

Report of the Effectiveness Review of the Court of the University of Strathclyde

2 October 2022

Professor Sir Pete Downes

1. Introduction

In spring 2022 I was pleased to be invited to act as consultant and external facilitator of the review of Court Effectiveness at the University of Strathclyde. As a requirement of the Scottish Code of Good Higher Education Governance (henceforth 'the Code'), an externally facilitated review should be conducted at least every five years. This review fulfils this requirement, the previous such review at Strathclyde having been conducted in 2017.

This review was overseen by a Steering Group established by the University Court and Chaired by the Convener of Court, Dame Sue Bruce. The Steering Group set out a number of priority areas, from Court's perspective, for the review to consider. These are reflected in many of the main themes of this report, alongside other topics that emerged in the course of the review. The scope of my involvement in the review was not, however, restricted by the Steering Group's guidance: throughout the process I have felt able to pursue any line of enquiry according to my own judgment.

The review has been carried out through a combination of review of documents and consultation with Court members, the University's leadership, and the secretariat to the Court.

In July 2022, Court members were issued with a questionnaire, which was an expanded version of a feedback questionnaire used annually. Member responses were collected through an electronic system that preserved anonymity, and were shared with me, members of the Steering group, and the secretariat of the review. Responses to one question, focused on the performance of the Convener of Court, were shared with the Vice-Convener of Court, in her role as 'intermediary' (in the sense laid out in the Code).

I then met with members of Court and members of Court's committees in small groups, drawing as appropriate on common themes in the questionnaire responses to shape these conversations. All members of Court from the academic year 2021/22 and two other former student members of Court were invited to take part. Not all of these members were available. Notably, I was unable to meet union-appointed members of Court or student members (I did meet the newly elected Student President, a member of the Review Steering Group, but he had not yet participated in Court business).

As part of this series of meetings, I met with the University's Principal and Vice-Principal, in their dual capacities as members of Court and the leadership of the Executive, and with the officers who primarily support the Court, the University Secretary and the Head of Governance & Public Policy.

My report draws on evidence from both the questionnaire and the review meetings. In addition, I had the opportunity to review key documents, providing background reassurance that appropriate, compliant procedures and practices are in place.

From these combined sources of evidence, I have been left with a clear sense that there is overall a robust system of governance at Strathclyde, with a strong sense of trust and

constructive challenge between the Court members and the Executive. As one lay member put it, “governance is embraced not just tolerated”.

This report, therefore, focuses on opportunities for further enhancement. Each of the thematic sections below provides discussion of my main findings, followed by summaries of what is notably working well and any ‘areas for further consideration’, where there may be scope for enhancement.

2. The Delegated Authority Framework

This review examined the framework for Court’s delegation of authority in the context that an internal review of this area was already planned, with the intention to take into account best practice from other institutions in addition to considering local needs. This is a welcome example of a pro-active approach to enhancement. Instituting a regular programme of reviews for the future would put this on a footing of truly continuous improvement.

What works well

Feedback from members of Court was overall highly positive, conveying confidence over roles and responsibilities and general satisfaction with the clarity and appropriateness of the existing framework. When asked to comment on this during our discussions, the Committee convenors confirmed their view that “the degree of delegated authority is clearly understood all round”. This suggests that the planned internal review should aim at enhancement and focused reform, rather than wholesale change.

Areas for further consideration

The present review is limited to a high-level view of governance, taking evidence mainly from Court members and members of Court’s committees. The planned review of delegated authority should, therefore, pay particular attention to other perspectives within the University, to investigate whether the sense of clarity and degree of knowledge generally felt by Court members is reflected by others who interact with governance systems. While it seems unlikely that major problems could exist at other levels without some impact on Court, the review of delegated authority should aim to provide assurance on this point.

One member of Court did suggest that there is scope for greater clarity from the members’ perspective, commenting that more information about pre-Court approvals processes would be helpful. My understanding is that the primary sources of information about these processes are the Schedule of Delegated Authority itself and the reporting of process in relation to individual items of Court business, in committee reports to Court and in brief indications on the cover sheets on Court papers. These seem the appropriate means, but there is reason to examine whether improvements could be made in how this is carried out and effectively communicated. I **recommend** that the planned review of delegated authority should consider ways in which the Schedule might be conspicuously flagged and used to clarify further the standard routes to approval, alongside the specification of delegated authority.

In addition, I **recommend** that the University should consider the establishment of a regular cycle of reviews of the delegated authority framework.

3. Balance of Oversight and Agility

Court’s confidence in its delegation of responsibilities is dependent not only on the clarity of the relevant framework (as discussed above), but also on striking a balance such that the

executive can act authoritatively, at pace and with an appropriate level of scrutiny. The same applies to Court's relationship with its committees. As part of this, Court must be satisfied that there is a shared understanding across the institution of appropriate and acceptable levels of risk.

Evidence from this review suggests that the governance structures and culture at Strathclyde foster this balance effectively. I was presented with recent examples of how Court has constructively challenged the Executive, for example to perform additional diligence work before certain projects were approved. These examples also illustrated how the University's governance arrangements encompass suitably flexible processes to allow challenges from Court to be addressed without causing undue delay (for example, in one case Court stipulated approval subject to completion of further work that would be signed off by Court Business Group).

In our meetings, the lay members of Court were able to give clear examples of scrutiny and intervention which had influenced decision-making within Court and beyond. Reflecting the general tone of the feedback, one observed that "robust challenge is treated with respect and professionalism".

In any organisation, time-critical activity can fail to align well with fixed meeting cycles. Strathclyde's main tool to provide for the execution of governance requirements under such circumstances is the use of Convener's Action. This must be homologated by the full Court at its next meeting and the Convener is required to consult appropriately before taking any significant actions on behalf of Court. These arrangements appear to be well established and widely understood and I am satisfied that they contribute appropriately to effective governance, including timely decision-making where appropriate.

I find the University's processes for managing risk to be appropriate and I note that they are undergoing further enhancement. In addition to an established risk register with a regular cycle of update and presentation to Court, the University has been developing a systematic and transparent approach to risk appetite, which was created with substantial input from Audit & Risk Committee and presented to Court at its most recent meeting. This should help to ensure that there is a shared, prior understanding of the different levels of risk that are appropriate in different domains. While there is no evidence of any current problem in this area, more systematic consideration and communication of risk appetite represents a significant assurance mechanism and, as such, a notable enhancement to good governance.

What works well

The University succeeds in taking advantage of many opportunities as they arise and in developing new initiatives at pace where this is appropriate, advantageous and aligned with agreed strategic priorities. At the same time, Court members are content that they are provided with both the information and the opportunities they require to scrutinise the University's activities meaningfully and so to exercise good governance.

The development of risk appetite statements is a good example of continuous improvement. It appears to have been done well and has been welcomed by Court members: feedback in the course of the review included the observation that at least one Court member has already drawn on Strathclyde's risk appetite framework as an exemplar for other organisations.

Areas for further consideration

While the evidence of this review points to an overall effective balance between agility and oversight, the University should take the opportunity of the ongoing review of its delegated authority framework (see above) to check for any practical issues that might affect this balance. Where scope for enhancement is found, the University and Court should examine how adjustments to the Schedule of Delegated Authority might achieve this.

The University should continue to develop its work on risk appetite, on the basis of the well-received initial outputs in this area. The clarity and confidence that this should give to Court will provide further underpinning for activity that is, in line with the University's Values, 'bold' and 'ambitious'. I **recommend** that an understanding of risk appetite underpins relevant aspects of the imminent development of Strathclyde's next 5-year strategic plan.

4. Student and staff members of Court

In line with statutory requirements, the University Court includes two student members, two directly elected staff members and two members appointed by recognised trade unions. In addition, Strathclyde's Court includes two members elected by the Senate. As noted in the introductory section, I was unable to meet with those staff members appointed by recognised trade unions and the newly elected student President had not yet participated in Court business. I **recommend** that staff members appointed by recognised trade unions and student members are consulted as soon as is practicable and their views as appropriate incorporated into ongoing monitoring of the Court's performance.

Nevertheless, I received reassurances that the staff and student members of Court are in every way full members of Court, as is the expectation of the Code of Governance, and that they contribute fully. This is recognised and valued by the lay members: comments from lay members included that "there is a high degree of equality", with no perceived difference in the way members are treated. For lay members with a background outside of higher education, the involvement of students is a notable aspect of university governance. It was observed that "the University goes out of its way to make the student representatives feel valued" and that "student representatives have made an enormous contribution".

At the same time, it must be recognised that the position of student or staff Court member has particular dimensions and, sometimes, specific challenges.

Strathclyde is somewhat unusual in the sector in that a subset of the Court membership (generally belonging to the staff and student categories) take part in pre-Court meetings, which usually take place a few days prior to the full Court meeting. From my discussions with the relevant members, it was clear that these meetings are generally viewed as an opportunity to clarify understanding of the papers and provide feedback that might affect their presentation at the main meeting. On the part of the University, the pre-meetings reflect a recognition that staff and student members of Court are likely to have limited experience in non-executive roles and so may benefit from this opportunity to raise questions outside of the formal Court setting. The positive potential of this must be balanced with an awareness of possible negative effects on discussion at Court meetings.

What works well

It is clear that Strathclyde takes seriously the idea, emphasised in the Code, that staff and student members of Court are full and equal members, while recognising that there are distinctive elements to their roles.

Based on the feedback gathered for this review, I am satisfied that the pre-meetings generally have a positive influence on the quality of discussion at the Court meeting and that they can be helpful for both the staff and student members themselves and for those who benefit from their early feedback on the Court papers.

Areas for further consideration

While, as noted above, the pre-meetings seem to bring the intended benefits, all parties should remain alert to potential downsides. It would be natural for matters discussed at the pre-meeting to be considered to have been 'dealt with', but in many cases what is raised at the pre-meeting will be relevant to Court's discussions – and, as a general rule, the reactions of all Court members should be of interest to Court. There is a risk with any such approach that it could become a parallel forum for discussions that should happen at Court. All those involved in the pre-meetings should remain vigilant to this risk. I **recommend** that the influence of these pre-meetings on the quality of discussion at Court meetings and how they are perceived by those attending should be reviewed on an annual basis.

A difficulty with the pre-Court meetings, as reported in both the questionnaire and the review meetings, is that there can be little time to digest the papers which were often circulated at quite short notice relative to the meeting itself. There was clear recognition that there was little that could be done to mitigate this, however, all efforts should be made to ensure that sufficient time is available for staff and student members to adequately review papers prior to the pre-meetings.

The questionnaire responses prompted discussion of the distinction between strategic and operational input. Fundamentally, operational decisions are the responsibility of the executive leadership of an institution, while the governing body should adopt a more strategic perspective, concerning itself with operational matters only insofar as they are subject to proper oversight and/or contribute to effective monitoring of progress underpinning the institutional strategy. At the same time, one of the staff members' key contributions to Court is their knowledge of the University at an operational level. While this knowledge should not be used in a Court setting in a way that seeks to influence the operational responsibility of the Executive, staff Court members should be confident to use their knowledge where doing so contributes to fulfilment of Court's responsibilities. This undoubtedly requires subtle judgments on occasion and the role of staff member of the governing body is correspondingly a challenging one at any institution.

In the course of the review, I learned that these issues have been addressed recently at Strathclyde, the University Secretary having met with staff and student Court members to provide discussion and support. Discussions on this subject within the review meetings clearly reflected this recent discussion and were very positive. To carry this progress into the future, I **recommend** that Court induction materials are updated to give greater focus to the proper scope of how operational knowledge may be of value in strategic contexts.

5. Diversity

Strathclyde's values include being collaborative and people-oriented and the University describes itself as socially progressive. It behooves the governing body of any institution to epitomise such values and the diversity of the governing body is a visible test of this. Moreover, diverse viewpoints and backgrounds bring additional strength to ideation, decision making and oversight.

The questionnaire responses and my discussions with Court members both indicate that there has been positive progress in relation to equality, diversity and inclusion, and further that there is widespread recognition that there is still much work to do. The gender balance of Strathclyde's Court is notably very good: for a number of years, the University has maintained something close to parity, with women making up the slight majority of Court currently.

The composition of the Court membership, including its balance of skills and attributes and its diversity across various parameters, was recognised to be a constant work in progress, as members are recruited annually. We discussed recruitment processes and the strategies in place to ensure that the pool of applicants is both suitably wide and appropriately targeted. Our discussions on diversity encompassed gender, ethnicity, age, location and connection to the university (as one member put it, "not every member is a Strathclyder", although it is appropriate that a number of Court members are alumni). I am reassured that Strathclyde's Court will continue to strive to improve the diversity of its membership.

What works well

The gender balance of the Court is good and so is the distribution of leadership roles within the Court and its subcommittees. Moreover, this was evidently a source of pride among Court members. There is a clear determination to maintain this while aiming to increase diversity of other kinds. There is some variety of ages and experience, as well as international membership.

The recruitment of Court members is led by Court Membership Group, and longlisting is delegated to an agency. The secretariat works with the agency to ensure that diversity is prioritised and achieved in this longlist.

Areas for further consideration

It was generally recognised that the ethnic diversity of the Court did not directly reflect that of the general Scottish population. I am satisfied that steps are being taken to widen the diversity of membership and I encourage continuous efforts to investigate what more could be done. In this context, I **recommend** that the Court regularly review its recruitment criteria with a view to widening the diversity of membership.

As one member noted in the questionnaire, a commitment to improvement in this area does not entail commitment to a particular approach, or even a particular set of assumptions, and there is room for discussion at this level. The focus should be on identifying effective actions to achieve agreed outcomes.

Aside from Court's own composition, governance practices can affect the consideration of equality, diversity and inclusion elsewhere in the University. I was alerted to one relevant proposal during the review, a suggestion that Court papers should standardly and prominently include assurances that any relevant Equality Impact Assessment has been undertaken. I **recommend** that this (and/or similar proposals) be considered for implementation in the near future.

6. Communication and the Visibility of Court

Based on the feedback presented to this review, communication within Court and between the University and Court is generally good. There are indications – perhaps inevitably – that Court members' sense of connectedness was impaired during the Covid-19 pandemic, but it may be expected that this will recover as that period of disruption is left behind. Moreover, I

understand that the University continued to put in place enhancements to communication with Court during the pandemic, including initiating regular sharing of the staff bulletin and other communications to provide a more comprehensive and up-to-date sense of the breadth of the University's activities.

Court members understand the nature of their role and feel well informed. There is evidence of isolated examples of members feeling that feedback on their own performance could be better and, relatedly, that their skills and knowledge could be used in more targeted ways. In this context, it is noted that the Convener was not able to hold one-to-one discussions with each and every Court member in the summer of 2021, as would usually be standard practice, owing to exceptional circumstances at the time.

The review has also generated discussion of Court's outward communications. The visibility of the governing body can be a challenge for any organisation and there is evidence of good practice at Strathclyde in this respect: for example, I heard that it is regularly and clearly communicated to staff in leadership positions that the Principal is answerable to Court for delivering strategic outcomes, to foster a proper understanding throughout the institution of the governance context for the University's operations. Nonetheless, the visibility of Court is an area in which enhancements may be sought and there is interest among Court members to do this. As one lay member put it, "How do we give people an insight, illustrating what Court does and to what benefit?"

What works well

In addition to there being appropriate systems and practices in place for communication with Court members, there is evidence of a strong culture of openness and approachability among the Court leadership and relevant University officers, such that members should feel empowered to bring forward any concerns or requests for information. Court members are kept well informed of the University's activities on an informal basis. Meanwhile, the type and quantity of information put forward more formally, in Court papers and presentations, received much positive feedback in the course of this review.

Areas for further consideration

Meetings between the Convener and individual Court members are an important opportunity to take stock and to ensure any issues can be raised. While the absence of these meetings for one year was exceptional, I **recommend** that the University and Court leadership should take steps to ensure that these meetings take place in all future years and put in place contingency plans for any future situation in which a Convener is unable to participate in this process.

Enhancements to communication with Court put in place during the pandemic are likely to remain of value as conditions return to a new normal and I **recommend** that these approaches are incorporated where appropriate into future practice.

Consideration should also be given to how the visibility and wider understanding of Court might be enhanced. Through our discussions, various ideas were put forward by members, including the suggestion to "use the strategy development process to bring Court more to the fore and give it greater visibility". The annual stakeholder meeting held in accordance with the Code of Governance is another opportunity to do this. Potential new uses of this meeting could be considered. Other approaches might include finding opportunities for different groups from

within the University community to meet with Court members in informal environments, perhaps on the day of a Court meeting.

Court might also reflect on how individual members of Court might contribute to enhancing the visibility of Court. For example, staff members might help to spread knowledge and understanding of Court through their interactions with members of their respective staff communities, while other Court members might exercise a similar 'ambassadorial' role in other communities. I **recommend** that consideration of how the visibility and understanding of Court throughout the University can be enhanced should be incorporated into the strategy development process.

7. The Operation of the Diverse Committees of Court

The six designated committees of Court are:

- Court Business Group
- Court Membership Group
- Audit & Risk Committee
- Remuneration Committee
- Enterprise & Investment Committee
- the Statutory Advisory Committee on Safety & Occupational Health

These committees are highly diverse in their remits, constitutions and membership, but in each case the details seem appropriate to the role required of the committee and there is a clear line of responsibility to Court. In the case of the Enterprise & Investment Committee, its business also interacts in particular ways with the responsibilities of the executive, there being necessary limits on the scope of members' investment advice in a strategic context. This has been appropriately addressed and stated within the committee's terms of reference, providing clarity for all parties.

Strathclyde also has corporate-level 'strategic committees' in key areas of business. These are not committees of Court and are chaired by senior members of the Executive. However, two of them include Court members among their membership and provide reports to meetings of Court. These are the Estates Committee and Staff Committee.

In some institutions, the equivalent committees would have the status of committees of Court. The rationale given for Strathclyde's approach is that it provides for clarity over the responsibility of executive officers for the key operational domains of Estates and HR, while maintaining a strong and visible connection to Court, of a kind that facilitates appropriate scrutiny. Based on feedback from Court members, including relevant committee members, I am satisfied that this model generally functions effectively and provides for suitable oversight by Court.

The feedback did point to some dissatisfaction with the combination of strategic discussion and operational detail in the Estates Committee. This was raised as an issue for the efficiency of the committee, not a challenge to good governance. My understanding is that this committee is already subject to an internal review, with a focus on these very issues, and that an appropriate separation of strategic and operational discussion is expected to emerge from this. From Court's point of view, it is important that any new arrangements maintain or strengthen Court's ability to exercise oversight of the major strategic issues handled by the Estates Committee. This should be treated as a high priority for the on-going review. Provided

this is the case, the review is to be welcomed: a clearer separation of operational and strategic concerns should further clarify strategic matters from Court's perspective.

Currently, Court's Deputy Conveners for Estates and Staff are also the Deputy Conveners of the relevant strategic committees, on an *ex officio* basis. I **recommend** that this arrangement be maintained and/or that any new arrangements ensure at least an equivalent level of involvement and influence on behalf of Court in both of these important committees.

There are three more strategic committees: Education Strategy Committee, Research & Knowledge Exchange Committee – both of which, quite properly, have a close relationship to Senate rather than a direct relationship with Court – and Information Strategy Committee.

Overall, I am satisfied that the committee structure is appropriate for the exercise of good governance and functions effectively.

What works well

Feedback from Court members and co-opted external committee members paints a picture of an effective network of committees that succeed in providing specialist oversight and strategic discussion in appropriately delegated areas, on behalf of Court, and in reporting back to Court such that Court can carry out all of its primary responsibilities in an informed way. Committee members have a clear sense of their roles and Court members have confidence in the committees.

There is clear evidence of a pro-active approach to continuous improvement, exemplified in clarification of the role of the Enterprise & Investment Committee in recent years and the on-going review of the Estates Committee.

Areas for further consideration

The existing culture of improvement should be maintained and built upon and it should be ensured that this extends to all committees. To this end, I **recommend** that Court and the University should consider instituting a programme of regular reviews of the University's top-level committee structure to ensure that the committees of Court and the strategic committees are of the right number and kind to address current needs. As part of this, the membership, remit and terms of reference of each committee should be reviewed and clarity of relationships to Court and to the executive should be examined.

One area for possible improvement, as suggested in feedback from Court members, concerns Court members' knowledge of the different committees' work. While there are high levels of confidence in the committees' ability to fulfil their governance roles, some Court members would value greater familiarity with each committee. The detailed annual reports provided by committees including Audit & Risk and Enterprise & Investment are clearly appreciated by Court members and consideration should be given to enhancing this communication and to ensuring that it is consistent across the committees. One potential means of doing this would be a programme of brief presentations to Court by committee Conveners. Consideration might also be given to Court's receipt of committee reports, where there may be more scope for more active consideration of each report – although I understand that there is already good practice here, insofar as all reports are explicitly noted within meetings, rather than being simply noted on the agenda and mentioned by exception.

It was observed that this Effectiveness Review had provided an unprecedented opportunity for the Conveners of Court's committees to meet and compare their experiences. The

Conveners noted the value of this and expressed support for doing so on a more regular basis in order to share good practice and provide peer support. I **recommend** that the University consider how this might be implemented and supported to best effect. In addition, I **recommend** that the University review and, where appropriate, enhance the information and induction provided to new committee conveners, taking into account the differences between committees but also what they have in common. While there are no indications of any current problems in the leadership of Court's committees, this would provide valuable assurance for the future.

8. The Governance of Institutional Strategy Development

One of the key responsibilities of any University governing body is to approve and exercise 'ownership' of the University's strategy, in order to monitor progress in pursuit of agreed strategic objectives and for members to fulfil their ambassadorial roles on behalf of the University. It has been observed that the present review is especially timely with respect to this element of Court's function, given that Strathclyde is due shortly to begin the process of developing a new strategic plan, which will cover the period 2025-2030.

In order to fulfil this fundamental responsibility, Court members need to have a clear understanding of the strategic context, a suitable depth of understanding of the University's current and potential activities and opportunities to discuss relevant issues and proposals. From the evidence of this review, I am convinced that Strathclyde has in place both a culture and specific practices that will foster rich and well-focused engagement by its Court in the development of the strategy. Feedback from Court members included numerous positive comments regarding the two dedicated strategy meetings that are held each year, including a two-day residential event held in November/December. It is clear that Court members derive a great deal of value from these events, as opportunities both to learn and to make active contributions.

The development of a new strategic plan may provide a particular context to exercise the 'ambassadorial' role of Court members both within the University and externally (see section 6). In general, I found evidence of a good understanding of the different roles of Court and the Executive in the development of the University's strategy. The consultative approach being taken to the strategic plan development is another indicator of good practice.

What works well

Strathclyde is a university with a clear identity and mission: it was noted in the course of this review that external assessment exercises, such as the QAA Scotland's Enhancement-Led Institutional Reviews and the Research Exercise Framework, regularly include acknowledgement of this strong sense of identity and shared purpose. This suggests clear strategic leadership at the level of the Executive and Court, an impression confirmed in feedback from Court members in the context of the present review.

Areas for further consideration

The process for preparation of the strategic plan is properly a matter for the Executive, but Court should satisfy itself that an appropriate process is undertaken, in particular with regard to mechanisms for consultation with the University community and other stakeholders and, importantly, feedback following this consultation. Court should also have ample opportunities to participate in the strategy development process directly.

In the spirit of continuous improvement, consideration should be given to how the already successful Court strategy sessions might be enhanced still further. For example, it is clear that a number of Court members value especially the small group discussions included in some of these strategy meetings. There may be scope to expand or further exploit these activities.

9. Organisation, Meetings and Remote Participation

Feedback from Court members suggests high levels of satisfaction with the organisation of meetings, the nature and quality of meeting papers and opportunities for members to contribute. During our discussions, the committee convenors expressed appreciation for the support they receive.

Members generally feel empowered to offer appropriate challenge, a crucial element of effective governance. I was presented with a number of examples of how challenge brought by Court members, in the context of Court or committee meetings, drew significant responses from the Executive, in the form of revised or enriched processes and/or further information to support Court's decisions.

On the practical level, an issue of widespread current interest is the use of remote participation in meetings. Following the necessary use of fully online meetings during the Covid-19 pandemic of 2020-21, it has become the norm for meetings to have a 'hybrid' element, with some participants joining online in otherwise in-person meetings. This is recognised as bringing both opportunities and challenges for many organisations. This review heard a range of views on the use of remote participation, but found a clear consensus on the broad approach to be taken.

Court members agreed that hybrid meetings are destined to be seen increasingly as a standard for business and that they have many positive features. By enabling participation in meetings for those who cannot attend in person, the option to join online not only aids the business of Court but also potentially makes a positive contribution in terms of accessibility, inclusion and even the future diversity of Court. The possibility of remote participation certainly has the potential to reduce the burden of Court membership for those with disabilities or caring responsibilities. Some Court members observed that it could also open up membership on a more international scale, which could help to increase diversity in other ways, as well as enabling Court to expand its access to individuals with particular skills or experience. It should be noted that this suggestion is in effect already being trialled, to a degree, as one of the newer members of Court is based primarily in the USA, although a frequent visitor to Glasgow and able to attend a number of meetings in person. My impression is that this arrangement is working well, although it must be recognised that working with a consistently remote participant would be a different scenario, the implications of which would need to be thought through carefully.

Alongside this recognition of the positive aspects of online participation, there was also a strong consensus around the value of in-person interaction. Many Court members emphasised that this is important in numerous ways. Most obviously, it encourages greater familiarity among Court members, which promotes mutual understanding and a sense of collective endeavour. It also can have more concrete advantages: it was observed that very helpful conversations can happen when people gather outside of the formal meeting setting, such that members not only feel better connected but become better informed. This can include opportunities to convey any concerns or suggestions regarding Court membership and

so may also contribute to Court's continuous improvement (see section 6 for relevant discussion).

Note that this has implications for any future member who would be largely or wholly a remote participant: given the recognised advantages of in-person participation, it would be impossible to provide equality of experience for such members. Relevant mitigations would need to be considered.

What works well

As noted above, it is clear from members' feedback that the overall organisation and conduct of Court meetings and the quality of meeting papers are all felt to promote effective governance. Alongside positive comments, the feedback received in the review included some individual suggestions for improvement, which should be considered, but there was no indication of any emerging concerns shared by multiple Court members.

Effective use of remote participation in meetings depends on suitable technical infrastructure and support, as well as the acquisition of new competencies by meeting participants, conveners and those responsible for recording and reporting on the content, discussions and outcomes of meetings. Feedback suggests that there has been a steady improvement in these areas over the course of recent Court meetings, reflecting a natural process of adjusting to the post-pandemic 'new normal'. I understand that new equipment has very recently been installed in the rooms usually used for Court meetings and that the experience of hybrid meetings is therefore likely to improve still further.

Areas for further consideration

A clear consensus emerged from the review with respect to the question of remote participation. Essentially, this is that joining Court meetings online should be considered to be an option, standardly, for those with a good reason not to attend in person, but that there should remain a strong assumption that attendance in person is the norm and this should be encouraged wherever possible. I fully agree with this approach and **recommend** that it is adopted explicitly, with consideration given to how and where the relevant expectations should be recorded and publicised. Adopting such an approach requires conveners and others to ensure equal opportunities to contribute and to participate in full for all attendees, regardless of whether they are present in person or online.

A number of Court members suggested that it would be reasonable to require in-person attendance on certain occasions, especially where the focus of an event is primarily social or otherwise highly interactive. One suggestion would be for the two-day winter strategy session, and possibly other strategy sessions, to be strictly in-person events. I would concur that there is value in maintaining a requirement for physical attendance at some events and I encourage the leadership of Court to consider such options. I note that some of the activities that are particularly valued by a number of Court members are based in close interaction, such as the small group discussions that are often used in strategy sessions.

In addition, I **recommend** that consideration be given to how informal, social elements might be worked into the programme of any on-campus meeting day, in order to maximise the recognised benefits of face-to-face interaction. As noted in section 6, these might on occasion also be used to introduce Court to other members of the University community.

Annex 1: Review of Senate's Effectiveness

This report focuses on the effectiveness of the University of Strathclyde's Court, reflecting the focus of my direct involvement in the review process.

The *Scottish Code of Good Higher Education Governance* (paragraph 49) states that "As part of these processes [i.e. the externally facilitated review of Court] or separately, the effectiveness of the academic board (also known as Senate, Senatus Academicus or academic council) is expected to be reviewed similarly." In parallel with the review of Court, the University undertook a process to review of the effectiveness of its Senate. This comprised a questionnaire sent to all members of Senate and responded to by a substantial majority, with a detailed summary of the responses received.

I have received the final report of this review process. The questionnaire responses provide ample evidence of a strong consensus amongst its members that Senate continues to function effectively.

On the basis of this evidence, I judge this review of Senate to have been conducted appropriately and I am satisfied that the University has fulfilled the requirements of the Code with respect to both the Court and the Senate.

For Court and Senate each to function effectively Court must delegate responsibility for oversight of the academic work of the University to Senate, so it is important that Court members themselves are fully satisfied that the Senate fulfils its role effectively. Future reviews of Senate effectiveness might include specific questions addressed to Court members to address this point.

Annex 2

Membership of the Review Steering Group:

Dame Sue Bruce, Convener of Court
Paula Galloway, Vice Convener of Court
Stephen Ingledew, Lay Member of Court
Linda Brownlow, Staff Member of Court
Benn Rapson (2021/22) / Adam Morrow (2022/23), President of the Students' Association
Dr Stuart Fancey, University Secretary

Secretariat to the Review:

Dr Daniel Wedgwood, Head of Governance & Public Policy
Dr Sarah Parry, Senior Policy Officer
Dr Helen Young, Research Policy Manager

Appendix: Participants in the review meetings

<i>Group</i>	<i>Attendees</i>	
Principal & Vice Principal	Professor Sir Jim McDonald Professor Scott MacGregor	
Convener of Court	Dame Sue Bruce	
Vice-Convener	Paula Galloway	
Steering Group	Dame Sue Bruce Paula Galloway Dr Stuart Fancey Linda Brownlow Adam Morrow Stephen Ingledew	
Committee Conveners	Paula Galloway (Audit & Risk Committee) Peter Young (Statutory Advisory Committee on Safety & Occupational Health) Melfort Campbell (Remuneration Committee) Dame Sue Bruce (Court Business Group, Court Membership Group) Gillian Hastings (Enterprise & Investment Committee)	
Governance management	Dr Dan Wedgwood Dr Stuart Fancey	
Lay members of Court (meeting in small groups as indicated)	<u>Group 1</u> Paula Galloway Peter Young Melfort Campbell Alison Culpan <u>Group 3</u> Neelam Bakshi Gillian Hastings	<u>Group 2</u> Mary Jo Jacobi Susan Kelly Malcolm Roughead Virginia Beckett Stephen Ingledew
Staff members of Court	Linda Brownlow Elaine Blaxter Professor Jonathan Delafield-Butt	
Co-opted external members of Court Committees	Catriona Schmolke Fred Hallsworth Kerry Alexander	