

**Meeting:** COURT

**Date and Time:** Thursday 7<sup>th</sup> June 2018 at 2.15pm

**Venue:** East Building Lecture Theatre

Present:	Mr P Troughton Mr M Humphriss	Pro-Chancellor (Chair) University Secretary	
	Cllr P Anketell-Jones Mr H Bashforth Mr R Beazley Mr A Best Mr D Biddleston Prof D Bonfield Prof A Bramley Prof W Brooks Prof A Buchanan Dr M Carley Prof P Chivers Prof P Coleman Mr J Coles Prof M Danson Prof J Davenport Mr B Davies Mr C Davies Prof J Eastham Mr T Elworthy	Mr L Emery Dr P Ford Mr T Ford Ms R Foreman Prof D Galbreath Prof B Gilbertson Prof P Goodwin Prof M Greaves Dr P Harrowing Dr J Henderson Mr D Hibler Ms W Hobhouse Mr J Howell Prof N Kinnie Prof J Knight Prof P Lambert Prof S Lillicrap Prof H Logemann	Prof G Lunt Mr P Markwick Prof R Marsh Mr P Martin Prof R Mawditt Mrs M McNeir Mrs C Mealing-Jones Prof B Morley The Hon S Morrison Mr G Musto Mr H Nicholson The Rev R Nunn Prof J Owen Miss C Page Mr B Palmer Ms E Pawlowski Mr S Pearson Miss K Pickett-Mcatakney
			Prof G Price Cllr J Rayment Dr B Rayton Sir F Richards Mrs E Richardson Ms K Robinson Dr C Roche Rs A Ross Prof E Ryan Dr A Salo Mr T Sheppard Prof J Slack Ms S Sutcliffe Dr S Wharton Prof G Wood Mr M Williams Mrs A Wylie Mr P Wyman The Rev A Youngs
In Attendance:	Mr D Allen Mrs R Bennett Mr R Breckon Mr R Brooks Mr A Hickman Dr R Hourizi Mr T Kaner Dr N Kemp Ms A Pater Mr M Pender	Halpin Partnership Bath SETsquared Centre Manager Media & PR Officer Director of Human Resources Economic Development Manager Director of the Institute of Coding Director of Marketing & Communications Director of Policy & Planning Head of Secretariat Secretary	

Apologies: Apologies were received from 45 members of Court.

## **ACTION**

### **1. WELCOME AND OPENING REMARKS**

The Chair welcomed members of Court to the meeting and passed on the Chancellor's and Vice-Chancellor's apologies for not being able to attend the meeting. The Chancellor was undertaking engagements in China and Hong Kong for the University in conjunction with the Vice-Chancellor, including a large alumni event with significant donors. The Vice-Chancellor was also signing an agreement with Macau University.

On behalf of the Vice-Chancellor the Chair was pleased to inform Court that the University had reached the target set for the Look Further campaign of raising £66 million. The total amount raised currently stood at £67.5m.

The Chair reported that he had received a procedural motion submitted by Professor Wood and seconded by Professor Lunt to vary the order of business to take item 6 before items 4 and 5. He reported that the Standing Orders of Court did not allow for procedural motions such as this and any decisions to vary the order of business was at the discretion of the Chair. He had decided that the order of business should remain as set out on the agenda to ensure the meeting had proper time to contribute on items 4 and 5. However, the Chair undertook to ensure that proper time would be given to item 6 and he intended to reach this item by about 3.45pm. He hoped that members felt that this was acceptable way of proceeding.

The Chair reminded members of Court that they had been issued with a voting card as they entered meeting to signify that they were a member, and that they would be asked to raise these cards during a vote if this was required to establish its outcome.

## **2. MINUTES**

The following amendment to the minutes of the meeting held on 16<sup>th</sup> January 2018, proposed by Dr Aki Salo was circulated to members prior to the meeting:

Delete the following section of the third paragraph on page 13:

*“Neither the HEFCE report nor Court had been discussed at the meeting of Academic Assembly the previous week.”*

Replace with: *“The motion passed by Academic Assembly the previous week was not relevant to the HEFCE report being considered by Court today, and its reporting to Court was not mentioned at all at the meeting of Academic Assembly”.*

AGREED that the minutes of the meeting held on 16<sup>th</sup> January 2018 (Paper CT17/18-5) be approved as a correct record of the proceedings subject to Dr Salo’s amendment as detailed above.

## **3. MATTERS ARISING**

### **1) Minute no.3, Standing Orders of Court**

The University Secretary requested that, for the sake of clarity, a footnote be added to the heading ‘MOTIONS’ to say ‘includes representations to Council’ which as it stood was implicit rather than explicit.

AGREED that Standing Orders of Court be amended as outline above.

### **2) Minute no.10, Appointment of a Visitor**

The University Secretary was pleased to inform Court that, following the decision by Court at its last meeting to petition the Crown for the appointment of a Visitor, the Privy Council appointed His Honour Judge Barry Cotter QC as

the University's Visitor on 23rd May 2018. Judge Cotter had substantial experience in Administrative Law and has had no previous contact with either the University (other than very occasionally in connection with his children's use of the Sports Training Village) or with any member of Council. This appointment would be publicised very shortly.

#### **4. UNIVERSITIES AND THE DIGITAL SKILLS GAP**

Court received a presentation from Dr Rachid Hourizi, Director of the Institute of Coding, and Professor James Davenport, Vice-President of the British Computer Society, on the digital skills gap. The lack of graduates with computer science and digital skills was highlighted as a mounting concern for industry, with it being estimated that an additional 500k computer science specialists would be required by 2022. At present English Universities only produced 27,000 computer science graduates each year, and there was paradoxically a relatively high level of unemployment amongst computer science graduates. There was also a problem with attracting women to computer science degrees. One way of responding to these challenges was for Universities to step up their interaction with industry, and the newly established Institute of Coding was an example of this. This was supported by the British Computer Society as a means of addressing the needs of industry and identifying what digital skills were required and taught to undergraduates.

Following the presentation members of Court had the opportunity to comment and ask questions, during which the following points were raised:

- The unemployment levels amongst computer science graduates was discussed, and it was suggested that whilst this was not an issue for University of Bath graduates, it was felt that on a national level there was a mismatch between what Universities were providing and what industry required, and this needed to be addressed.
- It was asked whether the Institute of Coding would be doing any work to encourage digital skills amongst school children and particularly girls. It was reported that as the Institute was funded by HEFCE it could not become involved in directly teaching children. However, it would be undertaking outreach work in this area which was recognised as a real problem.
- The ways in which computer science skills could be given to students in disciplines outside computer science and mathematics to enable them to engage with coding was discussed. It was recognised that the sector needed to look at degrees which provided secondary skills in computer science to ensure those in other disciplines had the skills they needed in their future careers.

After further discussion Dr Hourizi and Professor Davenport were thanked for their presentation.

#### **5. ENTERPRISE AND SME ENGAGEMENT**

Court received a presentation from Mr Adam Hickman, Economic Development Manager and Mrs Rosie Bennett, Bath SETsquared Centre Manager, on enterprise and SME engagement. Details of the wide range of the University's business

engagement activities were presented, with particular focus on projects led by the Department of Research and Innovation Services and the Bath SETsquared Centre.

Following the presentation members of Court had the opportunity to comment and ask questions, during which the ways in which entrepreneurship skills are encouraged within the undergraduate community, and how assistive technologies were being developed, was discussed. The University was congratulated on the success of the SETsquared Partnership which had grown out of the University Challenge initiative 25 years ago and had become an extremely successful collaboration with other Universities in the region.

After further discussion Mr Hickman and Mrs Bennett were thanked for their presentation.

## **6. COUNCIL EFFECTIVENESS REVIEW REPORT**

Court considered a paper (Paper CT17/18-6) which provided Court with the Council Effectiveness Review Report produced by the Halpin Partnership.

The Chair advised the meeting that he was content for any member of Court to speak on this item, with the exception of those members of Court whose pay was set by the Remuneration Committee, who could not comment or vote on anything relating directly to the Remuneration Committee. The Chair also declared an interest on behalf of all members of Council as this was a report to and about Council, but stressed that this did not prohibit Council members from speaking or voting.

Mr David Allen from the Halpin Partnership introduced the report and gave a brief presentation on the rationale and findings of the review.

Mr Thomas Sheppard, the Chair of Council, then provided a response to the review. He thanked everyone who contributed towards the consultations undertaken by the Halpin Partnership as part of the effectiveness review, and also the Halpin Partnership for the considerable time and energy they had put into this review which contained messages and guidance which were relevant for the whole HE sector. He reported that Council had considered the report at its meeting on 25<sup>th</sup> May 2018, at which it welcomed the Review and acted immediately to accept many of its primary recommendations. Some of the proposals were felt to need further, detailed consideration and, as recommended in the Review (primary recommendation 9), a Steering Group appointed by Council and would be chaired by Mrs Ruth Foreman, Vice-Chair of Council.

The report made clear that whilst the University was considered compliant in terms of the current sector guidance, there were a significant number of areas in which Council can increase both its effectiveness and also the effectiveness of its committees, and there were 15 primary and 55 supporting recommendations to address these areas.

Some of these recommendations were sector-leading, such as student and staff membership of the Remuneration Committee, where so far only a very few Institutions have taken this step.

The steering group would include both student and staff representation from Council, and look at all the primary and supporting recommendations – including the three primary recommendations where Council felt that further consideration was required. The steering group would report regularly to Council to help it agree the best way to implement the recommendations. It was noted that this would be a substantial task, but it was hoped that by the next meeting of Court in 2019 significant progress would have been made.

Primary recommendation 13 in the Halpin report was that Council undertake, with Court representation, a review of Court with the aim of creating a deeper, broader and more inclusive stakeholder engagement. The steering group would consider how this might best be organised and an email address has been set up so that members of Court could submit their individual views to the group.

Mr Sheppard assured those present that Council took the words in this report and the intent behind them very seriously and it would ensure care was taken to progress the recommendations effectively and without delay.

There then followed a discussion of the Council Effectiveness Review Report, during which several members of Court congratulated the Halpin Partnership on the quality of the report and the clarity of the recommendations provided. Points raised during the discussion included the following:

- The recommendations around the size of the membership of Council were discussed, with some expressing the view that Council needed to be larger, not smaller, in order to ensure there was a sufficient diversity of skills, for all parts of the University to be represented, and for there to be lay majority on Council.
- In respect of the recommendation on the creation of a Head of Governance role, some members welcomed this proposal as a means of ensuring an independent governance function, whilst others felt that such a move was unnecessary and possibly counter-productive.
- The future role of Court was discussed, and it was suggested that it should continue to have a strong governance role, as this would ensure there was continued scrutiny of the governance of the University.
- It was suggested that there should be a mechanism for removing a Chair of Council if they were seen to be doing a bad job, and the Chair of Council and the University Secretary both confirmed that such a process already existed.
- Mrs Foreman encouraged members of Court to engage with the work of the steering group and confirmed that whilst she was chairing the steering group she would be standing down as Chair of the Audit Committee to ensure her own independence.

## **Motion**

The following motion, which had been proposed by Mr Hedley Bashforth and seconded by Professor Hartmut Logemann, was then considered:

*Court notes the receipt of the Halpin Review on 25th May.*

Mr Bashforth introduced his motion and highlighted four areas which needed to be addressed: clarity over what was being recommended in respect of the Charter and Statutes and the implications of this for Court; that those who control the University should be elected, not appointed; any changes to the Charter and Statutes should be voted on by all members of the University, including alumni; and that Court and Council should consider a separate set of principles to address the problems of culture and communication within the University and to provide appropriate safeguards.

Mr Bashforth also suggested that the next meeting of Court, scheduled for February 2019, was too long to wait and that Court should meet earlier than this to engage with the issues raised. This sentiment was echoed by other members.

### **Amendment 1**

The following amendment was proposed by Professor Hartmut Logemann and seconded by Ms Elke Pawlowski:

Add the following:

*Court welcomes recommendation PR13 and believes that any review undertaken must be led by Court. Court has played a critical role in initiating long overdue debate and reform at the University. Court must be able to continue as an independent body representing the interests of the University's internal and external constituencies.*

Professor Logemann spoke to his amendment and suggested that given the key role Court had played in recent events any review of the role of Court must be led by Court itself.

During the discussion of the amendment it was clarified that the steering group would not be undertaking the review of Court, but simply considering the form it should take following extensive consultation and making a recommendation on this.

The amendment was then put to the vote, with 34 members voting in favour of the amendment, 29 against and 3 abstentions. The amendment was therefore approved.

### **Amendment 2**

The following amendment was proposed by Dr Christopher Roche and seconded by Ms Sue Sutcliffe:

Add the following:

*Court welcomes recognition in the Halpin Review that there should be improvements to the inclusion of MSA, OFS and T&E staff within the structures of university governance.*

*Court also welcomes proposals to create a more diverse University Council.*

*Court notes the significant under-representation of staff within the MSA, OFS and T&E job families on University Council.*

*Court recommends that the number of elected places on University Council reserved for staff in the MSA, OFS and T&E Job families be increased as part of a strategy to create a more diverse Council.*

(Note: MSA = Management, Specialist and Administration; OFS = Operational and Facilities Support; T&E = Technical and Experimental).

Dr Roche spoke to his amendment and highlighted the need for greater representation of non-academic staff on Council to address their current under-representation.

During the ensuing discussion the implications for the size of Council was raised, as adding members of staff to the membership of Council would in turn require more lay members in order to ensure a lay majority. However, the need to ensure appropriate representation of all members of staff on Council was recognised, and the steering group would be looking at this, along with the recommendation from Halpin on the size of Council, as part of its work.

After further discussion the amendment was then put to the vote, with 41 members voting in favour of the amendment, 14 against and 11 abstentions. The amendment was therefore approved.

### **Amendment 3**

The following amendment was proposed by Dr Michael Carley and seconded by Dr Christopher Roche:

Add the following:

*Court welcomes proposals to create a more diverse University Council and to improve engagement between staff and Council.*

*Court notes that the Convocation currently elect one external member of the University Council.*

*Court recommends that this practice of constituency election be expanded so that other constituency bodies, including the Academic Assembly, the Court, the student body, the proposed 'non-academic Assembly' and the Convocation elect one external member each.*

Dr Carley spoke to his amendment and suggested that in order to expand the diversity of views on Council, all statutory bodies of the University should each elect one lay member of Council.

During the ensuing discussion the process by which such elections would work was questioned, and it was reported that such a process was unprecedented within Higher Education and would put the University at the forefront of radical reform within the sector.

The amendment was then put to the vote, with 9 members voting in favour of the amendment, 52 against and 4 abstentions. The amendment was therefore rejected.

The substantive motion, as amended by amendments 1 and 2 above, was then put to the vote, with 45 members voting in favour, 5 against and 14 abstentions. It was therefore AGREED that the following motion be passed:

Court notes the receipt of the Halpin Review on 25<sup>th</sup> May.

Court welcomes recommendation PR13 and believes that any review undertaken must be led by Court. Court has played a critical role in initiating long overdue debate and reform at the University. Court must be able to continue as an independent body representing the interests of the University's internal and external constituencies.

Court welcomes recognition in the Halpin Review that there should be improvements to the inclusion of MSA, OFS and T&E staff within the structures of university governance.

Court also welcomes proposals to create a more diverse University Council.

Court notes the significant under-representation of staff within the MSA, OFS and T&E job families on University Council.

Court recommends that the number of elected places on University Council reserved for staff in the MSA, OFS and T&E Job families be increased as part of a strategy to create a more diverse Council.

## **7. DATE OF NEXT MEETING**

It was noted that the next meeting of Court was scheduled for 21<sup>st</sup> February 2019 at 2.00pm. The University Secretary suggested that in light of the earlier debate and the availability of Mr Troughton, this date would need to be reviewed, and members of Court would be contacted regarding this in due course.

The Chair reported that this was the last meeting of Court which would be held with the current Vice-Chancellor in post. He had been Chair of Council for 8 of the 17 years the Vice-Chancellor had been with the University, which had been a period of extraordinary progress for the institution, and he thanked the Vice-Chancellor for her enormous contribution to the life of the University of Bath.

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The meeting concluded at 5.00pm.