# COUNCIL

Thursday, 24th November 2022 9:30 am

Council Chamber   |   Council

## Attendees

#### Present

#### Pamela Chesters, Chair

#### Maria Bond *(Remote Attendance, from 11am)*

#### Dr Teslim Bukoye

#### Kathryn Ehrig-Page

#### Timothy Ford *(Remote Attendance)*

#### Christine Gibbons

#### Professor Dorothy Griffiths

#### David Hardy

#### Dr Alan Hayes

#### Julia Kildyushova

#### Don McLaverty

#### Sujata McNab

#### Catherine Mealing-Jones

#### Calum Mercer

#### Charlotte Moar

#### Dr Dai Moon

#### Alexander Robinson

#### Dr Andrew Ross

#### Dr Paul Shepherd

#### Professor Ian White

**In Attendance**

#### Professor Philip Allmendinger

Richard Brooks *(Item 7503 only)*

#### Professor Julian Chaudhuri

#### Professor Sarah Hainsworth

Dr Nicky Kemp *(Items 7508 and 7509)*

#### Charlie Slack

Sharon Street (*Item 7496 only)*

#### Martin Williams

#### Professor Cassie Wilson

#### Keith Zimmerman

**Secretariat**

Emily Commander, Secretary

Katherine Anderton

Laura Andrews *(Remote Attendance)*

#### Caroline Pringle

#### Apologies

#### Tim Hollingsworth

## 7491.0 Welcome and Quorum

Purpose - For Information

#### Minute by Caroline Pringle

The Chair welcomed everyone and confirmed that the meeting was quorate. Apologies were noted from Tim Hollingsworth. Maria Bond and Alexander Robinson had also sent apologies for the first half of the meeting, but would join later.

## 7492.0 Declarations of Interest

Purpose - For Information

#### Minute by Caroline Pringle

Dr Dai Moon and Kate Ehrig-Page both declared an interest in item 7514 (Pensions Working Group) as UCU officers. It was agreed that they would both leave the meeting if there was substantive discussion of this item.

Professor Phil Allmendinger declared an interest in item 7499 part B (Council size) and would leave the meeting for this item.

Professor Julian Chaudhuri declared an interest under item 7495, in relation to the potential partnership with Plymouth University, as a former employee of the institution.

## 7493.0 Minutes of Previous Meeting - C22/23 - 11

Purpose - For Approval

#### Minute by Caroline Pringle

Council approved the minutes of the previous meeting held on 13 October 2022 via Decision Time in advance of the meeting.

It was noted that minute 7483 stated that Council members would have an opportunity to discuss the University's failure to meet its APP targets in this year’s recruitment at November's meeting, however this was not on the agenda. It was agreed that this would be added to a later agenda.

## 7494.0 Actions and Matters Arising

Purpose – For noting

#### Minute by Caroline Pringle

Council noted the action log. All actions which were due had been completed.

## 7495.0 Institutional update - C22/23 - 12

Purpose – For noting

#### Minute by Caroline Pringle

The Vice-Chancellor introduced the institutional update. He thanked colleagues for their work over what had been a busy few weeks and provided a verbal update on recent developments.

Professor Duncan Craig had been appointed as Dean of Science and would be bringing some of his research group to the University. Professor Phillip Ingham had also been appointed as Head of Department for Life Sciences and would be joining the University in spring 2023. The Vice-Chancellor thanked Adele Murrell for her work as interim Head of Department.

Tamsin Willis-Stovold had returned from maternity leave and taken up the role of Deputy Director of HR (Leadership). Randolf Cooper had also been appointed as interim COO and would bring a range of experience from the sector. Dr Nicky Kemp would be taking on the role of Director of Risk and Compliance while Sharon Street would be leading the Department of Planning and Strategic Change.

Work was underway to engage external consultants to support the financial planning process and the development of a financial plan. The University was also working on the development of a building in the city as a space for innovation. This was likely to come to Council in the future. Scaffolding had gone up around 3W and staff and labs were being relocated out of the building. A Task and Finish group had also been established to progress work on other buildings on the Parade.

UCU members were holding strikes on 23, 24 and 30 November 2022. The University was continuing to communicate with UCU and UUK.

It was anticipated that there would be growing pressure on student accommodation in Bath for 2023/24 due to expansion plans of local universities and changes in the mortgage market pushing more people to rent. To tackle this, the University had taken early action to agree a number of nominations agreements in the city for next year but efforts would continue to secure more rooms.

The Vice-Chancellor notified Council that there had sadly been the death of an undergraduate student. The Vice-Chancellor expressed his thanks to all those colleagues who had been involved in offering support. He also thanked the Library and Chaplaincy who had provided support to the family of a staff member who had died recently.

The Pro-Vice-Chancellor (Education) informed Council that the University had been approached by Health Education England to help to scope the delivery of the University's MPharm degree locally in the South West, in order to address the long-standing shortage of pharmacists in the region. Health Education England had asked Bath to find a partner with whom to deliver the programme. The University of Plymouth had been selected as the preferred partner. Bath had submitted an initial business case to Health Education England, which was approved on 15 November. The first intake was planned for October 2024. The students would be considered as Bath students but based at Plymouth.

The following points were raised in discussion:
- The University was confident that it could temporarily accommodate all of the current occupants of 3W on campus, but it had additional space off-campus if necessary. Almost all occupants had already been relocated.
- It was recognised that rent support for students next year would be challenging due to inflationary pressures. The University would continue to focus on affordability and supporting those students that most needed it.
- Council welcomed the separation of compliance and planning, recognising the increased scope of both these areas.
- It was noted that Senate had previously discussed exam invigilation and it was encouraging to see that the University had listened and was planning for approximately two-thirds of Semester 1 exams to take place on campus and in person.

Council noted the institutional update.

## 7496.0 Discussion item: strategic planning - C22/23 - 13

Purpose – For noting

#### Minute by Caroline Pringle

The Deputy Vice-Chancellor and the Director of the Strategic Projects Office presented an update on the strategic planning process. The original objectives of the review of strategic planning were to:
- take forward the University Strategy 2021-26 and prepare the foundations for subsequent strategies;
- develop and implement academic ambitions;
- become more agile and responsive to market opportunities that were consistent with strategic objectives;
- improve the planning process; and
- make the planning process more transparent and accountable.

A lot of progress had been made so far. UEB approved the new approach in October and this would be taken forward with two of the Faculties this year. A number of away days had taken place to understand where the institution was and to raise aspirations. An Enabling Day would be taking place on 28 November to consider how Professional Services could support some of the ideas going forwards.

The Deputy Vice-Chancellor presented a diagram of the new planning process. A new Planning, Delivery and Performance Board would be established to monitor the process and make recommendations to UEB. A sequential approach would be adopted, whereby academic ambitions were formulated first, and then enabled by Professional Services. A new department for data, analytics and planning would also be created to support the delivery of strategic planning.

The following points were raised in discussion:
- The Pro-Vice-Chancellors' strategies would feed into the planning process.
- The new Planning, Delivery and Performance Board would decide on priorities and trade-offs.
- Professional Services leads were involved in the planning process.
- This would be a change in culture. During the pandemic focus had been on delivery. The planning process would need to foster and enable more ambitious thinking. It was recognised that cultural change would gain momentum once people could see results.
- The financial plan should guide the University through the first strategic planning phase and then act as a management tool for future years.

Council noted the update.

## 7497.0 Leadership update: Research performance - C22/23 - 14

Purpose – For discussion

#### Minute by Caroline Pringle

The Pro-Vice-Chancellor (Research) presented the leadership update on research. Consideration was being given to how to boost research culture and the international visibility of Bath's research. Work was also being done to strengthen research governance and compliance. Two key appointments had been made: the Head of Research Governance and an Export Control position.

Council considered the research KPI dashboards. Most KPIs were on track and making good progress but there was more work which needed to be done. The targets were being communicated to Faculties and Schools so that there was transparency and ownership.

Work to appoint a Director of the Doctoral College was underway. This would allow the University to evaluate how the Doctoral College was operating and develop some more efficient processes. The recommendations from the review of Research and Innovation Services (RIS) were also being implemented.

The following points were raised in discussion:
- The targets were ambitious and the risks in some cases were large.
- There were currently a number of siloed digital systems being used by RIS. There was no sector-wide research management system and it would be important to refine the processes before they were implemented into any new digital system.
- The external research environment was currently very volatile. The research councils had a three-year settlement which had been unaffected by the government's most recent budget announcement so the University was somewhat insulated from external volatility.
- It was noted that the percentage of academics on teaching and research contracts holding an award in the School of Management was lower than for other Schools and Faculties but it was confirmed that this was normal for the sector.

Council noted the leadership update on research.

## 7498.0 Education - C22/23 - 15

Purpose - For Approval

#### Minute by Caroline Pringle

The Pro-Vice-Chancellor (Education) presented the Education Plan and the Education Strategic Implementation Plan which focused on continual improvement and performance.

The following points were raised in discussion:
- it was recognised that Bath's high entry tariff provided challenges in terms of widening participation. A more tactical approach to widening participation was needed, including consideration of contextual offers and targeting particular student groups.
- There were plans to review the postgraduate taught provision and experience.
- It was not envisaged that a significant increase in resources would be required to embed climate action into the curriculum; this should be business as usual.
- There might be worth considering a semester 2 intake for PGT students.

Council approved the Education Plan and noted the Education Strategic Implementation Plan.

## 7499.0 Council effectiveness - C22/23 - 16

Purpose - For Approval

#### Minute by Caroline Pringle

The Chair introduced the Council Effectiveness Review Action Plan (C22/23 - 16A). Council members emphasized the need for input and discussion in relation to some of the actions, for example defining the role of the Senior Independent Officer and the relationship between Council, UEB and Senate.

The Deputy Vice-Chancellor left the meeting for discussion of paper C22/23 - 16B, which concerned the proposal to reduce the overall size of Council, but to include the Deputy Vice-Chancellor as an *ex-officio* member. The paper proposed reducing the size of Council to a total membership of 15 but leaving provision within the University's governance framework for a larger number so that Council could revert to a larger membership if needed without further amendments to Statutes.

Some reservations were expressed by staff members of Council about the reduction in Council size and not all staff members supported the proposal to reduce the size of Council. However, the staff members concerned were content with the transitional arrangements set out at paragraphs 5 and 6.

The Vice-Chancellor abstained from commenting, feeling that it would be inappropriate to comment on the make up of Council as it directly employed him.

In relation to paper C22/23 - 16A, Council approved the Council Effectiveness Review Action Plan and agreed to publish the Council Effectiveness Review Report and the action plan on the website.

In respect of paper C22/23 - 16B, Council approved the proposal to reduce Council in size (noting the dissenting position of Dr Dai Moon and Kate Ehrig-Page). Council agreed to delegate authority to the Head of Governance to progress the necessary amendments to the governance framework to implement this change and agreed the proposal on transition arrangements with respect to lay member vacancies.

The Deputy Vice-Chancellor re-joined the meeting.

## 7500.0 Finance Committee - C22/23 - 18

Purpose – For noting

#### Minute by Caroline Pringle

The Chair of Finance Committee presented paper C22/23 - 18. There were no comments or questions in relation to this item.

Council noted the report from Finance Committee.

## 7501.0 Audit and Risk Assurance Committee - C22/23 - 19

Purpose – For noting

#### Minute by Caroline Pringle

The Chair of the Audit and Risk Assurance Committee presented papers C22/2319A - 19D. In response to questions from Council members, it was confirmed that money laundering and fraud was a standard consideration within the external auditor’s reports. The University did see cases of fraud occasionally but it had appropriate processes in place to identify and manage these. It was noted that there was a heightened risk of attempted fraud given the current economic pressures.

Council noted the Annual Report of ARAC for 2021/22, the Internal Audit Annual Report for 2021/22, and the annual reporting statement on Public Interest Disclosure.

## 7502.0 Annual Financial Reporting - C22/23 - 17

Purpose - For Approval

#### Minute by Caroline Pringle

The Chair of Finance Committee and the Director of Finance introduced the annual financial reports for 2021/22. These had received detailed scrutiny by Finance Committee and ARAC at a joint meeting on 3 November 2022. All other Council members had also had an opportunity to review the documents and provide feedback in advance of the meeting. The feedback and points raised by Finance Committee and ARAC had been incorporated into the final documents now presented to Council.

The Director of Finance highlighted the following points to Council:
- the £17m Historic Operating Surplus was due to deferred spending rather than savings.
- PwC had originally offered a limitation of scope opinion on the matter of Local Government Pension Scheme (LGPS) assets, advising that this policy was being applied by PwC to all its clients who had employees within LGPS. However, PwC had since been able to gain the assurance it required, and consequently was able to provide a clean audit opinion.
- The PwC management letter confirmed that no new audit points were raised this year.
- The loan covenant report confirmed that the University's future cash flows were sufficient for the University to meet its loan obligations.

The following points were raised in discussion:
- Council commended the Finance team and commented that the new reduced format of the annual accounts was an improvement.
- Council was required to approve the OfS return, not simply note it as stated on the agenda. It was also suggested that in future Council did not need the narrative provided with this document and a summary of the key points would be sufficient.
- Council noted the assurance given with respect to the development of the financial planning process utilizing external support, a key output of which would be the financial plan.

Council:
- noted the PwC Management Letter, as considered by Finance Committee;
- approved the Annual Financial Return to the OfS for 2021/22, as considered by Finance Committee;
- noted the Loan Covenant and Going Concern analysis, as considered by Finance Committee;
- approved the Annual Accounts for 2021/22, as considered by Finance Committee and ARAC, to be signed by the Vice-Chancellor and Treasurer; and
- approved the External Audit IAS 260 Report and Letters of Representation, as considered by Finance Committee and ARAC, to be signed by the Vice-Chancellor and Chair of Council.

## 7503.0 Workforce issues - C22/23 - 20

Purpose – For discussion

#### Minute by Caroline Pringle

The Director of HR presented paper C22/23 - 20 which provided an update to Council on issues relating to the University workforce and academic performance from a planning perspective.

The following points were raised in discussion:
- Council would benefit from six monthly updates on progress.
- Workload allocation model (WAM) was not being consistently used across all parts of the organisation. It was originally implemented for TRAC returns but over time had been utilized in support of a variety of functions. It was therefore timely to review how the WAM system operated.
- It was noted that the paper focused primarily on academic staff development and performance management because these systems were relatively less well developed compared with their application within Professional Services.
- The next staff survey would be issued later this month which would capture data about the degree to which staff felt that the University offered a supportive work environment.

Council noted the update.

## 7504.0 Degree outcomes - C22/23 - 21

Purpose - For Approval

#### Minute by Caroline Pringle

The Pro-Vice-Chancellor (Education) presented the Degree Outcomes Statement for 2017-2022. Senate had reviewed this last week and had made two minor changes. Universities UK (UUK) had made a commitment in July 2022 that its members would publish their statements, and that UUK would produce a report based on these about grade inflation in the sector.

The following points were raised in discussion:
- the School of Management was noted as having a particularly high percentage of 1st and 2:1 degrees and assurance was sought and obtained that this was in line with expectations and was subject to the same rigorous scrutiny as other Faculties;
- next year department reviews would be reinstated and in January there would be a deep dive into outcomes;
- consideration could be given to publishing similar information for degree apprenticeships but currently the numbers were very small. Degree apprenticeships were now a standing item on EQSC's agenda so Council could expect to see more information regarding these courses in future.

Council agreed to publish the Degree Outcome Statement on the University website. It noted the report on undergraduate degree outcomes.

## 7505.0 Postgraduate Taught Experience Survey - C22/23 - 22

Purpose – For discussion

#### Minute by Caroline Pringle

The Pro-Vice-Chancellor (Education) presented the results of the Postgraduate Taught Experience Survey (PTES). The PTES was not mandatory and only 91 HEIs had participated in the survey. The response rate was also low compared with the response rate for the NSS survey, although comparable with the response rate achieved by the other HEIs that had taken part. The University's scores were similar to last year but its overall ranking had dropped from 33rd to 59th.

The following points were raised in discussion:
- It was felt that historically the University had given insufficient focus to the needs of this cohort of students when compared to undergraduates where we consistently performed very well.

- The lower ranking was not thought to be a contributing factor to the under-recruitment of postgraduate taught students this year. It was more likely that this was the result of changes in the UK jobs market with UK graduates having better opportunities to join the employment market and the University's international rankings.
- Not every department had a postgraduate presence and therefore those that did had, historically, been relatively autonomous. There was a need for a different level of oversight.
- The University needed to put more resource into encouraging PGT students to complete the PTES and communicating why it was important.
- It was suggested that the University could survey PGT students rather than relying on external surveys.
- There was a need to run more engagement activity with PGT students to better understand the PGT student voice.

Council noted the assurance from Senate in relation to Postgraduate Taught Experience Survey results.

## 7506.0 Annual Report from Senate's Postgraduate Independent Adviser - C22/23 - 23

Purpose – For noting

#### Minute by Caroline Pringle

The Pro-Vice-Chancellor (Student Experience) introduced the Annual Report from the Postgraduate Independent Adviser and UEB's response to the report. The Independent Advisers (IAs) had dealt with a similar number of cases as in previous years but there had been a rise in the number of sexual harassment cases. The relationship between the University and the IAs had continued to develop, and the senior team was now working much more closely with the IAs.

Senate had considered both reports at its meeting on 16 November 2022. There had been lengthy discussion surrounding the workload of the IAs and the support available to them. Senate had also approved the appointment of a third Independent Adviser.

The following points were raised in discussion by Council members:
- It was difficult to know the extent to which 'repeat offenders' were brought to the attention of line managers as details of the cases remained confidential and were not shared with the senior team.
- Many students came to the Independent Advisers because their complaint had not been effectively managed in the first instance. There was more that could be done to raise awareness amongst both staff and student of the various support services on offer.
- Not all complaints initially made to the IAs were taken forward by students. it was important that students had confidence in the process. The Dignity and Respect policy had been reviewed and changes had been made to how issues were investigated.

Council noted the Annual Report from the Postgraduate Independent Adviser and noted UEB's response to the report.

## 7507.0 Students’ Union Top 10 - C22/23 - 24

Purpose – For discussion

#### Minute by Caroline Pringle

The Pro-Vice-Chancellor (Student Experience) presented paper C22/23 - 24 which set out UEB's response to the Students' Union Top 10 and delivery plans for the year.

In response to questions from Council it was confirmed that the Top 10 had been published on the SU website since 2011 but progress updates were not included.

Council noted the suggestion that an individual Council member be appointed as a champion for CAF. It noted there had been previous requests of this nature for other work streams e.g. EDI. It confirmed its existing position that Council members collectively shared responsibilities of this nature and consequently it would be inappropriate to identify, and rely on, a single Council member to champion this work.

Council noted the University's response to the SU Top 10.

## 7508.0 Development of new Risk Management Approach - C22/23 - 35

Purpose – For discussion

#### Minute by Caroline Pringle

The Director of Policy, Planning and Compliance attended to present paper C22/23 - 35 which provided an update on the development of the University's new risk management approach and operational risks which were above tolerance thresholds. The University was procuring new risk management software and had submitted a business case for the appointment of a Risk Manager.

Council commended the work that the Department of Policy, Planning and Compliance was doing. It was recognised that the new software would help to embed risk management within the organisation. Council members requested dedicated time to discuss strategic risks and risk appetite as part of a wider approach; it was suggested that this could be an appropriate topic to workshop at a Council development day.

Council noted the development of a new risk management approach and noted the actions being taken to address the risks that were currently sitting above the tolerance thresholds.

## 7509.0 External compliance requirements - C22/23 - 25

Purpose - For Approval

#### Minute by Caroline Pringle

The Director of Policy, Planning and Compliance presented the Annual Prevent report and Prevent Risk Assessment, the Annual Assurance and Data Monitoring Return for the OfS and the Modern Slavery and Human Trafficking Statement for 2021/22. The Director of Policy, Planning and Compliance clarified that there was one amendment to be made to the Annual Assurance and Data Monitoring Return; in Table 3 the number of key staff receiving refresher training should be 97, not 38.

Council noted the Annual Prevent Report and Prevent Risk Assessment. It approved the Annual Assurance and Data Monitoring Return for the OfS, subject to the amendment to Table 3, set out above. Council approved the Modern Slavery and Human Trafficking Statement for 2021/22, for signing by the Chair.

## 7510.0 Climate Action Framework - C22/23 - 26

Purpose – For discussion

#### Minute by Caroline Pringle

The Chief Operating Officer introduced paper C22/23 - 26 which provided an update on progress made on the implementation of the Climate Action Project since the last meeting of Council. A business case for additional team resourcing would be going to UEB for the next stage of the Climate Action Framework work. The delivery plan would be finalised once the level of available funding was known.

Council noted the update.

## 7511.0 Governance Framework Review - C22/23 - 27

Purpose – For discussion

#### Minute by Caroline Pringle

The Chair of Council introduced paper C22/23 - 27 which set out a new structure for the Governance Framework Project and presented a draft set of amendments to Charter. The proposed amendments had been informally considered by Senate at its meeting on 16 November and would be sent to the Privy Council for informal consultation. The amendments would be brought back to Senate and Council later in the year for formal approval.

In response to a question from Council members, it was confirmed that while one of the amendments increased the maximum number of Pro-Vice-Chancellors from three to eight, there was no intention of increasing the number of Pro-Vice-Chancellors in the near future. Rather, the amendment was an attempt to future-proof Charter and prevent the University being constrained to three.

Council approved the new structure for the Governance Framework Project and supported the proposed amendments to the University Charter.

## 7512.0 Scheme of Delegation - C22/23 - 28

Purpose - For Approval

#### Minute by Caroline Pringle

The Head of Governance introduced paper C22/23 - 28 which sought approval for a series of amendments to the finance section of the Scheme of Delegation, now that it had been in use for several months. It was also proposed that Council delegated authority to UEB for approving changes to the executive-level delegations provided these did not alter the upper threshold of executive authority.

Council approved the updates to the finance section of the Scheme of Delegation and approved the delegation of authority to UEB to approve changes to the executive-level delegations.

## 7513.0 Remuneration Committee - C22/23 - 29

Purpose – For noting

#### Minute by Caroline Pringle

Council noted the report from the Remuneration Committee.

## 7514.0 Pensions Working Group - C22/23 - 30

Purpose - For noting

#### Minute by Caroline Pringle

Council noted the report from the Pensions Working Group.

Dr Dai Moon and Kate Ehrig-Page both declared an interest in this item but, as there was no substantive discussion, they did not leave the meeting.

## 7515.0 Urgent business and delegated powers - C22/23 - 31

Purpose - For noting

#### Minute by Caroline Pringle

Council noted the summary of the use of urgent business powers and delegated authority since the meeting of Council on 13 October 2022.

## Joint Committees - C22/23 - 32

Purpose - For noting

#### Minute by Caroline Pringle

Council noted the reports from Equality, Diversity and Inclusion Committee and Honorary Degrees Committee.

## 7517.0 Senate - C22/23 – 33

Purpose - For noting

#### Minute by Caroline Pringle

Council noted the summary from Senate of its meeting on 16 November 2022

## 7518.0 Programme of Meetings for 2022/23 - C22/23 - 34

Purpose - For noting

#### Minute by Caroline Pringle

Council noted the programme of meetings for 2022/23 and the planned business for the next meeting.

## 7519.0 Any Other Business

Purpose - For noting

#### Minute by Caroline Pringle

Council noted that it was the last Council meeting for Keith Zimmerman and expressed its thanks for his contribution and wished him well in his new role at King’s.

Council noted that David Hardy was standing down from Council due to pressure of work elsewhere and other external commitments. Council thanked him for his significant contributions and noted with pleasure his willingness to stay engaged with the University should there be a specific task where his skill set could be utilized. The Chair then presented his certificate of service.

*One agenda item has been redacted either because it pertains to information relating to individual members of the University, or because it is commercially confidential.*