

APPOINTMENT OF CHAIR OF COURT

1. This paper summarises the process for the appointment of the Chair of Court and the decision of Court to confirm the appointment of Mr David Brew with effect from 16 May 2023.

Summary of the appointment process

2. Court considered the regulations and process for the appointment of the new Chair of Court at its meeting on 14 September 2022, noting that the Higher Education Governance (Scotland) Act 2016 ('the Act') sets out the requirements for this.
3. At the September meeting, Court approved in principle the regulations and process for the appointment of a Chair of Court and agreed to set up an Appointment Committee to oversee the process and to finalise the regulations.
4. The membership of the Appointment Committee was:

Chair *	Ms Heather Dunk
Four independent members of Court*	Mr John Barnett Ms Lynne Hamilton Mr Tony Marks
Principal and Vice-Chancellor	Professor Liz Bacon
A staff member of Court (who may be an elected staff member of Court or trade union nominated member of Court)	Dr Hadi Mehrpouya
A Students' Association nominated member of Court	Ms Olivia Robertson
The Senate nominated member of Court	Ms Claire MacEachen
<u>In attendance</u>	
Secretary	Ms Caroline Summers
Deputy Secretary	Dr Dianne Peden

** Normally the Committee would be chaired by the Vice-Chair of Court, however if the Vice-Chair of Court has a conflict, then the remit states Court will appoint one of the four independent lay members as Chair of the Appointment Committee. The number of members on the committee therefore reduces to eight in those circumstances.*

5. The Committee met on 21 October 2022 to confirm the regulations and to agree the candidate brief, which included the role profile, criteria for appointment, and the terms of appointment and additional information.
6. In parallel, Court delegated authority to the Remuneration Committee to agree the remuneration for the Chair, in line with the parameters agreed by Court in September, and to advise the Appointment Committee of this. The Remuneration Committee agreed that remuneration should be £16,900 per annum, to be reviewed by Committee at its May meeting each year.
7. A procurement process was undertaken to appoint a search agency to assist the Appointment Committee with the appointment process and, following a mini competition, the contract was awarded to Perrett Laver.
8. The advertisement and search process ran from mid-December 2022 to 30 January 2023. Twelve applications were received. The Appointment Committee met on 9 February 2023 to review the applications and to shortlist candidates for interview. Four candidates were invited to interview.
9. Interviews took place on campus on 22 February 2023. In line with the requirements of the Act, the purpose of the interviews was to determine whether candidates met the criteria for the role. Any candidates who was deemed to meet the criteria would then have the opportunity to stand in the election which would ultimately determine who would be appointed as Chair of Court.
10. Three candidates were invited to stand in the election which ran from 15 to 29 March. Election statements were published on our website and an open meeting was held on 21 March 2023, to which all staff, students and Court members were invited.

Outcome of the election

11. The election was managed by Civica on behalf of the University and all eligible staff, students and members of Court were issued with email instructions to allow them to vote electronically. Civica's report on the outcome of the election is attached (Annex 1).
12. The winner of the election was Mr David Brew.

13. The regulations for the appointment of the Chair of Court, which reflect the requirements in the Act, state that:
- *The candidate who secures a simple majority of the total number of votes cast will be declared the winner* (paragraph 38); and
 - *The winning candidate will be appointed to the position of Chair of Court by the Court. (paragraph 39)*
14. The regulations also made provision for candidates to contest the results of the election within ten working days of the declaration of the result. No such submission was received.
15. In consultation with the outgoing Chair, a start date of 16 May 2023 was agreed.
- 16. At its meeting on 26 April 2023, Court received a report on the outcome of the election and agreed to appoint David Brew as the Chair of Court for a term of three years from 16 May 2023 to 15 May 2026.**

Caroline Summers
Vice-Principal and University Secretary
April 2023

- Annex 1: Civica Election Services Report of Voting
- Annex 2: Equality and Diversity Monitoring Information

ABERTAY UNIVERSITY

ELECTION OF CHAIR OF COURT 2023

CLOSE OF VOTING: 5PM ON WEDNESDAY 29 MARCH 2023

CONTEST: Chair of Court

RESULT		1 to elect
David BREW	137*	ELECTED
Ken MACINTOSH	136*	
Dr Annie INGRAM	130*	

*Vote totals confirmed by recount

Number of eligible voters:		5,170
Votes cast online:	403	
Total number of votes cast:		403
Turnout:		7.79%
Number of votes found to be invalid:		0
Total number of valid votes to be counted:		403

Civica Election Services can confirm that, as far as reasonably practicable, every person whose name appeared on the electoral roll supplied to us for the purpose of the election:-

- a) was sent the details of the election and
- b) if they chose to participate in the election, had their vote fairly and accurately recorded

All voting material will be stored for 12 months.

CIVICA ELECTION SERVICES

Abertay University: Election of Chair of Court 2023

The following report provides an overview on applicants for the role of Chair of Court. It is made available in accordance with the provisions of Section 3 (3) of the Higher Education Governance (Scotland) Act 2016 (The Act).

10 applicants were considered by the Appointment Committee.

4 applicants were interviewed by the Appointment Committee.

3 applicants stood in the election.

A Diversity Monitoring Form was used to collect personal information from applicants. This data was collected by Perrett Laver on behalf of the University and data was provided anonymously. Applicants who were interviewed by the University were asked to provide data in order to report this data at each stage in the process but two of the four applicants declined permission for this data to be published and therefore it is not possible to break this data down further.

Age Range	
46-55	1
Over 55	9
Total	10

Gender	
Woman	4
Man	6
Total	10

Religion	
Christianity	6
No Religion	3
Prefer not to say	1
Total	10

Disability	
Yes	1
No	8
Prefer not to say	1
Total	10

Ethnic Group	
White – any other	
White background	1
White - British	8
No answer	1
Total	10

Sexual Orientation	
Bisexual	1
Gay/Lesbian	1
Heterosexual	7
Prefer not to say	1
Total	10

April 2023