
Meeting: COUNCIL

Date and Time: Wednesday 25 March 2020 at 1.50 pm

Venue: Virtual meeting via Zoom

Present:

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| Mrs Pamela Chesters | Chair |
| Ms Eve Alcock | President, Students' Union |
| Mr Tim Ford | Appointed member |
| Mrs Ruth Foreman | Vice-Chair |
| Mrs Christine Gibbons | Appointed member |
| Professor Barry Gilbertson | Appointed member |
| Professor Dot Griffiths * | Appointed member |
| Mr Malcolm Holley | Elected by staff not on Academic Assembly |
| Mrs Charlotte Moar | Appointed member |
| Dr David Moon | Elected by staff not on Academic Assembly |
| Ms Ruqia Osman | Education Officer, Students' Union |
| Ms Kate Robinson | Elected by Senate |
| Mr John Preston | Treasurer |
| Professor Danae Stanton Fraser | Elected by Senate |
| Professor Ian White | Vice-Chancellor and President |
| Dr Jane White | Chair of Academic Assembly |

* Present for Minute 7134

In attendance:

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| Professor Jeremy Bradshaw | Pro-Vice-Chancellor (International and Doctoral) |
| Professor Peter Lambert | Pro-Vice-Chancellor (Learning and Teaching) |
| Professor Jonathan Knight | Pro-Vice-Chancellor (Research) |
| Professor Bernie Morley | Deputy Vice-Chancellor and Provost |
| Mr Martin Williams | Director of Finance |
| Dr Cassie Wilson ** | Vice-President (Student Experience) |
| Mr Richard Brooks | Director of Human Resources |
| Ms Corinne Evans | Director of Communications |

Attending by invitation

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| Mr Keith Zimmerman | Chief Operations Officer |
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** Present for Minute 7134

Secretariat:

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| Emily Commander | Secretary |
| Clare Henderson | Member of secretariat |

Apologies:

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| Mrs Maria Bond | Appointed member |
| Mr Mesar Hameed | Elected by Academic Assembly |
| Mr Tim Hollingsworth | Appointed member |
| Mrs Catherine Mealing-Jones | Appointed member |

7134 STUDENT DISCIPLINE

With the consent of Council, this item was taken first to allow the Vice-President (Student Experience) to leave the meeting before it ended.

Council **considered** the interim report on Student Discipline (Paper C19/20-47).

The Vice-President (Student Experience) reported that the University was the preferred option of most students for handling cases of misconduct. She informed members of Council that an enhanced level of reporting had recently been introduced. She drew attention to the increase in cases being dealt with under the student disciplinary process in 2018/19 (including an 18% increase in the number of cases reaching the final stage of the process) and in the 2019/20 year to date. In particular, she noted that 95% of responding parties in cases of misconduct were male. Currently, further development of the process was in train, informed by learning from each case. The University had responded to the OfS (Office for Students) consultation on harassment and sexual misconduct in Higher Education. In the course of discussion, the following points were made:

- Student Insight attendees to provide the student context should be kept under consideration.
- The increase in recorded threatening, violent and aggressive behaviour probably related in part to greater awareness through the #NeverOK campaign and to student confidence in reporting systems. The total number of cases at Bath was in fact small.
- A training post to raise awareness around misconduct, harassment and bystander behaviour had been proposed. In the first instance, training could be offered to all students but at a later date there might be possibility of training more tailored to male students to try and avoid the gendered nature of sexual / violent misconduct. The new post would also look at issues, such as mental health, that might be related to unacceptable behaviour.
- The appeal process needed to be based on consistent decision-making. This would necessitate a decision-making history log to inform future decision-making.
- The Students' Union referred to the University more serious cases and supported any ban imposed on a student.
- It was noted that the Reporting Party could not appeal the decision of an Appeals Committee, but that a student could submit a complaint in relation to this. It was noted that this was being reviewed as part of the wider review of policies and procedures.
- Members were asked to consider the proposed future monitoring categories and advised they were satisfied with the proposed list.

VP (Student Experience)

Council thanked the Vice-President (Student Experience) for her report.

7128 WELCOME AND OPENING REMARKS

The Chair welcomed Mr Keith Zimmerman, appointee to the post of Chief

Operations Officer from 6 April 2020, to the meeting.

7129 DECLARATIONS OF INTEREST

See Minute 7140 below.

7130 MINUTES OF PREVIOUS MEETING

The minutes of the Council meeting of 20 February 2020 (Paper C19/20 – 45) were **approved** as a correct record and will be signed by the Chair.

7131 MATTERS ARISING

Minute 7100 (3G Pitch): The Vice-President (Student Experience) would provide an update at a future meeting.

Minute 7113 (Research Cost): The Director of Finance referenced aspects of research funding in the earlier discussion; further information on research cost would come to a future meeting.

Minute 7115 (Widening Participation): Council noted that its suggestions would be incorporated into the next WP Report to Council.

Minute 7116 (Council Appeals Committee): The Pro Vice-Chancellor (Learning and Teaching) and Vice-President (Student Experience) were using feedback to inform the process of continuous improvement.

Minute 7120 (Council Effectiveness): The Report on Council's self-assessment of effectiveness would be discussed at a later date when Council members were able to attend in person.

7132 CORONAVIRUS

Council had held an extensive discussion of Coronavirus and its impact on the University at its informal meeting earlier in the day.

Council **approved** the recommendation from the Gold Emergency Management Team not to take any direct debits for third-term accommodation, for the remainder of the contracts in the case of postgraduate taught and research students, and for any student who had handed in their key and was no longer in residence in University-managed PBSA. It was **noted** that this was likely to result in a loss of accommodation fee income of more than £6 million.

GEMT

7133 REPORT OF THE VICE-CHANCELLOR

Council **noted** the formal report of the Vice-Chancellor (Paper C19/20 – 46).

Introducing his slides, the Vice-Chancellor reported that the Coronavirus was having major impacts and demanded immediate attention but that the

University should take decisions with a view to ensuring both short-term and longer-term sustainability.

- With respect to the longer-term direction, three sets of strategies had been agreed to date – Core, Institutional and Enabling. Given the current situation, the proposal now was to pull forward specific actions for attention. Council expressed support for this approach.
- The financial modelling undertaken by the Director of Finance pre-Coronavirus had shown the University to be in a relatively good position.
- The survey sent out to graduates to obtain their views on the strategic direction had shown the importance of the placement provision, with respected teaching and learning another significant characteristic of the University's provision.

Council **approved** the approach to strategy development as outlined by the Vice-Chancellor.

7135 UPDATE OF UNIVERSITY LEGAL INSTRUMENTS

Council considered the framework for amending the University's Statutes and Ordinances and the timeframe for the work (Paper C19/20 - -48).

The University Librarian declared an interest in this matter and went on to propose that where responsibilities of a post-holder were set out in the Statutes and there was a proposal to remove them, the responsibilities should instead be reflected in job descriptions and terms and conditions of employment. The Chair noted the point but advised that given the declaration of interest, this was a matter best dealt with in a different forum.

Council **approved** the plan for amending the University instruments and **noted** the framework for re-assignment of the categories of function set out in the Appendix to the paper.

The Chair took the opportunity to remind Council of the provision in Standing Orders (sections 8.5 and 8.6) which permitted urgent decision taking in exceptional circumstances but hoped it would not be deemed necessary to use them.

7136 REDUNDANCY COMMITTEE

Council **approved** the proposal for the establishment of a standing Redundancy Committee (Paper C19/20 – 49).

HoSG

7137 COUNCIL APPEALS COMMITTEE

Council considered the Terms of Reference for Council Appeals Committee (Paper C19/20 – 50).

In the course of discussion, the following points were made:

- There should be greater clarity over the training received by the Chair of the Committee, which should cover both training for service on the Committee and skills in chairing a meeting.
- To avoid a tied position when voting, it was agreed that the Committee should comprise only 3 people for any appeal case, including one lay member of Council.
- There was an expectation that no member of the Committee would abstain from voting, but this issue would be monitored and addressed if necessary.
- The paperwork provided to the Committee should present a sense of the impact of the case on the Reporting Party.

Council **approved** the Terms of Reference for Council Appeals Committee, subject to the aforementioned amendments.

7138 SENIOR ACADEMIC APPOINTMENTS COMMITTEE

Council **approved** the recommendations set out in Paper C19/20 - 51.

- (1) the re-appointment of Dr Peter Postl as Head of Department of Economics for a further three years to 31 July 2023;
- (2) the re-appointment of Professor Paul Milewski as Head of Department of Mathematical Sciences for a further two years to 31 August 2022;
- (3) the re-appointment of Professor David Galbreath as Head of Department of PoLIS until 31 December 2020.

Council **noted** that Professor Gary Lock had agreed to continue as Head of the Department of Mechanical Engineering for the remainder of his term of office.

7139 FINANCE COMMITTEE

The Director of Finance presented the report from Finance Committee, following its meeting on 6 February 2020 (Paper C19/20 – 52). He reported that the USS had reported itself to the Pensions Regulator after breaching its own regulations. It was possible that the rise in employer contributions would be brought forward.

Council

- (1) **noted** the report and the draft minutes (Appendix 1)
- (2) **approved** the Revised Forecast for 2019/20 (Appendix 2)
- (3) **noted** the Quarterly Accounts ending 31 January 2020 (Appendix 3).

7140 AUDIT AND RISK ASSURANCE COMMITTEE

The Chair of ARAC introduced the report of the Committee following its meeting on 29 January 2020 (Paper C19/20 – 53).

It was suggested that an early conversation should be opened with the University's External Auditors on the impact of Coronavirus on the financial

statements.

The Chair of ARAC noted that the security of information should be kept under review with the new home-working arrangements and reminded Council members of a recent serious previous phishing attack. There could be new threats from Coronavirus phishing emails which would require vigilance and close management.

Chair: ARAC
and
Chief
Operating
Officer

Council

- (1) **noted** the report on strategic risk mitigation activities and improvement actions and the amended operational risk register;
- (2) **approved** the continuation of PwC's appointment as the University's External Auditor for the 2019/20 audit.

Prior to approving PwC's appointment, it was noted that Professor Barry Gilbertson declared an interest in PwC but, as this was not a pecuniary interest, it was not deemed relevant to the vote. Mr John Preston had a previously declared pecuniary interest, and therefore did not vote.

7141 REMUNERATION COMMITTEE

Council **noted** the report of the Committee, following its meeting on 18 December 2019 (Paper C19/20 – 54).

7142 ACADEMIC GOVERNANCE: MINUTES

Council **noted** the minutes of the Senior Academic Appointments committee of 4 March 2020 (Paper C19/20 – 55).

7143 PROGRAMME OF MEETINGS 2019/20

Council noted the programme of meetings for 2019/20, as follows:

- Thursday 23 April 2020 from 12 noon to 1.30 pm
(Date being held in reserve for conduct of urgent business)
- Thursday 14 May 2020
- Thursday 23 July 2020

The meeting concluded at 3.05 pm

NOTE *A section of one of the agenda items has been redacted either because it pertains to information relating to individual staff or students, or because it is still commercially confidential.*