



THE UNIVERSITY of EDINBURGH

Senatus Academicus

Wednesday 29 March 2023 at 1:30-4:30pm

Online meeting

Microsoft Teams

CONFIRMED MINUTE

ATTENDEES: Peter Adkins, Steve Anderson, David Argyle, Michael Barany, Chris Beckett, Christine Bell, Shereen Benjamin, Daniel Bilc, Richard Blythe, Tom Booth, Julian Bradfield, Holly Branigan, Mary Brennan, Aidan Brown, Tom Bruce, Adam Budd, Celine Caquineau, Leigh Chalmers, Siddharthan Chandran, Alan Convery, Hope Conway-Gebbie, Sam Coombes, Mariana Costa Cruz Santos, Jeremy Crang, Juan Cruz, Sarah Cunningham-Burley, Jo Danbolt, Jamie Davies, Matuikuani Dax, Anne Desler, Charlotte Desvages, Simone Dimartino, James Dunlop, EUSA VP Education, Jite Eferakorho, Constantinos Eleftheriou, Daniel Friedrich, Stuart Gilfillan, Iain Gordon, Kim Graham, Liz Grant, Richard Gratwick, Yong Guo, Lorna Hamilton, Tobias Hansen, Tina Harrison, David Hay, Elaine Haycock-Stuart, James Hopgood, Jenny Hoy, Andrew Hudson, Emma Hunter, David Ingram, Aditi Jain, Tobias Kelly, Meryl Kenny, George Kinnear, David Langley, Dave Laurenson, Sam Maccallum, Antony Maciocia, Rebecca Marsland, Peter Mathieson (Convener), Alistair McCormick, Gavin McLachlan, Avery Meiksin, Carmel Moran, Steven Morley, Shatabdi Mukhopadhyay, Bryne Ngwenya, Robbie Nicol, Paul Norris, Matthew Novenson, Patrick Lennard, Ken Rice, Pablo Schyfter Camacho, Geoff Simm, Hamish Simpson, David Smith, Tim Stratford, Melissa Terras, Tamara Trodd, Uzma Tufail-Hanif, Jon Turner, Patrick Walsh, Stephen Warrington. Robyn Woof, Ben Wynne

IN ATTENDANCE: Sinead Docherty, Arlene Duffin, Lucy Evans, Olivia Hayes, David Matheson, Paul McGinty, Barry Neilson, Ella Ritchie, Tom Ward

APOLOGIES: Marialuisa Aliotta, Ruth Andrew, Matthew Bailey, Elizabeth Bomberg, Chandan Bose, Christina Boswell, Laura Bradley, John Cairns, Jane Calvert, Kevin Collins, Andrew Connor, Karen Dawson, John Devaney, Lawrence Dritsas, Paul Du Plessis, Murray Earle, Natasha Ellingham, Andrea English, Jay Evans, Darrick Evensen, Suzanne Ewing, Susan Farrington, Bob Fisher, Chris French, Benjamin Goddard, Pia Helbing, Melissa Highton, Aisha Holloway, Laura Jeffery, Zueb Jiwaji, Linda Kirstein, Simone Lamont-Black, Steff Lewis, Wendy Loretto, Jason Love, Ewa Luger, Catherine Martin, Heather McQueen, Damian Mole, Andrew Morris, Susan Morrow, Jade Naulty, Conchur O'Bradaigh, Diana Paton, Sarah Prescott, Rebecca Reynolds, John Reynolds-Wright, Simon Riley, Niamh Roberts, Ewelina Rydzewska, Marion Schmid, Jo Shaw, Mike Shipston, Izabela Skowronska, James Smith, Sarah Stock, Jonathan Terry, Robert Thomas, Nadia Tuzi, Christopher Weir, Lauren Byrne, Ryan Wereski, Isi Williams, Mark Williams, Alper Yildirim, Ingrid Young,

The Convener, Principal Sir Professor Peter Mathieson, opened the meeting however the meeting did not reach quorum. The meeting is reconvened from 8 February with outstanding agenda items carried forward. Senate proceeded to consider items of business and any items of business deemed contentious would be held over to be considered by a future quorate meeting of Senate.

The Convener reminded members of the etiquette for online meetings including discouraging members from using the meeting chat to make substantial points, reminding them that the chat is subject to freedom of information requests. The Convener noted that Senate Support would manage any vote's use the Teams voting function, and that non-members in attendance should not take part in any voting that may take place.

The Convener extended his thanks to Mr Tom Ward, Director of Academic Services for his support of Senate. Mr Ward departs from the University at the end of the week.

1. Senate Minutes - S 22/23 4A

- Minutes of Senate meeting held on 8 February 2023

To approve

The following amendments to the minute were raised:

- A correction to include attendees who were in attendance but missing from the record.
- An amendment to item S22/23 3B to minute the concern raised regarding Personal Tutors assigned to transgender students.
- An amendment to item S22/23 3C to reflect the differing viewpoints on Ordinance 212.
- A request to include the rationale for not circulating the paper submitted for Item 9: Legal Context of Senate Motions. It was asserted in response that no amendment to this item should be made as the paper was not considered at the 8 February meeting. The member noted their agreement for this to be recorded under Matters Arising of the 29 March meeting.
- A request to revise the minute of S22/23 3D & 3E to reflect the critical tone of discussions.

A request was made to record the majority associated with votes undertaken at Senate. The Senate Clerk would investigate whether numbers can be included for previous meetings.

Senate deemed the 8 February minutes contentious. The minute will be revised in light of comments and presented for approval at a future meeting of Senate.

A member raised a discrepancy in the 12 October minute. The member requested that section 2.1 (Minutes of Senate meeting held on 12 October 2022) be amended by including the following text:

A number of amendments were submitted and incorporated in advance of the meeting. There was a discrepant recollection about paper 2I (point 10 of the minutes), namely whether Senate had agreed to “approve” the paper formally. This was clearly and distinctly recalled by the member raising the point, but not reflected in the informal meeting notes or draft minute. In the interest of time, the convener was asked to allow this to be noted without a formal motion to that effect, but declined to do so.

The revision was deemed uncontentious and, though Senate was not quorate, it agreed to accept the amendment to the 12 October minute.

2. Matters Arising - Verbal Update

- **Senate Elections and Amendment to Senate Election Regulations [Minutes of 8 February 2023 meeting of Senate, Item 5]**

Senate reached quorum during consideration of this item.

Ms Olivia Hayes, Clerk to Senate, provided an update on the Senate and Senate Standing Committee Elections. There were 130 vacancies on Senate with 98 nominations received. An early review of nominations indicate that an election would be held in the CAHSS non-Professorial category to determine successful candidates. An election would be held to determine the terms of office in the CAHSS Professorial, CSE non-Professorial and CSE Professorial categories. The nomination period closed at 12noon, Wednesday 29 March.

A member asked whether it was possible for all nominations in the Professorial category and the CMVM non-Professorial categories to be reopened.

Ms Hayes noted that significant effort had been made to generate interest in the elections and that a further extension to the nomination period would impact on the election timelines previously advertised as well as the support available to conduct the elections.

A member queried whether colleagues who hold an Honorary contract are eligible to stand for election to Senate. It was noted that the Senate Election Regulations state that academic staff members who hold a contract of employment issued by the University are eligible to stand for election to Senate. Academic Services agreed to confirm the eligibility of staff who hold an Honorary contract.

The nomination period for Senate Standing Committees has closed. An election would be held for the Senate Education Committee to determine successful candidates.

The results of the Senate and Senate Standing Committee elections would be declared and published by the 19 May.

A member raised concern regarding Court's decision to overturn a proposed amendment to the Senate Election Regulations approved by more than 80% of Senate at its 8 February meeting on the bases of advice provided by Academic Services, external legal advisors and Legal Services. It was acknowledged that Court has the authority to make this decision irrespective of legal advice. The member identified in a summary of legal advice which was provided in an open Court paper relating to the relevant Court meeting two factual errors which they considered significant, regarding what Ordinance 212 actually states regarding elected members and regarding the relationship between at-large elected Senate terms and the terms of Senate Assessors

The Convener noted that Court received legally privileged and confidential advice on the amendment and Court agreed not to adopt the amendment. The Convener agreed that Court would be advised of the challenge to the legal advice received, subject to feedback received from Legal Services on the comments raised by the Senate member.

The University Secretary agreed to return this item to Court noting the challenge to the legal advice and Court would be responsible for determining how to proceed.

- **External Review – update on timelines**

The Convener provided an update on the timelines for the completion of the Senate External Review. Due to a high level of engagement with the review, the timescales for presenting emerging findings and submission of the final report have been extended.

Senate would receive a presentation of emerging themes and findings at its meeting on 24 May with the final report to be received in June.

- **Legal Context of Senate Motions/ Context of Some Recent Member Contributed Papers**

A member noted that a paper titled *Legal Context of Senate Motions/ Context of Some Recent Member Contributed Papers* submitted for inclusion in the 8 February meeting and included on the 8 February agenda marked as 'to follow'. A revised version of this paper was submitted on 8 March but was not included on the 29 March agenda (which was a continuation of the February meeting) on the grounds that it was not part of Senate's business

in February. The authors objected to the assertion that the paper was not part of Senate's February business noting that it was listed on the 8 February agenda and not withdrawn by the authors. The paper recorded obstacles experienced in proposing a Senate response to the University travel policy and a pattern of questionable actions by the Senate Convener, and challenged representations of law and procedure offered to Senate in paper S 22/23 2B. The following concerns were noted on behalf of the paper authors:

- The authors raised concern that the University Secretary and Academic Services demanded changes to the paper submitted for 8 February as a condition of circulating it.
- The authors confirmed with Legal Services that there is no document formally approved in law, by Senate or by Court that provides a basis for not permitting the paper to be included.
- The authors raised objection to the decision to withdraw the paper from the 29 March meeting and requested that the paper be included in the 29 March meeting. The authors noted that the decision to withdraw the paper raises serious concerns with the actions of the Convener which suggest a desire to suppress criticism.

The following points were made:

- Legal advice had been obtained which stated that the Standing Orders can be relied on and are instructive and of assistance in determining which person or body is responsible for determining what matters are put before Senate at a meeting of Senate. This position is supported by advice from the University's Legal Services team and external legal advice. The Principal, as President of the Senate, had received professional legal advice on this issue and was entitled to rely on that advice.
- The Sustainable Travel Policy is a critical issue and the policy impacts on the ability of staff to undertake their job within a reasonable framework. There is a cumulative effect of policies, including the Sustainable Travel Policy, which Senate members would like an opportunity to discuss at Senate. It was noted by Legal Services that the legal advice provided did not state that any particular matters were unable to be discussed at Senate.

The Convener noted that an earlier version of this paper focussed on the author's opinions about legal matters which were contrary to the legal advice received, and that the decision not to circulate the paper was based on legal advice alleging that the paper fundamentally misrepresented the law and may materially misdirect Senate as to legal matters, rather than a desire to suppress criticism nor prevent discussion on particular topics as suggested.

The University Secretary claimed that the language within the paper could be damaging if received out of context and without accompanying advice from the University's Legal Services team.

The Convener would consider receiving the paper at a future meeting of Senate. Any future inclusion of the paper on a future Senate agenda would be accompanied by a paper prepared by Legal Services given ongoing concerns about the accuracy of the author's statements on legal issues.

3. Laigh Year Regulations - S 22/23 4G

To approve

Ms Olivia Hayes, Clerk to Senate, introduced this item which was presented to Senate for approval. Court and Senate are jointly responsible for approving the Laigh Year Regulations.

Senate reached quorum and approved the Laigh Year Regulations as presented.

4. Senate Oversight of the Curriculum Transformation Programme (CTP) - S 22/23 4B

To note and approve

This item was introduced by Dr Tamara Trodd. There was discussion on this item held at the 8 February meeting of Senate. The paper has been revised following the 8 February meeting and in light of constructive discussions held with colleagues in the interim on the wording of the motions presented.

Senate members made the following points:

- The National Student Survey results indicate that something within the existing model is not working and institutional oversight is required to enact change.
- Work is ongoing around the decolonisation of the curriculum and discussions on the urgency of the climate crisis, which students wish to see reflected in their studies.
- The CTP presents an opportunity for disciplines to come together
- Further work is required to support and understand the resourcing and skills required to support the project. Allowing for work on the digital strategy and systems improvements required for the project to continue is essential to ensuring these are ready and adequately tested ahead of being rolled out.
- There is a gap in information on the costs associated with the project, for example, the proportion of student numbers on challenge courses and the FTE staffing expected to support challenge courses. This information is required ahead of significant investment being made.
- The University's QA processes should support curriculum enhancement and development. It was queried whether QA processes are robust enough to support Schools where feedback indicates difficulties.
- Further engagement work will be undertaken by the CTP with Schools to consider how the framework can be adopted in specific disciplines and areas. This is also intended to establish pinch points where further work is required and to help Schools to understand the resourcing implications of the project.
- There is general uncertainty, confusion and a degree of fear around what is to come from the CTP. Senate members are eager for clarity on key points and details where concern has been raised to be able to consider its support for the work to progress. Members raised concern regarding the transparency of the project and welcomed an ongoing dialogue on the development of the project.

Following discussion, Senate approved the amended paper on the following basis:

- It agreed to adopt Motion 3.1 as presented in the paper.
- It agreed to adopt the following amendment to Motion 3.2:

That the delayed implementation of the programme be used as an opportunity to review the CTP approach in order to minimise the risk of the final CTP design failing to meet approval with Senate. The review should articulate the key features of CTP as it is currently envisaged, and how it will improve the Edinburgh curriculum, with reference to specific features of the proposed new degree programme design; and what arrangements are contemplated for staffing and resourcing new curriculum and course models and associated features including institutional placements?

- It agreed to adopt the following amendment to Motion 3.3:

	<p><i>That the outcome of this review be discussed at the October 2023 meeting of Senate along with a motion to approve continuing the programme with the direction of travel subject to any revisions arising from the review.</i></p> <ul style="list-style-type: none"> • It agreed to adopt Motion 3.4 as presented in the paper.
<p>5.</p>	<p>Senate Role in the Response to People and Money Crisis - S 22/23 4C To note and approve¹</p> <p>Following a short break, Senate did not reach quorum and was inquorate for the remainder of the meeting. Senate agreed to proceed to consider non-contentious items of business.</p> <p>The Convener, with the agreement of the paper authors, provided Senate with an update on developments related to People and Money which have taken place since the 8 February meeting of Senate:</p> <ul style="list-style-type: none"> • An external review into People and Money is in the final stages of being commissioned by the University Court. Paul McGinty, Head of Internal Audit, confirmed that they are proceeding to the invitation to tender stage and that a Senate Assessor to Court will be engaged in the selection of the external reviewer. • The Principal has engaged Robert Fraser, former Director of Finance at Glasgow and Manchester, as an advisor to the Principal on operational matters relating to the handling of People and Money. This appointment followed consultation with an informal advisory group of some of the independent members of the Court and is separate to the external review and intended to provide support on immediate actions to support improvement. • The University has engaged its external auditors to conduct additional assurance work to understand the University's auditing position considering People and Money. <p>The authors introduced the paper. The paper outlines the significant and ongoing consequences and costs resulting from the implementation of the People and Money infrastructure. The paper seeks to formally ensure Senate is kept informed of and involved in the review of People and Money.</p> <p>Though Senate was no longer quorate, the Convener invited Senate to approve the motions outlined in the paper. All motions were deemed non-contentious and the paper was approved.</p>
<p>6.</p>	<p>Supporting a Negotiated Resolution to Industrial Action as an Academic Priority - S 22/23 4D To approve</p> <p>This item was introduced by Dr Michael Barany. The paper asks Senate to consider the current industrial action, a continuation of sector-wide industrial disputes of many years running, as bearing fundamentally on the academic mission of the university. The paper outlines a number of steps to support a negotiated resolution in the best interest of our academic mission.</p> <p>The Convener of the Academic Policy and Regulations Committee (APRC), Dr Paul Norris, provided an update on decisions taken at a recent meeting of APRC. The Committee considered and approved two temporary variations to academic regulations to mitigate against the impact of disruption on students, in line with the Taught Assessment Regulations:</p>

¹ Court has approved the commissioning, scope, and timescale of an external review of People at Money at its 27 February meeting. This scope includes the impact on academic matters and comments previously provided by Senate. The commissioning and associated costs of the review, and decision on handling of outcomes, sits within the scope of Court's powers rather than being a matter for Senate.

- APRC approved a temporary variation to permit schools to make changes after the start of a course without the approval of College or consultation with students and external examiners.
- APRC approved a temporary variation to relax the requirement to consult External Examiners when setting examination papers.

The Committee agreed that the temporary variations were urgent and necessary. The temporary variations and guidance on the application of these were communicated to Schools last week.

Though Senate was no longer quorate, the Convener invited Senate to approve the motions in turn.

Senate considered motion 2.1 to be non-contentious and this was approved.

Senate considered elements of motion 2.2 to be contentious.
Senate approved an amendment to split motion 2.2 as follows:

2.2a: University management has expressed a commitment to mitigate disruption due to strike action. Senate believes that the only sustainable and effective long-term mitigation in the best interest of students and the university's academic mission is a negotiated resolution that minimises the fact of strike action in the first place.

2.2b: It is a disservice to students, staff, our communities, and our public mission to limp along from strike to strike without comprehensively addressing the underlying issues at stake.

Senate considered motion 2.2a to be non-contentious and this was approved.

Senate considered motion 2.2.b to be contentious and this was not considered. This motion would be considered at the next quorate meeting of Senate. The following comments were made on this motion:

- The use of the word 'disservice' is not reflective of the efforts by staff in engaging with and attempting to resolve the dispute.
- Student members agreed that relying on mitigations rather than resolving the dispute was a disservice.

Senate considered motion 2.3 to be non-contentious and this was approved.

Senate considered motion 2.4 to be contentious and this was not considered. This motion would be considered at the next quorate meeting of Senate. The following comments were made on this motion:

- There may be unintended consequences of adopting this motion which are not adequately understood. This includes the challenge in achieving and maintaining quorum at Senate, which would be a significant risk to considering time-sensitive and critical decisions as proposed by motion 2.4.

Senate considered motion 2.5 to be contentious and this was not considered. This motion would be considered at the next quorate meeting of Senate.

Senate considered the overarching motion 2.6 and sub-motions 2.6.1 and 2.6.4 to be contentious and these were not considered. These motions would be considered at the next quorate meeting of Senate. The following comments were made on these motions:

- The University is part of national pay bargaining and therefore unable to deviate from the pay scales agreed via this process.

	<ul style="list-style-type: none"> The restoration of pension benefits is dependent on the valuation of the scheme and therefore a decision regarding the benefits and contributions is a decision for the members of the pension scheme. <p>Senate considered motions 2.6.2 and 2.6.3 to be non-contentious and these were approved.</p>
7.	<p>Honorary Degrees Withdrawal Procedure - S 22/23 4E To approve</p> <p>This item was introduced by Ms Lucy Evans, Deputy Secretary, Students. Ms Evans noted that a review of the Procedure was undertaken following Senate's approval to withdraw an Honorary Degree and comments relating to the associated Procedure. Under the revised Procedure the decision to withdraw an Honorary Degree would remain with Senate.</p> <p>Though Senate was no longer quorate, the Convener invited Senate to approve the paper. The item was deemed non-contentious and approved.</p>
8.	<p>Senate Standing Committee Membership – outstanding membership items - S 22/23 4F To note and discuss</p> <p>This item was introduced by Mr Tom Ward, Director of Academic Services. This paper provides Senate with an update on the motion from the 12 October 2022 meeting, for the Conveners of the three Senate Standing Committees to propose reasonable additions to their Committees to improve Black and Minority Ethnic (BAME), student, and trade union representation.</p> <p>Mr Ward noted that the principle of the motion is supported, however the mechanisms to achieve this are challenging. In considering the motion, Conveners had consulted with relevant departments for input, including Human Resources and the Students' Association. There is a lack of clarity on how to adequately achieve the principle of the motion and ensuring that other groups with protected characteristics are appropriately represented. The paper authors would value the input of the external review in achieving Senate's request and they recommend that the motion be held over until the external review of Senate has concluded so that changes to membership can be considered as part of the actions and recommendations arising from the review.</p> <p>Senate members made the following points:</p> <ul style="list-style-type: none"> The University's commitment to decolonisation should extend to the composition of its Committees, including Senate Standing Committees. Senate first expressed its support for the motion at the 11 August meeting, and reiterated its support again at the 12 October meeting. Members noted that the objections have been raised at previous meetings and there has been adequate time and latitude for Conveners to consider and make progress on the actions approved by Senate and as outlined in the motion. The failure to progress the actions raises concern regarding the delegation of decision making to Standing Committees.

ITEMS FOR FORMAL APPROVAL OR NOTING

9.	<p>Research Strategy Group update - S 22/23 4H To note</p> <p>Senate noted the paper.</p> <p>Senate members raised the following points on the item:</p>
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| | <ul style="list-style-type: none">• The report does not include reference to anti-casualisation measures and it would be useful for the Research Strategy Group to consider using REF income towards anti-casualisation measures. |
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The Provost, Professor Kim Graham noted that work in this area is underway and being led by the Director of Human Resources, James Saville.