for submitting votes, shall instruct Civica to issue a voting paper to the said member.
- d. Voting papers (electronic or postal) will be issued by Civica in January. Members will have not less than 3 weeks thereafter to vote, either electronically or by post, with the closing date for receipt of voting papers by Civica being 4 working days before the date of the Half-Yearly meeting in February.

(8) Voting system

- a. The voting system used by the General Council for elections shall be a Single Transferable Voting procedure as determined between the Business Committee and Civica, except when there is only one vacancy when the Alternative Vote system will be used. All General Council elections shall be overseen by a representative of Civica.
- b. Promptly after the closing date for submitting votes, an Election Result Sheet is prepared by Civica detailing each stage in the allocation of votes calculated according to the previously agreed Single Transferable Voting system and setting out of the results. Civica sends this Election Result Sheet to the Returning Officer in time for the results to be announced at the Half-Yearly Meeting in February.
- c. If, on any occasion when an election is to take place, there are circumstances which, in the opinion of the Business Committee, would make the periods for the issue and return of voting papers insufficient to enable a representative vote of the members of Council to be obtained under the special conditions prevailing at the time, the Business Committee may extend the said voting periods.

(9) Returning Officer

- a. The Returning Officer is the Secretary of the General Council.

b. If the Secretary is incapacitated by illness or otherwise from discharging the duties of Returning Officer, or if the office of Secretary becomes vacant, the Business Committee shall appoint a person to discharge such duties and the person so appointed shall, so far as the purposes of the election are concerned, act as, and be deemed to be, the Returning Officer.

(10) Intimation of Results

- a. The results of an election shall be announced at the statutory Half-Yearly Meeting in February by the Returning Officer, who shall declare the Candidate or Candidates duly elected.
- b. After the results of an election have been announced, each Candidate shall be sent an individual communication from the Returning Officer giving the result of the election, including the Election Result Sheet.
- c. The results of an election showing the names in alphabetical order of those elected along with the Election Result Sheet is published on the General Council's website.

(11) Indicative Dates/Times for Election to Business Committee

1. Announcement at the Half -Yearly meeting in June in the previous year to the election and in the Summer and Winter issues of *Billet*.
2. Closing date for Nominations - not less than 80 days before the February Half- Yearly Meeting.
3. The closing date in November for registering for a postal vote will be published no later than October on the General Council website.
4. Election details are published in the Winter issue of *Billet*.
5. Postal ballot papers will be sent out in January by Civica.
6. Closing date for receipt by Civica of postal ballot papers – 17.00GMT 4 days before the Half-Yearly Meeting in February.
7. Final date for online voting – 17.00GMT 4 days before the February Half-Yearly Meeting.
8. Date for counting of votes – 3 days before the Half-Yearly Meeting in February.
9. Announcement of results - at the Half Yearly Meeting in February, following which Candidates are promptly notified of the results.
10. Public Notice of election results – to appear on General Council website in the week following the Half Yearly Meeting in February.

(12) Notes

1. Secretary is the Secretary to the General Council
2. Business Committee is the Business Committee of the General Council
3. Civica is Civica Election Systems (previously the Electoral Reform Society)

October 2023

SCHEDULE E

**THE UNIVERSITY OF EDINBURGH GENERAL COUNCIL
ELECTION OF BUSINESS COMMITTEE MEMBERS**

NUMBER OF VACANCIES:

NOMINATION PAPER

Any false statement about any office or position connected with the University of Edinburgh, or any false statement about a candidate's academic or professional qualifications or any office or position held, shall render this nomination invalid.

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<p><u>CANDIDATE DETAILS</u></p> <p>NAME:</p> <p>FORENAMES (IN FULL):</p> <p>TITLE:</p> <p>HOME ADDRESS & TEL NO:</p> <p>BUSINESS ADDRESS & TEL NO. (IF APPLICABLE):</p> <p>E-MAIL ADDRESS:</p>	<p>(BLOCK CAPITALS)</p>
<p><u>PROPOSER DETAILS</u></p> <p>NAME:</p> <p>FORENAMES (IN FULL):</p> <p>TITLE:</p> <p>HOME ADDRESS & TEL NO:</p> <p>BUSINESS ADDRESS & TEL NO. (IF APPLICABLE):</p> <p>E-MAIL ADDRESS:</p> <p>DEGREES AND DATE OF FIRST GRADUATION:</p>	<p>(BLOCK CAPITALS)</p>
<p><u>SECONDER DETAILS</u></p> <p>NAME:</p> <p>FORENAMES (IN FULL):</p> <p>TITLE:</p> <p>HOME ADDRESS & TEL NO:</p>	<p>(BLOCK CAPITALS)</p>

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BUSINESS ADDRESS & TEL NO. (IF APPLICABLE):	
E-MAIL ADDRESS:	
DEGREES AND DATE OF FIRST GRADUATION:	

Addresses are required for administrative purposes only.

Particulars required about the Candidate by the General Council:

1 Date and place of first graduation:

2 Degree and date of graduation at the University of Edinburgh if different from above:

3 Details of membership of the General Council if not by graduation:

4 Present occupation:

Please state in not more than 100 words how, through your skills, knowledge or experience, the Candidate could contribute to the work of the Business Committee. This statement will be printed by the Secretary of Council only to the end of the last sentence preceding the 100th word if the statement is longer.

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I hereby consent to be nominated as a Candidate for membership of the Business Committee and confirm that the above information is correct.

Signature of Candidate _____ Date _____

Signature of Proposer _____ Date _____

If not a member of the General Council by graduation, give status:

Signature of Seconder _____ Date _____

If not a member of the General Council by graduation, give status:

ELECTION OF CONVENER AND VICE-CONVENER OF THE BUSINESS COMMITTEE

The current Convener and Vice Convener will both demit office on 31 July 2024. Their successors need to be chosen beforehand by the Business Committee, with the outcome reported to the June 2024 HYM.

1. Process

The process to be adopted for the election of Convener and Vice Convener is set out in some detail in the Constitutional Arrangements – see Appendix 1 to this report.

The Regulations were agreed in 1994, but as far as I am aware, have never been put to practical test as there has only ever been one candidate for each post. We do not know if this will be the case again and hence the Business Committee should review the whole process in case there is a competitive election for either or both posts.

Whereas the choice of who will be the next Convener and Vice Convener lies entirely in the hands of the Business Committee, the process to be used must be consistent with the Constitution. If Business Committee wishes to make any substantive changes to the process, these would need to be approved at the February Half Yearly meeting, with a Motion included in Winter Billet.

In my view the process set out in the Regulations is reasonable, but there are some aspects, outlined below which are either not specified in the Regulations, or where clarification would be helpful. Provided these are within the discretion of the Business Committee, there would be no need to put these forward for approval by the HYM.

a. Eligibility to stand for election.

Rule 1 says – ‘The Convener shall be a serving member of the Business Committee or shall have served on the Committee within the past two years’. As written, this would allow any of the 4 Assessors to Court to stand for election. In my view it should be made clear when seeking nominations, that because of the conflict of interest it would create, if any of the Assessors were elected as Convener or Vice Convener he or she would be expected to stand down as an Assessor.

b. Candidate Supporters

Rule 1 says – ‘Any person so qualified may be nominated with the nominee's consent by two members of the Business Committee who shall sign the nomination paper,..... and shall return the nomination paper to the Secretary of the Council before the closing date for the receipt of nominations.’

As the Convener and Secretary are responsible for opening the ballot forms and declaring the result, neither should be supporters to any candidate.

c. Withdrawal of Candidature

There is no provision in the Rules for withdrawal after being proposed and seconded. Suggest we should adopt the same approach as stated in the Protocol for elections to the Business Committee, which says – “At any time before the date set for the return of voting papers, a Candidate may withdraw, or the Candidate's Proposer or Secunder, may withdraw the nomination. Such withdrawal must be intimated to the Secretary in writing and signed by the Candidate, or by the Candidate's Proposer or Secunder as the case may be.” [The reference above to ‘in writing’ should include sent by email.]

d. Postal ballot or electronic ballot?

Rule 2 says – ‘The Convener shall be elected by a postal ballot of the Committee’. The procedures say – ‘...ballot papers containing the names of duly nominated candidates ... shall be despatched by recorded delivery post to all members of the Business Committee.’

When these Rules were written, it was not possible to conduct the ballot electronically. It now is and would be preferable. As the Regulations for elections to Business Committee allow electronic voting, it should be within the discretion of Business Committee to use electronic voting for Convener/ Vice Convener election without the need for a Motion to the HYM?

e. What if there is only one candidate either for Convener or Vice Convener or both posts?

The Constitution is silent about the process for approval if there is only one candidate for either role. In such circumstances, if there is only one (different) candidate for each post and this is approved by the BC, each should be considered to be elected unopposed.

2. Timetable for election

As no timescale is set out in the Constitution for the election of Convener and Vice Convener, the timetable is at the discretion of the Business Committee.

A draft timetable is given in Appendix 2, modelled on that adopted by the Business Committee in 2020. The sequence then was the Business Committee decided first on the next Convener and then who will be the next Vice Convener.

APPENDIX 1

PART V. THE BUSINESS COMMITTEE

Appointment of Convener and Vice-Convener

9. The Business Committee shall appoint a Convener and a Vice-Convener from among its number or from among those who have served on the Committee within the past two years. The appointees shall serve for up to four years from the date of their taking up office. On the expiry of their respective four year periods as Convener and Vice-Convener, they shall be eligible for re-election to their respective offices, each for a further four years. At the expiry of this further period of four years, neither shall be eligible for re-election to the office which they have just completed except in the event of prevailing circumstances deemed by a majority of the Business Committee to be exceptional, in which case the period of office of either or both may be extended for such further period as the Business Committee deems fit according to the special circumstances, but not exceeding one year. Part III of *The General Council of the University of Edinburgh Regulations for General Council Elections* specifies the details of the process whereby the Convener and Vice-Convener are elected.

REGULATIONS FOR ELECTION OF CONVENER AND VICE-CONVENER OF THE BUSINESS COMMITTEE

The rules and procedures for the election of the Convener and Vice-Convener of the Business Committee were adopted by the Business Committee meeting on 23 June 1994.

Rules for the Election of the Convener and the Vice-Convener of the Business Committee

1. The Convener shall be a serving member of the Business Committee or shall have served on the Committee within the past two years. Any person so qualified may be nominated with the nominee's consent by two members of the Business Committee who shall sign the nomination paper which shall include a statement about the nominee of not more than one hundred words, and shall return the nomination paper to the Secretary of the Council before the closing date for the receipt of nominations.
2. The Convener shall be elected by a postal ballot of the Committee from those nominated.
3. The Convener shall hold office for a period of four years and shall preside at meetings of the Committee.
4. In circumstances deemed by a majority of the Business Committee to be exceptional, the Convener shall be eligible for reappointment for one additional year at the invitation of the Committee.

5. The appointment of the Convener shall take effect not later than 1 August in the year of the election.
6. When for any reason the Convener ceases to serve on the Committee before the Convener's term of office ends, the vacancy so arising shall be filled by a member appointed in accordance with the provisions of Rules 1. to 4. Such member shall take office immediately upon election and the term of office shall extend for a period of four years from 1 August coincident with or next following the date of the Convener's election.
7. The same rules shall be followed for the election of the Vice-Convener.

Procedure for the Election of the Convener and the Vice-Convener of the Business Committee

The additional procedures to be observed are as follows:

- (i) As soon as possible after the closing date for receipt of nominations, ballot papers containing the names of duly nominated candidates, the names of their proposers and seconders and the statements about the candidates shall be despatched by recorded delivery post to all members of the Business Committee. A statement about a candidate will be printed only to the end of the last sentence preceding the one hundred and first word if the statement is longer.
- (ii) Enclosed with the ballot paper shall be an envelope addressed to the Secretary of the Council, stamped and marked with the letter 'B'.
- (iii) Envelopes containing ballot papers received from members of the Committee shall be kept unopened by the Secretary of the Council, who shall be responsible for the safe-keeping of all ballot papers.
- (iv) A period of four weeks shall elapse after despatch of ballot papers to allow a reasonable time for them to reach members of the Committee who may be away from home.
- (v) A returning Committee consisting of the Convener and Secretary of the Council shall meet at a time to be arranged for the purpose of opening the envelopes containing the ballot papers and counting the votes. In the event of either of these Office-bearers being a candidate, such Office-bearer shall be ineligible to serve on the returning Committee, and the Business Committee shall appoint instead one of its members who is not a candidate for either office.
- (vi) In the event of there being only two candidates, the candidate obtaining the greater number of votes shall be elected. In the event of a tie, the returning Committee shall determine by lot which candidate shall be selected. In the event of there being more than two candidates, members of the Committee shall indicate their order of preference of all or any number of these candidates on the ballot papers and if one candidate does not obtain an overall majority the election shall be decided by use of

the single transferable voting system. The majority of votes required for election under this system shall be determined relative to the number of valid ballot papers received.

- (vii) The result of the election shall be announced at the Business Committee meeting immediately following the counting of the votes.

Single Transferable Vote

More than two nominations make it necessary to use the single transferable vote procedure as follows:

If no candidate has obtained a clear majority of first preference votes the candidate with the lowest number of such votes is eliminated.

The second preferences of the eliminated candidate's supporters are then examined and these votes are transferred to the remaining candidates as first preference votes.

This transference should ensure a clear majority for one of the remaining candidates, but if necessary it can be repeated after elimination of the candidate who at this stage has the lowest number of first preference votes.

If, when a candidate has to be eliminated, two or more candidates are each credited with the same number of votes and are lowest, regard shall be had to the total number of votes credited to each of those candidates at the latest count at which they had unequal values, and the candidate with the smallest value at that count shall be excluded. If two or more candidates are lowest and are each credited with the same value at all counts, the returning Committee shall arrange the papers of such candidates according to the next available preferences recorded thereon for continuing candidates, including the candidates in question, and shall exclude that lowest candidate for whom the total value of the next available preferences expressed is smallest, and if the total values of the next available preference recorded for two or more of the candidates in question are then equal and smallest, the returning Committee shall determine by lot as between the candidates last mentioned which candidate shall be excluded."

APPENDIX 2

ELECTION OF CONVENER AND VICE-CONVENER OF THE BUSINESS COMMITTEE

DRAFT TIMETABLE

2023

21 September – draft report to Conveners Group

12 October - report to Business Committee to decide on process/timetable

22 November – deadline for Motion in Billet (if necessary)

2024

17 February – HYM to consider any Motion (if submitted)

- announcement of those newly elected or re-elected to BC

29 February - Business Committee to confirm arrangements for elections

1 March – Notify Business Committee members who served in 2021/22 and 2022/23 of their eligibility to stand for election as Convener or Vice Convener

- nomination forms available for Convener

22 March – closing date for Secretary receiving nominations for Convener

1 April – ballot form for Convener issued

29 April – closing date for voting for Convener

2 May – Business Committee told result of ballot for Convener

3 May - nomination forms available for Vice Convener

17 May – closing date for Secretary receiving nominations for Vice Convener

7 June – closing date for voting for Vice Convener

10 June – Business Committee told of ballot result for Vice Convener

15 June – HYM: announcement of next Convener and Vice Convener

Protocol for General Council Involvement with University Strategies.

- 1) This note offers some guidance on when and in what way it is appropriate for the General Council to be consulted on or involved with issues of strategic or public importance affecting the University. [It has been drawn up in discussion between the Business Committee of the General Council and the University Executive.]

Locus and Role of the General Council

- 2) The General Council – which consists of graduates, senior academic staff and some members of the University Court – has the statutory right to comment on ‘matters which affect the well-being and prosperity of the University’. The Council meets twice a year: in between those meetings, its work is carried out by its Business Committee, often through one of that Committee’s five Standing Committees which between them cover Academic Affairs, Constitutional matters, Finance and Services issues, International matters, and Public Affairs.
- 3) The role of the General Council is essentially advisory rather than executive in character. It is not its function to assume the decision-making responsibilities of the University Court, Senate, or Executive Leadership Team. Nevertheless, the Council (and the Business Committee and its Standing Committees in particular) may well be able to add value in a number of different ways to the consideration by the University of strategic or high-profile issues. The Business Committee’s varied and experienced membership offers a pool of knowledgeable people, sympathetic to the University’s overall purpose and aims, which can provide a source of experienced input and advice, as well as a sounding board for testing out and refining arguments and ideas.

General Council involvement with University Strategies

- 4) It may be helpful to distinguish at the outset three broad ways (which are not mutually exclusive) in which the General Council may be able to help the University in the development and refreshing of its various strategies. These are through:
 - i) The Business Committee being informed that a new or refreshed strategy is to be produced and having the ability, if it wishes, to ask questions about its progress.
 - ii) Being consulted during the process of producing or reviewing a strategy, or when the Strategy Review Group has produced a draft report before it goes to the Senior Executive Team (and then perhaps on to Court or Senate for decision and approval).
 - iii) Being actively involved in producing or refreshing a Strategy through carefully chosen, relevant membership of the Group drafting the strategy.
- 5) The first of these scenarios should be the norm for all major strategies, with the main channel for communication being between the Deputy Secretary (Governance) and the Secretary of the General Council.

- 6) The second scenario could arise either when a request by the Business Committee to be consulted is received positively by the Strategy Group, or when either the Strategy Group itself, or those considering its report, see potential advantage in consulting the Council.
- 7) The third scenario is only ever expected to occur exceptionally, but may arise when the matter under review either directly affects the interests of the General Council and/or is of such strategic significance that both the University Executive and the Business Committee see benefit in the General Council being directly and actively involved in creating or refreshing a Strategy. In any such cases, it will be important to be clear from the outset about the reasons for the Council's involvement; the role of the Council's representative(s); and the conditions of confidentiality during the production of the Strategy.
- 8) Different aspects of the review process which may arise under any of these three possible scenarios are discussed in more detail below.

The Inception of a Strategy

- 9) It is for the University Executive and ultimately for the Senate or Court to decide when a strategy to deal with a particular issue may be desirable, although it is always open to the General Council to suggest that a particular aspect of the University's life deserves further thought.

Initiation of producing a new Strategy

- 10) It is always helpful for the Secretary of the General Council to be informed at the outset when a new or refreshed strategy is initiated into a matter of strategic importance or on a high-profile issue affecting the University. Among the issues it is helpful to understand are: the terms of reference of the Strategy producing group, its membership and expected mode of proceeding (including any consultation process envisaged), and its intended timetable. This assists the Secretary to keep Business Committee members informed, and the members to help head off unnecessary external speculation.

Membership of a group drafting a Strategy

- 11) The General Council would not normally expect its members to be included in the membership of a group producing a strategy.
- 12) Nevertheless, where the interests of the General Council are directly affected, the Council would expect to be represented on any group or body set up to draft a strategy. In these circumstances, it would be for the Business Committee to decide, on the recommendation of the Secretary and Convener (neither of whom would normally themselves appropriately represent the Council on a review group), by whom it should be represented.
- 13) Alternatively, where a member of the Council is invited to assist directly in helping to produce a strategy – because, for example, they are known to have particular expertise in the relevant area – they will do so in a purely personal capacity and not as a representative of the Council or the Business Committee.

Consultation involving the Business Committee

- 14) Consultation with the Business Committee is particularly advisable where the strategy being developed is central to the interests and purpose of the University or is one of high public salience. Other circumstances in which it may be advisable are where the strategy is expected to end in the introduction or modification of Ordinances or Regulations of the University Court (on

which the Council has a statutory right to be consulted) or where the subject under consideration is one on which members of the Business Committee are known to have particular interest or expertise.

- 15) Whether or not consultation with the Business Committee is desirable will vary from case to case, as will the manner in which consultation (not just with the Business Committee but with other interested parties) is intended to be carried out. The Secretary of the Council is always available to advise on the extent to which and the way in which consultation is appropriate in any one case.

The Terms on which Consultation is Conducted

- 16) These should be made clear at the outset by those responsible for drafting the strategy. Equally, it is important that the Council and the Business Committee make clear the status of any views they (or one of the Standing Committees) may express during a consultation process. Where the views of the General Council itself are expressly requested, these should be approved by the Council or the Business Committee acting on its behalf before they are submitted. Any confidentiality attaching to the strategy production process, and to the preparation of these views in particular, should be carefully observed.

The Conclusion of a Strategy

- 17) It is always helpful for the Secretary of the General Council to be informed of the outcome on an issue of strategic importance, preferably prior to the publication of the strategy report. This is particularly important where the Council or its Business Committee have themselves been consulted as part of the evidence-gathering leading to the production of the strategy.

October 2023

General Council Business Committee – 12 October 2023

Proposed changes to Ordinance 186

Paper 7

Attached is the report of a Working Group examining the feasibility of earlier proposed changes to Ordinance 186 that defines membership of General Council.

This has been discussed with the University Secretary and Head of Court Services and the intention is to present a report to Court in December recommending the Ordinance should be revised as set out in the Working Party report.

The Business Committee is asked to confirm that it is content for the proposed changes – as described in the Working Party report – to go to Court for its approval.

As any change to an Ordinance involves consultation with the General Council and how this would be conducted it can be decided at the December meeting of the Business Committee, if Court decides in December to proceed as recommended.

Changing an Ordinance that will require Privy Council approval is a protracted process.

Dr William Duncan

Secretary to General Council

October 2023



THE UNIVERSITY *of* EDINBURGH

Report to the University Secretary and Registrar of the General Council, Leigh Chalmers, about the implementation of proposed changes to Ordinance 186, which relates to General Council membership

A. Background

1. Proposed changes to Ordinance 186.

Following an extensive review of Ordinance 186 (which defines membership of the General Council), a paper (see Appendix 1) was presented to University Court on 29 November 2021 proposing that the Ordinance should be amended substantially so that GC membership could be conferred on:

- i. all those graduating with academic awards approved by Senate, not just degrees;
- ii. all administrative, professional, and technical staff at grade 8 and above, to give parity with similar grade academic staff already eligible to join General Council;
- iii. all Honorary awards and appointments – not just Honorary Fellows and Honorary graduates.

Court approved the paper and to 'The initiation of a process of review of Ordinance No. 186 (General Council Membership & Registration) with a view to amending the criteria for General Council membership to resolve identified issues set out in the paper'. As this involved changes to an Ordinance, it triggered the usual consultation period.

2. Practicalities of implementation.

During that consultation period, further consideration of the resource and implementation requirements was made by Development and Alumni (D & A) as it manages the General Council (GC) Register within its Charity Customer Relationship Management (CRM) database. This identified practical data management issues, particularly around extending membership to all with Honorary appointments.

Also, as major changes were about to take place to the CRM systems and on advice from D&A, the then University Secretary decided not to present to the Court the paper shown in Appendix 2.

Now that the changes to the CRM system are bedding down, it was decided to carry out a more detailed review of the resource implications of the proposed changes to Ordinance 186.

This report presents the finding of a working group which included members of the D & A Services Team and the Secretary and Assistant Secretary of the GC. It met three times during July/August.

3. Process and timetable for changing the Ordinance.

There is an extended, iterative process for changing any Ordinance within the University, but final approval lies with Privy Council. A detailed timetable showing the many steps involved is given in Appendix 3. As no changes can begin until Privy Council approval is secured, it would be next academic year before any changes could be implemented.

Chairman HRH The Princess Royal
Secretary Dr William Duncan
(to whom all correspondence should be addressed)

Part of the internal consultation process, should Court decide to proceed, would be to seek the views of the General Council. As the present Convener and Vice Convener of the General Council Business Committee will demit office in summer 2024 and they have been much involved in the proposed changes, it is highly desirable that this consultation process can be concluded at the February 2024 Half Yearly Meeting. For this to happen a paper setting out the proposed changes would need to be presented to Court in December 2023 and the decision made then whether to initiate consultation on the changes.

B. Conclusions

1. Most (but not all) of the proposed changes to Ordinance 186 as set out in the Appendices would be straightforward for D&A to incorporate into the General Council Register.
2. Any additional resource requirements arising from bringing in new categories would be temporary and manageable through phased implementation of changes to incorporate existing staff or award holders who would become eligible.
3. The main change from the previous proposal is not to extend General Council membership to all Honorary appointments, such as Hon Professors, Hon Readers, Hon Senior Lecturers or Hon Lecturers. This earlier proposal arose from confusion over the category of Honorary Fellows eligible to join General Council. When Court decided in 1990 to include this group, it was meant to apply only to those awarded University Honorary Fellowships on the recommendation of Senate, and not to College appointed Honorary Fellows, but this distinction was not made clear enough in subsequent documentation.
4. The data management difficulties associated with including hundreds of College Honorary appointments in the General Council Register have been so complex, time consuming and onerous, that most have not been included. As a result, there should be no extension of eligibility to include College appointed Honorary Fellows, Honorary Professors or Honorary Lecturers, as similar data management issues would arise.
5. This complication does not apply to University Honorary Fellows, because there have been very few such awards approved by Senate (and none since 2018) and information on this category of Honorary Fellow is held centrally and is well-documented. Hence, there should be no change to the Ordinance in relation Honorary Fellows, but it should apply only as originally intended.
6. In addition to degrees, there are currently about 30 other awards that can be made by the University. The Ordinance changes required to extend General Council membership to those with suitable awards will need to be carefully worded to allow those awards which will qualify for membership to be determined by Court in consultation with the General Council, both in relation to current awards and possible future awards, and without the need for further changes to the Ordinance. Since the potential additional members of GC are already in the D&A CRM database, including them in the General Council Register is straightforward.

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7. The proposal to allow all professional staff at grade 8 and above to become members of General Council should apply to all staff at grade 8 and above. At present only academic staff with a job title of Lecturer, Senior Lecturer, Reader, or Professor are eligible for General Council membership. Adopting a purely grade related criterion for membership will simplify identification of those eligible from central staff records and notifying them.
8. The timetable (shown in Appendix 3) to allow implementation of changes early in next academic year is tight but possible, provided Court at its meeting in December gives approval to proceed and the required formal consultation process begins soon thereafter.

C. Recommendations

1. Court should resume consideration at its meeting in December of the proposed Ordinance changes as presented previously to it, but the recommendation to extend GC membership to College Honorary appointments, such as Honorary Professor, Honorary Reader, Honorary Lecturer, should be removed. Meanwhile, no further College Honorary Fellows should be added to the General Council Register and those whose membership ceases due to their appointment ending should not be offered the option of continuing.
2. The current reference in the Ordinance to Honorary Fellows should be retained but it should be made clear in the procedural guidance that it will apply only as originally intended to University Honorary Fellows, and not to College appointed Honorary Fellows.
3. There should be no change in admitting Honorary Graduates to the Register.
4. The specific academic awards that will in future qualify for membership of General Council should be determined by Court in consultation with the General Council, and drawn from those awards that are conferred at a graduation ceremony (whether in person or in absentia).
5. All staff at grade 8 and above (or equivalent) should be eligible for General Council membership while in post, irrespective of job title.
6. After Privy Council approval has been obtained to the changes, the implementation timetable and sequencing should be determined by Court, as advised by the University Secretary and the Secretary to the General Council.

D. Findings

The Working Group considered the following categories:

i. Academic Awards

The proposal was to extend membership to include all persons who have successfully met the requirements of an academic award (other than an Honorary Degree) and have graduated from the University.

From the data provided by Student Systems, D&A have identified around 30 additional awards potentially eligible for GC membership. If the Recommendations were to proceed,

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it would be part of the implementation process to work with Student Systems and other relevant colleagues to identify all eligible awards for GC membership;
The figures below show the potential change in GC graduate membership based on making the changes to the Award table:

- Current GC graduate members: **~286k**
- Potential increase to GC graduate members at point change is applied: **~1,500 annually**
- Potential Non-GC alumni who would become GC members if change applied retrospectively: **~22k**

Since the potential additional graduate members of GC are already in the D&A CRM database, the Working Group is satisfied that this is a relatively straightforward change to implement and therefore recommends that this change is incorporated into the new Ordinance, including applying the change retrospectively.

ii. Professional Services Staff

The proposal was to include within GC membership all professional staff members at grade 8 and above. This would apply to those who are:

- a) joining or are promoted to the relevant grade; or
- b) current staff at grade 8 or above.

In addition, those leaving the university after 3 years in employment at the qualifying grade level will be invited to remain GC members, as is currently the case with academic staff.

These changes will involve additional administrative workload to process extra numbers concerned (~ 1,000) but as these are relatively low and considered manageable, the working group recommends that this group be included in the new Ordinance.

iii. Honorary Appointments

Honorary Fellows became eligible for General Council membership when the Ordinance was revised in 1990. We have not been able to discover the reasoning behind their inclusion but the Court minutes contain an important caveat that has been forgotten over the years since it came into effect:

Extract from Court minute, 5 November 1990

“The Court approved the proposals to amend Ordinance No. 174:

1. To enable all Honorary Graduates and Honorary Fellows to become members of the General Council without payment of fee subject to the proviso that the term “Honorary Fellows” was to be interpreted as referring only to fellowships conferred by the University and not to those conferred by Faculties”

Therefore, Honorary Fellows were only intended to be members of the General Council if they are University-appointed rather than by Faculties (now Colleges/Schools). University-conferred Honorary Fellows are considered by Senate’s Honorary Degrees Committee (which makes a recommendation to Senate for approval) as an alternative to Honorary Degrees.

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These are very rarely awarded: eight University honorary fellowships have been approved by Senate since 2001 and none since 2018, but it still exists as an award that can be conferred.

Unaware of this caveat, an attempt was made in 2019 to include Honorary Fellows from the College of Arts, Humanities and Social Sciences in the Register. This demonstrated the very burdensome data management issues involved both at College level and for D&A, and no further Hon Fellows from this or other Colleges have been added since. Currently there are about 130 Hon Fellows - all from CAHSS – in the Register, but this number will decline as these appointments expire.

Honorary Fellows' data is held separately within each of the three Colleges and it is evident from the 2019 exercise that the administrative complexity around the management, transference and processing of this data outweighs any material benefit from including them.

Likewise, as data on other Honorary appointments (i.e. Honorary Lecturers, Hon Senior Lecturers and Hon Professors) is not managed centrally but at College level, the working group recommends that there should be no extension to these other Honorary appointments in the new Draft Ordinance.

iv Data Protection Impact Assessment (DPIA)

Following consultation with the University Data Protection Officer (DPO), a DPIA is in final stages of being completed with relevant colleagues, including those from the GC, D&A, Student Systems, HR and the Assistant DPO.

Approval will be sought in time to know that the proposed changes will be Data Protection compliant before they are presented to Court in December.

D & A Working Group

September 2023

Chairman HRH The Princess Royal
Secretary Dr William Duncan
(to whom all correspondence should be addressed)

UNIVERSITY COURT

29 November 2021

Updating the criteria for General Council Membership and Registration

Description of paper

1. University of Edinburgh Ordinance No 186 (Appendix 1) defines the criteria for membership of the General Council (GC). The current arrangements, approved by Court in 1991, have a number of unsatisfactory clauses i.e. variously causing confusion in implementation; making anomalous provision and containing an anachronism.

2. More fundamentally, the current criteria reflect the University's historic focus on academe by offering membership only to academic staff. This is at odds with the value attached to an inclusive multi-professional University community articulated in Strategy 2030. The criteria for GC membership should reflect the University's contemporary ethos while also recognising the specific role and responsibilities of GC members.

Action requested/Recommendation

3. Court is asked to approve the initiation of a process of review of Ordinance No. 186 with a view to amending the criteria for GC membership to resolve the identified issues.

Background and context

4. It may assist Court to recall that the implications of membership of the General Council are as follows:

- Members of the GC elect the Chancellor of the University.
- Three places on the University Court are held for suitably qualified members of the GC, selected following an open appointment process. Current students and staff are debarred from applying for those positions (having other means of representation on Court).
- Members of the GC have the statutory right:
 - to comment on matters affecting the wellbeing and prosperity of the University;
 - to stand for election to the Business Committee, through which the GC's responsibilities are transacted between its statutory bi-annual meetings, and
 - to vote in the election of members to that Committee.

Discussion

5. The current arrangements (Appendix 1) present the following problems which justify their amendment:

(i) Confusion of terms re degree and graduate. The wording of clause 1(a) leaves confusion over the status of those with recognised academic awards at Certificate or Diploma level. The number of credits required to graduate with those awards is fewer than are required for a degree. A review of this clause should also take note of the varied routes by which academic awards may now be achieved, to ensure any amended wording avoids further confusion.

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(ii) Anomalous arrangements for Honorary appointments. Clause 1(b) confers General Council membership on Honorary Fellows. It is an anomaly that more senior honorary staff are not currently included.

(iii) Anachronism. The registration fee referred to in Clauses 1(d-e) was discontinued by the University in 2012.

6. Parity of membership for academic, administrative and technical staff. The University's contemporary ethos recognises the value of the contribution made by a diversity of staff. Contemporary practice in Human Resources (HR) provides a basis for assessing comparability across academic, administrative and technical job profiles within the University. The GC Business Committee already sets great store by the insight it gains from consultation with senior administrative and technical staff as well as academics. It is timely therefore to review the provisions of Ordinance No. 186 to encompass the diversity of the University's professional staff on an equal footing, subject to the categories of staff added being qualified to fulfil the role and responsibilities of GC membership.

Resource implications

7. Adding a new category of members would increase the size of GC membership. Any consequent adjustment to existing electronic data flows to the GC Register would require to be undertaken by the relevant University staff. The arrangements for change management would need to be formally agreed within their work plans. Preliminary discussions about the practical implications have begun with Development & Alumni(D&A) who manage the database. Thereafter the additional costs of managing a larger GC database would be minimal. The default setting is for electronic communication with GC members. At present printed copies of statutory material for GC members are only available by mail on special request. The costs are borne by the GC Office. Were these costs to increase significantly with increased membership this provision would have to be reviewed. There is flexibility in how the statutory meetings of the GC could be managed with increased membership within available resources, e.g. by hybrid events.

Risk Management

8. The General Council Register sits within a database managed by Development & Alumni with close attention to data protection legislation and data security.

Responding to the Climate Emergency & Sustainable Development Goals

9. A more diverse membership would ensure that the General Council was better equipped to play its part in supporting the University to deliver its Strategy 2030 outcomes and the Sustainable Development Goals.

Equality & Diversity

10. Current criteria for GC membership discriminate in favour of academic staff to the exclusion of other staff groups. One aim of the review is to propose a more equitable basis for staff membership and hence a GC membership which better reflects the diversity of the University's community.

Next steps/implications

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11. If Court approves the review in principle, the next step will be for the GC to propose specific amendments to the Ordinance. Advice would be sought from Scottish Government lawyers before the draft of the amended Ordinance was presented to Court for approval. Court approval of the draft amendment would trigger the formal process of consultation with Senate and with the wider General Council, which is required to inform the preparation of the final draft of the amended Ordinance. The final draft amendment has to be approved by Court before its onward transmission for consideration by the Scottish Universities Committee and in due course the Privy Council.

Consultation

12. An outline of these concerns was presented to Court in 2019 when the GC were asked to wait until the review system had dealt with all the changes to Ordinances required to ensure compliance with the Higher Education Governance (Scotland) Act 2016 across the Scottish Universities.

13. The GC Constitutional Standing Committee met to reconsider the matter on 20 September 2021. The resulting paper proposing a review of Ordinance No 186 for the reasons outlined above was approved by the Business Committee of the General Council on 14 October 2021.

Further information

14. <u>Author</u>	<u>Presenter</u>
Professor Ann Smyth	Lady Sarah Wolffe
Secretary of the General Council	General Council Court Assessor

Freedom of Information

15. Closed paper

**UNIVERSITY OF EDINBURGH ORDINANCE No 186
GENERAL COUNCIL MEMBERSHIP AND REGISTRATION**

At Edinburgh, the Eighth day of July, Nineteen hundred and ninety-one years.

WHEREAS the Universities (Scotland) Act 1966, Section 10(1), provides that the University Court shall cause to be maintained a register of members of the General Council in accordance with provisions to be prescribed by Ordinance:

AND WHEREAS in terms of Sections 3 of the said Act and of paragraphs 1 and 5- of Part I of Schedule 2 thereto, the University Court has power to amend by Ordinance the composition, powers, and functions of, `inter alia`, the General Council, and to prescribe the conditions under which the register of members of the General Council is to be maintained:

AND WHEREAS the University Court deems it expedient to amend the composition of the General Council and to amend the conditions under which the register of members of the General Council is to be maintained:

THEREFORE the University Court of the University of Edinburgh, in exercise of the powers conferred upon it by Section 3 of the Universities (Scotland) Act 1966, and with particular reference to paragraphs 1 and 5 of Part I of Schedule 2 to that Act, hereby statutes and ordains:

1. The General Council of the University of Edinburgh shall consist of :

(a) all persons on whom the University has conferred degrees other than Honorary Degrees, whose names shall be recorded in the Register of Graduates referred to in Section 3 of this Ordinance, in accordance with the provisions of this Ordinance:

(b) all persons on whom the University has conferred an Honorary Degree or on whom it has conferred the title of Honorary Fellow of the University.

(c) during their tenure of office -

(i) the Chancellor of the University;

(ii) the members of the University Court;

(iii) the Professors of the University;

(iv) all Readers, Senior Lecturers, and Lecturers in the University who have held any such office for a period of one year:

(d) former members of the University Court and former Professors who have elected to pay the statutory registration fee, if any.

(e) former Readers, Senior Lecturers and Lecturers who have retired after holding any such office in the University for a period of three years and who have elected to pay the statutory registration fee, if any.

2. The University Court shall from time to time appoint a Registrar of the General Council, upon such conditions as the Court may determine, and the Court shall provide such assistance for the performance of the Registrar's duties as it may consider necessary. The office of Registrar may be held in conjunction with any other office in the University

3. The Registrar shall ensure that a Register of Graduates is maintained, recording the full names of all persons on whom the University has conferred a degree other than an Honorary Degree, the address of each graduand at the time of registration for graduation, the date of graduation, and the degree conferred.

4. The Registrar shall also ensure that a Register of Members of the General Council is maintained, recording

(a) the full names in alphabetical order and addresses (where known) of all graduates whose names are recorded in the Register of Graduates and who are not known to be

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dead, or presumed dead failing contrary information after eighty years from the date of graduation, together with, in each case, the first degree recorded in the Register of Graduates, and the year of graduation in that degree;

(b) the full names, in alphabetical order, and addresses (where known) of all other members of the General Council not known to be dead and the offices in virtue of which they qualify for membership.

5. ¹

6. If any person whose name is not included in the Register of Members - shall consider that it should be so included, it shall be competent for him or her to appeal to the University Court if the Court considers that such person's name should be included in the Register of Members - in terms of this Ordinance, it shall direct the Registrar to amend the Register accordingly. The decision of the Court shall be final.

7. The University Court shall have power to decide whether a fee shall be required as a condition of graduation in any degree or as a condition of membership of the General Council for those categories of persons mentioned in Section 1(d) and (e) of this Ordinance, and to fix the amount of any such fee. Those categories of persons mentioned in Section 1(b) of this Ordinance shall not be required to pay such a fee.

8. Ordinance No 174 (General Council Membership and Registration) is hereby revoked.

9. This Ordinance shall come into force after its approval by Her Majesty in Council on a date to be determined by the University Court.

IN WITNESS WHEREOF

Approved by Order in Council, dated 11 February 1992.

¹ Omitted by Ordinance No. 202, now superseded by Ordinance No. 213

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(to whom all correspondence should be addressed)

DRAFT REPORT – **NOT SUBMITTED**

Appendix 2

UNIVERSITY COURT

Date 25 April 2022

General Council Membership & Registration

Description of paper

1. University of Edinburgh Ordinance No. 186 (Appendix 1) has defined the criteria for membership of the General Council (GC) since 1991. At its meeting on 29 November 2021 Court approved that the Ordinance be reviewed to address unsatisfactory clauses which had been identified as variously: causing confusion; making anomalous provision and anachronistic. These issues have been addressed in the attached Draft New Ordinance (Appendix II).
2. The extant Ordinance offers membership only to academic staff. This is at odds with the value attached to an inclusive multi-professional University community articulated in Strategy 2030. The review identified the University grade structure as a means of defining comparable criteria for academic and professional staff. The criteria for staff membership of the GC defined in the Draft New Ordinance (Appendix II) reflect the University's contemporary ethos while also recognising the requirements of the role and responsibilities of GC members.

Action requested/Recommendation

3. Court is asked to approve the Draft New Ordinance

Background and context

4. It may assist Court to recall that the formal implications of membership of the GC are as follows:
 - Members of the GC elect the Chancellor of the University.
 - Three places on the University Court are held for suitably qualified members of the GC, selected following an open appointment process. Current students and staff are debarred from applying for those positions (having other means of representation on Court).
 - Members of the GC have the statutory right:
 - to comment on matters affecting the wellbeing and prosperity of the University;
 - to stand for election to the Business Committee, through which the GC's responsibilities are transacted between its statutory bi-annual meetings, and
 - to vote in the election of members to that Committee.

Active members of the General Council seek to be sufficiently well informed to undertake an informal ambassadorial role on behalf of the University within their spheres of influence and increasingly, to support the University on a voluntary basis in its endeavours when called upon to do so. The continuing GC membership of former members of staff is particularly helpful in this context.

Clause 2 of the extant Ordinance, which has been retained, gives the University Court the authority to appoint the next Registrar of the General Council when the current Registrar, Sarah Smith, demits office. Clauses 3-5 outlining the Registrar's responsibilities for the maintenance of the GC Register remain substantially unchanged.

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Discussion

5. The proposed amendments to unsatisfactory clauses of the extant Ordinance are shown in red in the Draft New Ordinance (Appendix II)

(i) **Confusion of terms re Graduate membership** Clause 1(a) has been reworded with input from the Director of Student Systems & Administration to achieve a shared understanding of criteria which reflect contemporary flexibility in awards and inclusivity, while maintaining the University's formal academic standards. For example the new wording opens GC membership to those graduating with postgraduate diplomas or those completing joint degrees with partner Universities. This change is reflected in the wording of Clauses 3 and 4(a) of the Appendix II which substitute the term 'academic award' for degree.

(ii) **Anomalies** The anomalous omission of honorary appointments senior to Honorary Fellows, has been corrected in new clause 1(c). The 'ex officio' GC membership of the University Chaplain has now been specified in Clause 1(d). The invitation to retain membership is made consistently to members demitting office or completing their term of appointment – Clause 1(f).

(iii) **Anachronism** The registration fee referred to in Clauses 1(d-e) and Clause 7 of the extant Ordinance (Appendix I) was discontinued by the University in 2012 and has been omitted from the Draft New Ordinance.

(iv) **Administrative simplification** The evolution of the GC Register has resulted in some administrative challenges. The review creates an opportunity to consider data flows and processes with the aim of streamlining for increased efficiency. This will continue in the implementation phase. Offering membership for staff on appointment would be administratively simpler than initiating that after one year in post (Clause 1(c) (iv) of Appendix I). The extant reference to retirement - Appendix I, clause 1 (e) - has been dropped. The Draft New Ordinance retains the criterion for former staff to have been employed by the University for at least 3 years to be invited to retain their GC membership on leaving the University.

6. **Parity of membership for academic and professional staff.** The academic job titles formerly used to define GC membership criteria translate to University Grade 8 and above. Use of the University Grade profiles offers a means of achieving comparable criteria for professional staff. Clinical academics have their own scale. The wording of the relevant clauses 1(e & g) of Appendix II was provided by HR.

Resource implications

7. *Implementation of the Draft New Ordinance would create a backlog of additional new members (ie professional staff and Honorary senior staff) to be added to the GC Register. The numbers involved would be significantly smaller than the numbers added in a single diet of graduations e.g. 1093 professional staff meet the criteria. Honorary Fellows, but not more senior honorary appointments, from CAHSS are already included. Honorary appointments from other Colleges have not yet been included. New data flows to manage the backlog would be regarded as a project requiring additional resource. The GC office would expect to contribute to negotiating the arrangements. This comes at a time of change in relevant University systems: in D&A where the GC Register is currently managed within a larger database which is currently being upgraded and in the wider Digital Strategy and can be seen as an opportunity for streamlining processes.*

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What is wanted here is costed input from D&A

Risk Management

8. The General Council Register sits within a database managed by Development & Alumni with close attention to data protection legislation and data security.

Responding to the Climate Emergency & Sustainable Development Goals

9. A more diverse membership would ensure that the General Council was better equipped to play its part in supporting the University to deliver its Strategy 2030 outcomes and the Sustainable Development Goals.

10. A key issue for ensuring a contemporary database of active GC members is to align with the University's digital strategy which makes more effective use of digital technology to engage with members sustainably eg. targeted communication; voting; hybrid events

Equality & Diversity

10. Current criteria for GC membership discriminate in favour of academic staff to the exclusion of other staff groups. One aim of the review is to propose a more equitable basis for staff membership and hence a GC membership which better reflects the diversity of the University's community.

Next steps/implications

12. Court approval of a Draft New Ordinance triggers a statutory 8 week period of consultation with Senate and the General Council which is required to inform the preparation of the final draft of the New Ordinance. This has to be approved by Court before onward transmission for consideration by the Scottish Universities Committee and in due course, the Privy Council

Consultation

13. Court approved a review of Ordinance No.186 on 29 November. The review has been undertaken by the General Council's Constitutional Standing Committee informed by advice from the Secretary of the General Council derived from consultation with senior staff in D&A, HR, Student Systems. The General Council Business Committee has approved the Draft New Ordinance and flagged the work in progress in the Winter Issue of Billet and at the February Half Yearly meeting. Subject to the approval of Court the Draft New Ordinance could be formally presented to the June meeting of the General Council.

Further information

14. <u>Author</u>	<u>Presenter</u>
Professor Ann Smyth	
Secretary of the General Council	tbc

Freedom of Information

15.

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Secretary Dr William Duncan
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BC Meeting 21 October 2023 Paper 7

Ordinance 186 - General Council membership

APPENDIX 3

Indicative timetable for approving and implementing changes to the Ordinance.

2023	ACTION
June – agree remit ¹ and membership of Working Group ² to review feasibility of changes	KB/WD
early July – arrange meeting of Group to agree workplan for review	JS
mid July – collect information on work involved if make proposed changes	Working Group
early August – complete data collection and analysis of workload implications	Working Group
mid- August – meeting of Group to determine what seems feasible	Working Group
late August – finalise draft report of Working Party	WD/JS
– send report to and arrange meeting with Leigh Chalmers	JS
11 September – meet Leigh Chalmers to decide on feasible changes	LC/LA/ WD/KB/JS
Mid-September – begin Data Protection Impact Assessment (DPIA)	Working Group
Early October - begin drafting text of revised Ordinance to go Court	Legal Services?
11 October – complete DPIA and submit for approval	JS
12 October – Business Committee: Working Party report presented /discussed	WD
mid-October – Begin drafting paper for Court	LA/WD/JS
Early November – draft submitted for comment to LC and Assessor, Lady Sarah Wolffe	LA
Mid November - comments incorporated into final report for Court, including draft Ordinance	LA/WD
27 November – Court papers circulated	LA
4 December – Court decides whether to proceed with Ordinance change and start consultation.	
7 December – GC Business Committee to confirm how to consult members	WD
Mid December (date to be decided by Court) – start of consultation period *	LA
Mid December - email General Council members, inviting comments on proposed changes.	WD
 2024	
31 January – deadline for General Council responses.	
7 February – Senate meeting and finalise comments from Senate.	??
9 February – Secretary of GC to inform University Secretary of feedback from GC consultation.	WD
17 February – HYM. Report on consultation responses, with discussion if necessary	WD
18 February – end of consultation period.	
[*Assuming the holiday weeks beginning 25 December and 1 January are excluded from the 8-week consultation period, if this were to begin on Monday 18 December, it would end on Sunday 18 February, encompassing both the February Senate and General Council Half Yearly Meetings. LC attends HYM and can contribute to any discussion then.]	
19 February – issue Court papers: include proposed Ordinance changes if consultation favourable	LA
26 February - Court to decide based on consultation responses whether to proceed; if so	
Early March – send text of revised Ordinance to Scottish Government lawyers for comment	LA
Late March - consider comments from Scottish Government lawyers	WD/LA/ LC
May - feedback on whether Scottish Sub Committee of Privy Council minded to recommend revised Ordinance for approval by Privy Council	
15 June - General Council Summer HYM - report on progress	WD
17 June Court meeting - report on whether Privy Council ³ approves or wants amendments	
LC	
August – October - begin phased implementation of changes if approved by Privy Council	JS
recommend revised	

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Notes

1. Remit to include workload implications for D&A, General Council, and HR staff. Remit to be approved by Leigh Chalmers, as GC Registrar and Secretary to University Court.
2. Working Group = Jenny Shaw, William Duncan, Alison MacLeary, Nathan Webb, Donna Lumsden
3. Could take 4-6 months to secure Privy Council approval and could be longer if the Scottish Sub Committee want to make drafting changes to what is initially proposed by Court.
4. LA = Lewis Allan (Court Services)
LC = Leigh Chalmers (GC Registrar and University Secretary)
KB = Kate Brook (D&A)
WD = William Duncan and Alison MacLeary (General Council)
JS = Jenny Shaw (D&A)

WD

September 2023

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General Council Business Committee – 12 October 2023

Secretary's Report

1. Billet

Two editions of Billet are issued each year to General Council members primarily to inform them of the forthcoming Half Yearly Meetings in February and June, and provide reports by Conveners of the work of the Business Committee and Standing Committees

CAM (Communications and Marketing) informed me last month that due to internal changes, it could no longer manage the design and production of Billet and this would need to be outsourced to an external agency following a competitive procurement process.

Although several firms were asked to quote, only one – Lane - put in a bid for £13,600 for the Winter edition. In recent years CAM charged c. £5K for two editions; quite a difference!

The production schedule for Winter Billet does not permit a re-run of the competitive tender process, but Alison and I are meeting Lane agency on morning of 12 October to be satisfied they understand what is required and will deliver to the timetable needed before signing off a contract with them.

800 members receive paper copies of Billet and c. 140,000 are sent it electronically. The extended production schedule and much of the cost relates to producing the paper copies.

At its meeting on 19 October, PASC will be considering communications with General Council.

2. Marking and Assessment Boycott

The boycott, part of a wider continuing conditions of employment dispute affecting all UK Universities, was called off by UCU in early September, a few weeks earlier than expected.

1600 final year students at Edinburgh University were affected by it, although the incidence varied considerably from College to College, and within Colleges.

Being unable to know their degree outcome or classification caused much anxiety and distress, as well as generating widespread negative publicity for the University.

The affected students have recently been told that in order maintain robust and thorough grading standards, the first available chance for marks to be reviewed and finalised will be at the Boards of Examiners, which takes place at the end of October/start of November. From 13 November onwards, Schools will release confirmation of course results and degree awards.

The earlier suggestion of a GC funded scheme to offer financial assistance to students affected by the boycott was appreciated by the Principal and University Secretary, but it became clear in my discussions with them that there were significant legal and administrative complications in setting up and running such a scheme. One of these related to the fact that the GC does not have a separate legal identity to the University and so any GC scheme would have had to be fully compliant with and complementary to existing University hardship and student support schemes.

3. Election of next Rector

The Rector is elected by students and staff every three years. Rules on when the election can be run are contained within University Ordinance No. 197

Subject to confirmation by Court, it has been proposed that the election will be from Tuesday 27 February to Friday 1 March 2024.

This is the latest point in the window allowed under the Ordinance that does not overlap with the Students' Association elections and avoids holding an election within Flexible Learning Week.

The proposed election date has been suggested to mitigate risks of a low number of candidates and of a low turnout, both of which have been witnessed in recent elections.

4. Protocol for re-appointment of General Council Assessors to Court

This Protocol produced between the Business Committee and Court was discussed with the Assessors who are also basically content with it. The final stage is for Court Services to draw up a time line for the various stages so these are well aligned with the annual cycle for other appointments to Court.

5. General Council representation at Graduations

If any members are able to attend the November graduations but have not yet informed Alison of their availability, it would be much appreciated if they could do soon

Dr William Duncan

Secretary to General Council

October 2023

**Minutes of the Constitutional Standing Committee Meeting held at 3.30pm
Thursday 21 September 2023 in the Ochil Room, Charles Stewart House**

Present: Gordon Cairns, Convener of CSC
Almira Delibegovic-Broome (FSSC)
Candice Donnelly (PASC)
Steve Hillier (ASC)
Krystyna Szumelukowa (ISC)
William Duncan, Secretary of the General Council
Philip Mawer, Convener of the Business Committee

In attendance: Alison MacLeary, Assistant Secretary of the General Council

1. Notes of the Meeting on 19 June 2023

The committee approved the minutes.

2. Matters arising from the Meeting on 19 June 2023

Item 3: Review of Ordinance 186

WD reported on meetings of the Working Group held during the summer, which had made progress on proposed changes to GC membership relating to:

- Academic Awards - the BC will look at the different types of awards and decide which ones are relevant for GC membership;
- Professional Staff at grade 8 and above – need to decide if this grade classification will apply to all academic staff or whether, as at present, it will only apply to those with a job title that includes Professor, Reader, Senior Lecturer or Lecturer.

The Secretary explained there has been confusion over the term Honorary Fellow. When Court decided in 1990 to include this group, it was meant to apply only to those awarded University Honorary Fellowships by Senate and not to College appointed Honorary Fellows, but this distinction was not made clear enough in subsequent documentation. Whereas the data management associated with College Honorary appointments is so complex that including them in the General Council Register would be difficult, time consuming and onerous, this does not apply to University Honorary Fellows. There have been only eight University Fellowships awarded by Senate since its inception (none since 2018) and there are parallels with Honorary Graduates. Information on award holders is held centrally and is well documented.

Hence, there will be no change to the Ordinance for Honorary Fellows but it will be made clearer that it applies only as originally intended and there will be no extension of eligibility to include College appointed Honorary Fellows, Honorary Professors or Honorary Lecturers.

Assuming that Court at its meeting on 4 December decides to proceed, there will be a period of consultation with GC members and Senate, ending with the HYM in February 2024. No Motion is required to be put to the HYM as part of the consultation but the views of GC will be sought and reported to the HYM.

When Court has taken account of the feedback from the consultation process and decided whether to seek Privy Council approval, the draft Ordinance will be submitted via the Scottish Government. The timescale for Privy Council approval is for it to decide, but it is unlikely that changes to the Ordinance will take effect before August 2024 at the earliest.

The committee discussed the increased scope for creating potential conflicts of interest when a wider group of staff become eligible for membership to the General Council and if any were elected to the Business Committee. It was agreed that there was no need for action on this meanwhile, but CSC would review the options next year when progress on revising the Ordinance is more certain. It was noted that any change was likely to require a Motion to a future HYM.

Action:-

- ***WD will take the report of the Working Group to the Business Committee meeting on 12 October;***
- ***A report will go to the Court meeting on 4 December and if approved there follows a consultation period with GC members and Senate;***

3. Election Protocol

The Committee approved the text in the attached document (Paper 3 from the BC meeting of 27 June 2023) subject to correction of some minor typos.

Action: - Final version to go to Business Committee meeting on 12 October for approval. WD will send the document to newly elected members beforehand for their comments/feedback. Any comments will be considered by the Secretary, Convener and Vice-Convener.

4. Any other business

None.

5. Date of next meeting

Thursday 9 November at 4.30pm in the Cheviot Room.