

Meeting: COURT

Date and Time: Thursday 28 January 2021 at 2.15pm

Venue: Virtual via Zoom

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| Present: | Roger Whorrod Ruth Foreman Jason Gardener Pamela Chesters John Preston Professor Ian White | Pro-Chancellor (Chair) Pro-Chancellor Pro-Chancellor Chair of Council Treasurer Vice-Chancellor and President | |
| Miranda Addey Prof Raj Aggarwal Hedley Bashforth Maria Bond Prof Dawn Bonfield Prof Jeremy Bradshaw Prof Alan Bramley Prof Stephen Brammer Rob Branston Prof Nick Brook Cllr Allison Bucknell Prof Ian Butler Prof Geoffrey Burton Dr Aurelie Charles Paul Coleman Prof Barry Crittenden Prof James Davenport Prof Jonathan Dawes Graham Dennis Prof Kevin Edge Saiyada Fazal Tim Ford Ruth Foreman Gail Forey | Prof David Galbreath Prof Nick Gould Prof Andrew Graves Prof Malcolm Greaves Prof Christine Griffin Michael Halani Prof Vaughan Hart Mesar Hameed Prof Geoff Hammond David Hardy Dr Marion Harney Dr Peter Harrowing Prof Gary Hawley Fritz Ho Vera Hobhouse, MP Malcolm Holley Ben Horan Prof Tim Ibell Prof Philip Jones Prof Jonathan Knight Prof Stan Kolaczowski Prof Peter Lambert Martin Levere Prof Stephen Lillicrap | Prof George Lunt Prof Ros Marsh Francesco Masala HM Lord-Lieutenant of Somerset: Annie Maw Prof Richard Mawditt Don McLaverty Marian McNeir Prof Tony Miles Charlotte Moar Dr David Moon Prof Bernie Morley Garrod Musto Dr David Packham James Paradise Prof Bruce Rayton Prof Peter Redfern Sir Francis Richards Elaine Richardson Cllr Manda Rigby Kate Robinson Dr Chris Roche Ann Ross Tomasz Sawko | Thomas Sheppard Prof Jonathan Slack Kevin Soulsby Prof Alastair Spence Prof Jeff Thompson Prof Mike Threadgill Prof John Toland HM Lord-Lieutenant of Wiltshire: Sarah Troughton Dr John Troyer Karen Turner Martyn Whalley Dr Steve Wharton Dr Jane White Martin Williams Richard Williamson Annie Willingham Prof Phil Willis Prof Geof Wood Keith Woodley Peter Wyman Adrian Youings Prof Ania Zalewska Dr Jun Zang |

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| In Attendance: | Dr Nicky Kemp Keith Zimmerman | Director of Policy, Planning & Compliance Chief Operating Officer |
| Secretariat: | Emily Commander Clare Henderson Karen Gleave Laura Weeks | Secretary to Court Secretary |

Apologies: Apologies were received from 20 members of Court.

*The report below is a summary of the discussion at the meeting.
It is not a verbatim record.*

ACTION

1. WELCOME AND OPENING REMARKS

Ruth Foreman, Pro-Chancellor, opened the meeting and welcomed members of Court. She extended a warm welcome to Annie Maw, HM Lord-Lieutenant of Somerset, and Councillor Manda Rigby, Mayor of Bath. The protocols for the conduct of business were then set out.

Before inviting Roger Whorrod, (as the senior Pro Chancellor present), to take the Chair, Ruth Foreman advised that this would be Roger's last Court meeting as Pro Chancellor as he would be stepping down at the end of this academic year. She gave a vote of thanks, summarising his long-standing and valued association with the University and noted that he was well known locally for his successful business activities. She reported that he had been a member of Council from 2010 to 2019 and a Pro-Chancellor of the University since 2017. Roger's support and advice to the University in governance and management-related matters and his service on Council and University Committees was only one aspect of his involvement with the University and he had also supported students, particularly women engineers, early career research staff and more widely the research and commercialisation work of the University.

Roger Whorrod then took the Chair.

The Chair conducted a simple test vote using the Zoom polling facility to ensure that members understood how to cast their vote when motions were moved.

2. DECLARATION OF INTERESTS

The Chair reported that

- members being considered for re-appointment under item (04) were being kept in the Zoom waiting room and would not be admitted unless/until their membership has been approved; and
- all serving members of Court had an interest in item (09) but no one group more than any other so that all members of Court were entitled to vote.

He invited anyone with an interest relevant to any of the agenda items to declare it.

No declarations of interest were made.

3. MATTERS ARISING

The Chair **confirmed** that there were no matters arising.

4. MEMBERSHIP OF COURT

Court **NOTED** the current membership of Court as set out in the appendices to Paper CT20/21 – 01 REV.

It was with sadness that members of Court noted the deaths of the following Emeritus Professors:

- Professor Nick Britton
- Professor Angus Buchanan
- Professor Cliff Burrows
- Professor Peter Johnson
- Professor Peter Watson.

Court **APPROVED** the re-appointment of the following members whose terms of office had expired:

- Sarah Troughton, Lord Lieutenant of Wiltshire
- Sir Francis Richards, Chair of Trustees, Imperial War Museum
- Professor Dawn Bonfield, Director, Towards Vision
- David Hibler, Head of Erasmus, British Council
- Charlotte Hitchings, Chair, Avon & Wiltshire Mental Health Partnership NHS Trust.

In response to a question from Professor Geof Wood, the Chair explained that it was appropriate to renew the appointments for the following reasons:

- Court had not yet considered the proposals for reduction in the size of Court and revised membership; and
- In the event that Court agreed to amend its size and composition, the changes would require amendments to the Statutes and Ordinances which would take time.

Member re-elected were admitted to the meeting.

5. **STANDING ORDERS OF COURT**

Court considered amendments to its Standing Orders as set out in Paper CT20/21 – 02. The Chair noted that changes to the Standing Orders, if agreed, would take effect from the close of the current meeting. He also noted that the existing Standing Orders did not prohibit the holding of a remote meeting, so the present meeting was in order.

Court **AGREED** to amend its Standing Orders as set out in Paper CT20/21 – 02.

HoSG

6. **MINUTES**

Court **AGREED** to approve the minutes of the meeting held on 24 September 2019 (Paper CT20/21-03) as a correct record of the proceedings. The Chair would sign the minutes in due course.

Court **NOTED** formally the decisions taken by Court on 26 June 2020 to appoint Ruth Foreman and Jason Gardener, MBE, as Pro-Chancellors for a term of three years from 1 August 2020 to 31 July 2023, and to re-appoint the Roger Whorrod, OBE, as Pro-Chancellor for a further year from 1 August 2020 to 31 July 2021 (Paper CT20/21-03A).

The Chair invited Jason Gardener to say a few words about himself to members of Court. Jason Gardener introduced himself as a local boy who had developed a close association with coaching staff and the University over a number of years. He had been able to take advantage of the University's new Sports Training Village facilities during the 1990s to further his athletics career and had since been involved in promoting sporting opportunities. He was pleased to have taken on the role of Pro-Chancellor.

7. VICE-CHANCELLOR'S UPDATE

The Vice-Chancellor gave a powerpoint slide update to members of Court. The slides are attached at Appendix 1.

Professor White thanked the Pro-Chancellors and all those attending the meeting for their support. He paid tribute to all staff and students for their commitment during the difficult and extended Coronavirus pandemic period. The Vice-Chancellor reported that, during this period, the primary focus had been on the University community and its welfare.

Professor White presented the slides drawing attention to:

1. Rankings and Reputation
 - The University was in the top 10 in national rankings (The Guardian, Complete University Guide, The Times and Sunday Times Good University Guide 2021);
 - International rankings had remained broadly stable;
 - NSS (National Student Survey) rankings had rated the University joint 2nd in England;
 - The Pro-Vice-Chancellor (Learning & Teaching), academic staff and students had worked hard to secure these excellent NSS rankings.

2. Coronavirus: the University's Response
 - The University had endeavoured to make the student experience as positive as possible and thanks were extended to staff, the Chair of Council, Council members and stakeholders for their very significant support in charting the way forward;
 - The safety and welfare of students and staff on campus had been supported through the hard work of many staff, particularly those in the Health & Safety Unit, Estates, Student Services and Accommodation and Hospitality Services;
 - The Students' Union had worked hard to ensure a good flow of communications with students;
 - IT and other Professional Service staff had worked with academic staff to move online in a rapid response to the first lockdown: there had been approximately 5,000 recorded lecture hours and staff had facilitated the submission of 35,000 pieces of work for assessment;
 - Research work in laboratories had resumed in a phased manner as soon as it was safe to do so;
 - B&NES Council and the local community had encouraged the University in its work;
 - Members of Faculties, Centres and Institutes had worked hard to provide personal protective equipment for frontline healthcare workers; identify rapid-response treatments for Covid-19; change behaviours to reduce infection transmission; develop a standardised system for detecting coronavirus in wastewater; and offer online learning programmes to enhance the nation's skills and support economic recovery.

3. Strategy development

- Coronavirus has accelerated change, particularly in teaching, leading to a new “Bath Blend” learning experience, comprising both in person and online activities;
- There had been review of the current University strategy across a number of areas: this had been informed by the “Our University, Our Future” project to map out the future direction of the University by listening to the views of staff, students and alumni;
- Strategy propositions had been developed in line with feedback, which had identified the five most valued attributes of the University as being: respected, quality teaching, employable students, quality research and welcoming community;
- Responses had been made to each of the main topics arising from “Our University, Our Future”. Recent developments included:
 - A pilot “Bath Beacons” project to leverage and support applications for larger research grants;
 - The creation of a new post of Vice-President (Student Experience) and a Student Experience Board;
 - Work to build on the “Bath Blend”;
 - The appointment of a Director of International Relations and creation of an Internationalisation Board;
 - “Be Well” service, which was available 24/7 in a number of different languages, and Wellbeing Champions;
 - With the City of Bath: the leasing of new facilities in Bath, more partnership working and the “Our Shared Future” initiative;
 - The creation of two senior roles to support equality, diversity and inclusion;
 - Fundraising activity for the Hardship Fund.
- The Vice-Chancellor advised that he was always happy to receive feedback from members of Court on any aspect of the University’s activities.

4. Recent student and staff successes

- Team Bath Racing had won this year’s Formula Student UK competition; Albert Opoku, an alumnus, had won the Global British Council Study UK Alumni Award in the Social Impact Award category; Joshua Hale had received a BEM for his volunteering work; Dr Roxanne Stockwell had won the 2020 Emerald/EFMD Outstanding Doctoral Research Award.
- Members of academic staff had received prestigious awards and been recognised for their achievements: Professor Saiful Islam, Dr Asel Sartbaeva, Dr Vasanta Subramanian, Professor Marcelle McManus and Professor Jonathan Knight, FRS.
- There had been many research and innovation highlights across the institution.

5. Major developments and initiatives

- Two capital projects had progressed: The Institute for Advanced Automotive Propulsion Systems and the new School of Management building;
- The Climate Action Framework had stimulated growing interest amongst students and staff and was being progressed;
- The Institute of Coding had attracted some 700,000 learners in just two years.

6. External Engagement

- The importance of partnership and collaboration had been recognised through projects such as Guild Living, iSTART business support, Bath & North East Somerset Economic Renewal Partnership and the “Bath beyond 2020: creating a resilient economy together” project.

The Chair thanked the Vice-Chancellor for his presentation and invited Marian McNeir to comment on the work of the Students’ Union. Marian McNeir explained that she was an independent Trustee of the Students’ Union. The year had presented many challenges, including identifying new ways to make new students feel welcome and to run Freshers Week with a mix of live and digital activities. She commended the work of the SU President and Officers for their problem-solving skills, positive approach and resilience in grappling with a year they could not have expected upon election. She congratulated them on their achievement.

8. **ANNUAL REPORT AND ACCOUNTS 2019/20**

Court **RECEIVED** the Annual Report and Accounts 2019/20 (Paper CT20/21 – 06).

The Chair noted that this item was in fulfilment of Court’s function under Statute 15.3 and he invited John Preston, University Treasurer, and Martin Williams, Director of Finance, to present the Annual Report and Accounts.

John Preston noted the extremely high level of financial uncertainty that had affected the University sector over the past year including such things as Brexit, the Augur Review, pension schemes and, of course, the Coronavirus pandemic. In the face of these pressures, the University had made exceptional efforts to manage the situation. The financial focus had necessarily shifted from the achievement of a pre-determined level of historic cost surplus to meeting loan covenants, reducing costs, better budgeting and securing as strong a financial position as possible going forward. He confirmed the University remained in a comparatively strong financial position.

Martin Williams presented the 2019/20 financial statements drawing attention to the following:

- Covid-19 had had a considerable impact on the HE sector. In addition to the impact on recruitment, accommodation and the shift to on-line and blended learning, the pandemic had introduced a level of uncertainty and unpredictability to the University’s finances that was unparalleled in modern times;
- Bath was in the fortunate position of having entered this crisis in a relatively strong financial position with a high level of liquidity. Nevertheless, the onset of the first lockdown last March meant that the University had to adjust its financial objectives in the light of the new situation;
- The initial estimates anticipated a Covid related reduction in income of c£20m for 2019/20. Student accommodation income was reduced as final term rents were not collected; summer school and conference income were lost; and hospitality and retail income were close to zero. Facilities were kept running to provide a service to students that remained. Whilst tuition fee income was broadly unaffected, research income fell as activity slowed dramatically.

- To address the challenge, the Vice Chancellor established a Financial Sustainability Group. The focus shifted from achieving an Historic Cost Operating Surplus to ensuring that the University met its loan covenants, which meant a focus on operating cashflow in particular. A savings plan was introduced along with enhanced monitoring of expenditure. The University utilised the CJRS furlough scheme and at the peak had more than 1,000 staff on furlough;
- The outcome for 2019-20 was quite reasonable in all the circumstances with swift action mitigating the worst of the impact. The previous summer also saw a large amount of planning and scenario analysis for the 2020-21 academic year, which had been more adversely impacted by the pandemic;
- It was worth noting that the University's capital programme had largely continued through the pandemic. Though slowed by Covid, work continued on IAAPS and the new School of Management building. The loan covenant focus was on operating cash rather than capital and high cash balances enabled the University to continue with these strategically important projects;
- Without the impact of Covid, the prior year figures would have been exceeded for Income, Surplus and Cashflow. But income was £10 million lower than the previous year despite receipt of CJRS funds. The historic cost operating surplus was below target for the first time in more than 10 years and operating cashflow was around £14m lower than would have been expected. However, the University met its loan covenants and reported a small historic cost surplus, having anticipated a breakeven position in March when lockdown began;
- The University's income had dropped by 4% year-on-year despite a 2.8% growth in tuition fee income. Research income dropped 6% to £37.1 million but accommodation and hospitality income dropped 22%. Donation income dropped by £7 million, though this related in part to the opening in the previous year of the Milner Centre, enabling the recognition of a £6 million donation as income. Investment income reduced in the year but, given the impact that Covid had on financial markets, it was good to report that the University was able to report a gain on its investments in the year;
- The USS scheme and the LGPS both presented major financial risks to the University. The provision on the LGPS scheme increased again in 2019/20 and was now a fraction short of £100 million which was around £100,000 per active member. The USS scheme, where the liability was not reported on the balance sheet, continued to be a concern. The liability had increased since the last valuation in 2018 and the most recent estimates of the scheme's deficit were in excess of £20 billion. The University was waiting for consultation documents on the 2020 valuation. The valuation process is supposed to be concluded by June 2021 but was likely to be delayed;
- Excluding pensions, costs had increased by 2.2%, the slowest rate for many years. Within this, staff costs had increased by 6.7%, including the settlement of a voluntary exit scheme which the University introduced as part of its savings programme. Non-pay costs reduced by 12% as a result of the spending restrictions and savings plan;
- The University's financial strategy had for many years been based on generating sufficient cash to fund its capital programme and repay loans. This cash was equivalent to a 3% Historic Cost Operating Surplus and the University had met this target for the last 10 years. This was not the case in 2019-20 nor would it be the case for 2020-21. The new University strategy would need to address this shortfall as well as meet institutional objectives for teaching and research;

- Loan covenants remained a key concern alongside the focus on operating cashflow. The University's gearing ratio, the ratio of net debt to net assets, had increased in the year as its capital programme had progressed but at around 12% was well below the most onerous of its covenants, which was set at 40%;
- Looking at 2020/21, the financial challenge presented by Covid in 2019-20 though great, was less than that faced in the current year;
- Planning had anticipated a lower student intake and a more substantial loss of income than in 2019-20. The University had budgeted for a loss of £6 million, with the financial focus on meeting loan obligations;
- The approach taken had maximised the funds available to focus on providing the best student experience possible and maintaining research activity;
- The University was implementing a savings plan to address the loss of income and to support the delivery of the University Strategy but also to allow for increased investment in some areas including people and systems to enhance on-line provision as well as additional student facilities to provide more space and services for students.
- Overall the University was on track to deliver the budget for 2020-21. However, the continuing uncertainty made the outcomes far from certain and flexibility would be required to adapt the approach as circumstances changed.

The Chair thanked the Director of Finance for his report.

9. REVIEW OF COURT: MEMBERSHIP AND FUNCTIONS

Court considered the recommendations set out in Paper CT20/21 – 04 REV, comprising:

- recommendations on the functions of Court, made by Council on 26 November 2020; and
- a recommendation on the membership of Court, made by Council on 26 November 2020 and subsequently revised by Council on 21 January 2021.

These recommendations had been made on the basis of recommendations from the Stakeholder Engagement Working Group and accepted by Council in full.

The Chair invited John Preston, Treasurer and Chair of the Stakeholder Engagement Working Group, to introduce the item. John Preston noted that Court had played a significant role at the meeting of February 2017. The subsequent Halpin report had recommended that a review of Court should be undertaken by Council but with Court representation, to seek ways and means of modernising engagement. The working group comprised three members of Court, having been elected by Court for this purpose, together with four members of Council. The aim of the review was to create a deeper, broader and more inclusive stakeholder engagement strategy, while preserving and enhancing the ability of stakeholders, including the public, to provide challenge and speak truth to power. The proposed changes to the membership of Court were based on comparative data from other institutions and sought to reform the imbalance of interests represented.

Motion 1

The Chair of Council, Pamela Chesters, advised that Council had chosen to bring forward the proposals as four separate motions to provide absolute clarity on what was being

proposed and to enable Court members to express clear preferences on each individual element.

Pamela Chesters then moved motion 1, noting that, since its establishment, the University had grown in scale and focus, and now had a strong international dimension, with greater emphasis on widening participation, equality, diversity and inclusion. The move from HEFCE to a much more assertive regulator in the form of the Office for Students and the commitment to civic engagement were also material factors. She felt that motion 1 offered a more balanced and representative membership.

John Preston seconded the motion.

Pro-Chancellor, Ruth Foreman, then read out a statement from Emeritus Professor Richard Velleman who was unable to attend the meeting. Professor Velleman noted that he had become a member of Court upon retiring from his Chair in 2011 but had not been able to attend most of the meetings as he had remained research-active, primarily within Global Mental Health research, and had usually been in India at the time of Court meetings.

He expressed full support for the motions being put forward at the meeting and especially the ones relating to the reduction in the number of Court members, including removal of the automatic entitlement of all Emeritus Professors to become members of Court. He considered that Court had become a very unwieldy body, characterised by the majority of members not attending, and (as stated in the papers) it would, therefore, be beneficial to build a Court composed of members who had all actively agreed to their membership. This would very likely lead both to improved attendance and efficiency in the conduct of Court business.

Question put.

Court **RESOLVED** to accept the recommendation from Council that the size of Court should be reduced to 93 members on the basis of the proportions set out in Paper CT20/21 – 04 REV, subject to the amendments to University Statute 13 and University Ordinance 7 necessary to bring this change into effect.

Motion 2

The Chair of Council moved motion 2, noting Council's continued support for these functions of Court and advising that this motion was included for completeness such that, in the event that Motions 3 and 4 were carried, it was clear these existing functions would be retained.

John Preston, seconded the motion.

Question put.

Court **RESOLVED** to accept the recommendation from Council to refocus the functions of Court on the purposes of Court as set out in Article 11 of the University Charter, namely its role as the formal body representing the interests of the University's constituencies and its power to make representations to Council, and in so doing reassert its functions:

- a. under University Statute 15.1 and Article 4 of the University Charter in relation to the appointment of a Visitor;
- b. under University Statute 15.3 in relation to the receipt of the annual audited Statement of Accounts of the University; and
- c. under University Statute 15.5 to make representations to the Council on any matter affecting the University.

Motion 3

The Chair of Council proposed the motion 3, noting that any recommendations to Court on the appointment of the Chancellor and Pro-Chancellors would already have been through an extensive consultation and approvals process including the Nominations Committee, Senate and Council, which provided sufficient checks and balances. The role of Court in extending the approvals process added unnecessary complexity and bureaucracy.

John Preston seconded the motion.

Question put.

Court **RESOLVED** to accept the recommendation from Council to remove its role in relation to the appointment of the Chancellor and Pro-Chancellors, subject to the amendment to University Statute 15.2 necessary to bring this change into effect.

Motion 4

The Chair of Council proposed the motion 4, noting that the process for amending the University's Charter was cumbersome and subject to a long and complex set of approvals. In addition to having to obtain Court agreement at two separate Court meetings, informal, and subsequently formal, approval was required from Senate, Council, the Privy Council and most recently a positive outcome following consultation with the Office for Students.

There were therefore sufficient checks and balances in the process that made it appropriate to propose the removal of Court's role in approving amendments to Charter.

John Preston seconded the motion.

There were a number of statements from the floor.

Professor James Davenport (Life Member of Court) stated that Court had a valuable role in speaking truth to power and standing firm against a potentially aggressive regulator. He noted that the removal of Court's role in approving amendments to the Charter opened the way for its unchallenged abolishment. There was no guarantee that Court would remain in existence if it surrendered its right to veto such a move.

Dr David Packham (Life Member of Court) noted that the prevailing culture of government intervention in University governance meant that the protection of academic freedom and institutional autonomy was essential. Dr Packham cited the Prevent legislation and the Government's instruction to English HEIs to adopt and

implement the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism as examples of such interference. Whilst current membership of Senate and Council offered comfort in terms of fairhandedness, this might not always be the case. The Charter provisions as currently cast offered greater protection of key values such as academic freedom.

Dr Steve Wharton (Life Member of Court) reiterated the view already expressed that Court was a vital part of ensuring the checks and balances of the Charter amendment approvals process, without which the protection and independence of the institution would be impaired. He recalled that Court had on a previous occasion, resisted a change to the Charter and was able to stop changes being pushed through that were not in the best interests of the institution.

Professor Tim Ibell (Associate Dean, Learning & Teaching, and Council member) spoke in favour of the motion, noting that members of Senate and Council were elected and had extensive experience of the University. It was reasonable to trust these bodies to act in the best interests of the University.

Francesco Masala (President of the Students' Union) noted that there were structures in place to hold the University accountable for its decisions and that the Office for Students was a highly effective regulator. He considered that it was time for the University to modernise.

The Chair invited **Dr Nicky Kemp**, Director of Policy, Planning & Compliance, to explain the role of the Office for Students. Dr Kemp reported that the HE and Research Act 2017 had replaced HEFCE (Higher Education Funding Council for England) with the OfS. Under the HEFCE regime, universities had a designated person to provide advice and HEFCE provided good practice guidance. The introduction in 2018 of the OfS put the student voice at the heart of education. An ongoing condition of registration for providers of education was good management and governance. Institutions were required to conduct routine reviews of governance and any changes to their arrangements had to be reported. If the University were ever to consider abolishing Court, it would have to put this as a proposition to the Regulator. The OfS had not given any indication that it supported the abolition of university courts.

Vera Hobhouse (MP for Bath) noted that Court was a large body that did not do much in decision-making terms and that Council was effective in its role. However, Court had initiated changes within the University in the past and, it was her opinion that, without it, these would not have happened. It's role had, therefore, importance from time to time.

Professor James Davenport noted that, whilst the OfS was not currently abolishing university courts, it might attempt to do so. The OfS and the University might not have a shared understanding of what constituted a positive outcome for students. He reported that his work with the Institute of Coding had led him to lose confidence in the OfS.

Professor Jonathan Dawes (Member of Academic Assembly on Court) noted that Court should not abrogate its responsibilities with respect to its authority to approve proposed amendments to the Charter.

Professor Geof Wood (Life Member of Court) expressed his nervousness at the proposition that Court should surrender its power with respect to amendment of the

Charter. He added that no harm was done in retaining the right of Court to approve any proposed amendment of the Charter. It was an element in the process of checks and balances and the protection of academic freedoms.

Professor Stan Kolaczowski (Life Member of Court) noted that the provision for Court to retain its role in relation to the amendment of the Charter had not caused a problem previously and had been helpful on occasion. He considered that the arguments expressed in the paper and information provided in the the tables and Court meeting attendance lists were misleading.

Dr Jane White (Chair of Academic Assembly) expressed her support for the motion, noting that the University had to modernise and that much progress had been made under the leadership of Council and the University Executive Board to bring about change including cultural change. There was a growing staff confidence in management and it was now appropriate to move forward. The University needed to have more streamlined administrative procedures and to be agile.

Professor Richard Mawditt (Life Member of Court) proposed that caution should be exercised in removing from Court its function in relation to amendment of the Charter. This proposal needed more time for members to reflect upon the decision being taken. He noted that valuable debate had taken place in Court, particularly with respect to contentious issues where opinion was split: the change of name to the University of Bath being one such occasion. He suggested that, as it was not possible to predict the future, Court might again play a valuable role in resolving issues of contention.

The Chair of Council responded to points raised as follows:

- Whilst Court had indeed played a valuable role in the past, this was at the time of the HEFCE. The OfS had already demonstrated its appetite to be much more proactive in the sector in addressing the types of issue that had given rise to Court's intervention.
- Whilst it was technically correct that as long as Court retained the right to approve Charter changes, it would be able to oppose its own abolition, the motivation behind this motion was to streamline the University's processes and enable agile working. Council had affirmed the role of Court and at no time had it discussed its abolition.
- It was also the case that were such a move ever to be considered in the future, the lengthy approvals process - nearly two years - would give Court ample time to make its views known to the OfS, whose consent would be needed for any such change.
- The University needed to ensure its processes did not slow it down and hamper decision-making.

Question put.

Court voted:

In favour: 35

Against: 47

Abstentions: 10

No vote: 1

Court accordingly **RESOLVED** to reject the recommendation from Council to remove its role in relation to the amendment of the University Charter, subject to the amendments to University Statute 15.4 and Article 29 of the University Charter necessary to bring this change into effect.

The matter was, therefore, referred back to Council and the Chair of Council undertook to explain Court's concerns on this matter.

(Note: There were 93 members of Court voting, being slightly below the number on the attendance list in the heading of these minutes. At the point of the vote, the Chair of the meeting chose not to cast a vote and five members had previously withdrawn from the meeting).

10. FUTURE MEETINGS

It was reported that the date of the next meeting would be confirmed by the Secretary to Court.

HoSG

The Chair thanked everyone for attending.

11. ANY OTHER BUSINESS

Further to a point raised, a correction to the attendance table in appendix D of paper CT 20/21 – 04 will be made along with any consequential adjustments to the record.

The meeting concluded at 4.15pm.
