



Buckinghamshire New University

Draft:	23 March 2016
approved for circulation:	08 April 2016
confirmed by Council:	11 July 2016

Council

Minutes

date: **21 March 2016**
time: **4.00 pm to 6.15 pm**
location: **3.07, Uxbridge**

Present:

Christine Beasley (Chair)	Independent Council member
Rebecca Bunting	Vice-Chancellor
Antonia Byatt	Independent Council member
Gurdeep Chadha	Independent Council member
Joe Collins	President Students' Union
Lori Flynn	Independent Council member
Michael Hipkins (Deputy Chair)	Independent Council member
Steve Hoole	Elected Staff member (PSE)
Maggie James	Independent Council member
Lise Llewellyn	Independent Council member
Ken McCrea	Co-opted Council member
Hilary Mullen	Elected Staff member (Academic)
Jenny Newton	Independent Council member
Keith Ryan	Independent Council member
John Smith	Independent Council member
Phil Wood	Elected Senate member
Terri Teasdale	Independent Council member

Officers:

Ellie Smith (Secretary)	Clerk to the Council
Marcus Wood (Acting Minute Secretary)	Senior Registrar (Governance)

In attendance:

Sean Mackney	Pro Vice-Chancellor Education
Tim Middleton	Pro Vice-Chancellor Research and Enterprise
Steve Dewhurst	Director of Strategic Planning & Development

Apologies:

Lauren Griffiths	Elected Senate member
Tim Marshall	Co-opted Council member
Anthony Murphy	Independent Council member
Kam Ahumibe (Minute Secretary)	Registrar (Governance)
Ian Plover	Deputy Vice-Chancellor
Tracey Price	Director of Finance

16.01 **Welcome to new members**

The Chair welcomed Phil Wood, a newly elected representative from Senate, to his first meeting of Council. Keith Ryan, an independent member of Council, was formally welcomed back following a period of absence due to ill health. The Chair also welcomed Marcus Wood, Senior Registrar: Governance, as acting minute secretary.

The Chair especially welcomed Sean Mackney, Pro-Vice-Chancellor Education, to his first meeting of Council following his appointment in January 2016. He briefly introduced himself and noted that he had joined Bucks from the University of Exeter where he had led on education quality. This followed previous appointments at the Higher Education Funding Council for England (HEFCE) and the Higher Education Academy (HEA). He noted that he had spoken to many staff and students at the University and was excited about its prospects and the opportunities to be taken forward.

16.02 **Declaration of potential conflicts of interest**

None were declared.

16.03 **Minutes of the Meeting held on 23 November 2015**

The minutes of the meeting held on 23 November 2015 (including the confidential appendix) were **SIGNED** as a correct record without amendment. The actions from the meetings were noted.

The Vice-Chancellor updated members about the issues raised by the SU in relation to academic staff turnover (minute no. 15.90). Data had been reviewed for the quarter to December 2015. During this period 9 members of academic staff had left the University citing 16 reasons. Of these, 5 had indicated that they were leaving to take up a promotion post elsewhere. No issues stood out to give cause for concern, although there were some comments about a need for a work-life balance which might be anticipated. The University would be improving its processes for conducting exit interviews (which are voluntary). These will now be offered to all members of staff by HR automatically.

Members welcomed the information but asked for data to be provided for the year as a whole, rather than on a quarterly basis. It was also requested that data be compared to sector averages. The Deputy Vice-Chancellor would be asked to prepare a summary statement regarding staff turnover which would be attached to the minutes.

(Action: Deputy Vice-Chancellor)

16.04 **Matters Arising**

No matters arising were noted that were not already included on the agenda.

16.05 **Chair's Action**

None had been taken since the previous meeting.

16.06 **Vice Chancellor's Report (including KPIs)**

Vice Chancellor's Report (C/16/01)

Council received the report. The substantive item was the publication of the BIS grant letter to HEFCE setting out its settlement and funding priorities for 2016-17 and beyond. The letter identifies some opportunities and threats for the University, is set against a background of a changing HE landscape over the next 5-10 years, and outlines a number of areas which reflect work already ongoing at Bucks. It was noted that the University is expecting to receive its annual grant letter in April which is slightly later than normal.

Council noted the reduction of the capital grant for teaching from £300m in 2015-2016 to £140m in 2016-17 and an indicative £100m in 2017-18. The Vice-Chancellor noted that the University cannot expect any immediate financial support for teaching activities although funds have been set aside within the sector for targeted activities.

The SU President noted references to efficiency savings identified in the Key Performance Indicators (KPIs) and asked what measures were in place to arrest the decline in income. The Vice-Chancellor noted that Faculty curriculum strategies have been approved by Academic Planning Committee; these rationalised provision over a period of three years developing new courses in growth areas and approving new partnerships while closing some courses. The University was building its business across a number of platforms including short and professional courses, FTUG provision and – in the longer term – higher education apprenticeships. The University's application conversion rate was holding up and/or higher than at the same stage in the previous year. The Pro-Vice-Chancellor Education noted that apprenticeships follow up on the University's successful work-based learning programmes and allow for expansion to Level 7 Master's programmes as well as access to different funding streams – capitalising on the Government's apprenticeship levy.

The SU President also asked about the University's partnership with UCFB following the suspension of Bucks' UKVI Tier 4 licence and reports that UCFB had validated courses with another HE provider. The Vice-Chancellor noted that in the longer term UCFB would be applying for its own Tier 4 licence. Validations approved by the other provider were for courses that had been rejected by Bucks as these conflicted with the University's own provision. The University had a contractual agreement with UCFB and extensive discussions were underway to agree a continuation of the contract from 2017. It was noted that a business relationship with multiple validating bodies was a reality of the new HE landscape. Bucks was keen to demonstrate itself as the partnership of choice for UCFB.

Members asked about the future of the Staff satisfaction survey as it was some time since this had been run. It was noted that the survey is conducted at two-year intervals to enable actions to be undertaken and that the survey had also been delayed while the new SMT was established. In relation to the 'green' status of the associated KPI, the Director of Strategic Planning and Development explained that metrics were set at the point when the survey was undertaken and without any other evidence could not be updated.

Celebrating success

Council welcomed the news that the University's innovative simulation to enhance nursing and health students' learning had won the Teaching Excellence category at the Guardian University Awards 2016. The University had also been named as a finalist for seven awards across six categories in this year's Student Nursing Times Awards. Finally, sports teams from Bucks had won this year's Varsity match against students at the University of Roehampton by 15 points to nine.

16.07 **UKVI: Update (Verbal)**

The University had recently been through two scrutiny visits as part of the process to reapply for its Tier 4 Licence.

The QAA had visited the University on 4 February 2016 to conduct a monitoring visit under the Educational Oversight process. The visit had achieved an outcome that the University "has made commendable progress with implementing the action plan from the March 2010 Institutional Audit". This is the highest outcome that could have been achieved. The full report has now been published on the [QAA website](#).

The UKVI had visited the University on 1-4 March 2016. The visit had focused on operational detail and auditors had reviewed all international student files. The outcome of the visit was unclear as there was no briefing session at the end of the visit and the University was awaiting publication of the final report. In preparation for the audit, the University had identified a need for improvement on current processes around attendance monitoring.

A final decision on whether to permit the University to reapply for its licence would be taken at Ministerial level and no timescale had been provided. It was likely that, if successful, the University would be placed on probation and would be limited in the number of Confirmation of Acceptance of Studies (CAS) letters it could issue to international applicants.

It was noted that the University was working to a timetable that would permit recruitment to courses for September 2016 and / or February 2017 should the outcome be successful.

16.08 **Students' Union Report (C/16/02)**

Council considered the report. The SU President noted that the main theme emerging concerned the student experience amid queries regarding compensation claims for teaching delivery considered by students to fall below the standards expected.

The Pro-Vice-Chancellor Education informed Council members that many of the issues had previously been identified. The University was working to ensure consistent practice across departments and he would be working with the SU to ensure discussions were captured, monitored and actions seen through to completion. Compensation was a growing issue for the sector to ensure the highest quality of service was being provided. There was, however, a need to refocus students to identify opportunities to work with the University to resolve underlying concerns.

Members discussed the concerns raised around the promptness of student feedback and implementation of the policy on the three week turnaround. Council recognised the need to manage expectations in this area and noted that every member of academic staff was under an obligation both to meet the deadline while also providing meaningful feedback to students. Staff sickness was unavoidable and led to a drop in continuity of service. The Chair noted the University's efforts to institute the policy and the complexities which were not always within the individual tutor's control; however, effort was needed to ensure that targets continued to be met.

Members also noted comments relating to 24/7 opening of the library. The Vice-Chancellor explained that the University was working in partnership with the SU to use its income resource effectively. However, year-round 24/7 opening of the library was unaffordable especially as the resource often went unused. It was necessary to manage students' expectations around this area.

Members noted a conflict between the report and the University's KPIs on the student experience and satisfaction which were generally positive. The Vice-Chancellor explained that current KPIs were developed from the NSS scores which were published annually and had seen an increase in the previous academic year. The new University Strategy (below, minute 16.09) would have additional KPIs around the areas identified which would help to address issues raised.

The Chair noted the need for issues to be underpinned by data as it was recognised that issues were currently not being logged and therefore there was no way to identify whether an issue was systemic or an isolated incident. The Vice-Chancellor reminded the SU President that the paid student representation system was the most effective vehicle for identifying issues on the ground level via Programme Committees; this would ensure that issues could be remedied as soon as possible. With regard to the format of the SU report, the Pro-Vice-Chancellor Education would work with the SU President to develop a framework for reporting and presenting such issues. This should be linked to data wherever possible to give an indication of the depth of the issue.

(Action Pro-Vice-Chancellor Education)

16.09 **University Strategy (2016-2021) (C/16/03)**

Council noted and discussed the strategy. The Vice-Chancellor noted that the strategy set out headlines for the University for the period 2016-21. It would be supplemented by sub-strategy 'strands' for Education and Research and Enterprise and accompanied by operational plans for Faculties and Directorates. The Education and Research strands would be presented to Council at its June meeting. The final document would be professionally presented and a copy provided to all members of staff.

Wording had been carefully considered. The strategy did not present a new direction for Bucks either in the overall approach or in the subject areas; rather emphasis would remain on preparing future generations for the world of work by providing sector engaged professional and creative education. Similarly, widening participation would remain at the heart of the University's approach. It was noted that work had already started on integrating KPIs (including finance KPIs) into the strategy. These would be brought to Council in June.

In relation to research activities, the University would build from its existing areas of strength and activity and research informed teaching would be further embedded. Activity would be benchmarked against the sector through the REF – to which the University would seek to grow submissions. RDAP and the Equality Challenge Unit's Athena SWAN Charter would also be factors used to benchmark the University's position.

The strategy deliberately did not include a separate section on values, as these were captured in the second section. The University's current CORD values had been felt to be internally facing and not fully embraced by staff, while it was unclear how the values were delivered or being measured. There will need to be further consideration of CORD.

The University's international profile would be strengthened. A country to country approach would be developed at the operational level and already formed part of the approach to international recruitment. The Vice-Chancellor explained, however, that an international profile also incorporated opportunities for global research, transnational education and preparing students to engage on a global level. Members considered whether this approach conflicted with the intention for Bucks also to be an anchor institution, however, it was explained that SMT saw these as inter-related. Being an anchor institution did not entail a restriction to local recruitment.

The budget for 2016-17 was currently being set but there was no headroom for investment and it would need to be sufficient to enable activities to be undertaken. This explained the need to look at further efficiency savings while generating increases in income raised through recruitment, enterprise and commercial activities.

Report on Senate Matters

16.10 Minutes from Senate (16 December 2015)

The minutes were received.

The Clerk to Council explained that providing minutes for senior University committees formed part of a new initiative; this derived from the CUC Code of Governance's expectation that HE governing bodies should have a greater interest in quality and standards. Members welcomed the move and considered the minutes to be helpful.

16.11 Quality and standards outcomes (2013-2014) (C/16/04)

Council noted the outcomes. The Clerk to Council explained that this formed part of the annual report for Council regarding the monitoring of provision.

The report summarised the outcomes from this year's review activities and confirmed standards were both based on the Framework for Higher Education Qualifications (FHEQ) benchmarks and comparable to other providers in the sector. Recommendations had been agreed by Senate; these related to student conduct, variances in ethnicity data, implications arising from the University's responsibilities under CMA legislation, reporting capabilities in relation to assessment matters, and the promotion of ERASMUS+ activities.

Two Department reviews had been undertaken during the year. Partner reviews for Amersham and Wycombe College and the Aviation Management College, Malaysia, had also been undertaken. Members asked about the status of Amersham & Wycombe College following reports that the College was facing difficulties. It was explained that the College had been placed under 'administered status' due to quality and financial problems while a review was undertaken as to its future. The University ran a small number of Foundation Degree programmes with the College, under DMM's portfolio; these would be monitored closely but had relatively low numbers of students enrolled.

It was reported that the University had received updated information from HEFCE about its review arrangement post-HER. The University would be reviewed in 2016-17 under transitional arrangements to the new system and had been invited to a briefing meeting in April 2016.

16.12 Minutes of the Quality and Standards Committee on 9 November 2015 and 25 November 2015 (Joint with EDU)

The minutes of the two meetings were received.

16.13 Minutes from the Education Committee on 18 November 2015 and 25 November 2015 (Joint with EDU)

The minutes of the two meetings were received.

16.14 **Annual Reports on Student Conduct matters (C/16/05)**

Reports had been provided to Council for information given its responsibility for oversight of student conduct. These had been considered as part of the University's annual SURE review process and were accompanied by comprehensive Action Plans.

Appeals and OIA

- The number of appeals in 2014-15 (27) represented 0.29% of total enrolments.
- 12 cases had been referred to the Office of the Independent Adjudicator (OIA). Of these 2 cases were ineligible, 5 were not justified and 3 were justified or partly justified. In two cases the University paid a total of £12,398 in compensation.
- One case had been the subject of a legal claim ongoing since 2010. The most recent case for an oral hearing for an appeal had been rejected by the Courts and further costs awarded to the University which will now be followed up.

Student Complaints

- 72 informal complaints had been recorded but only 25 (0.8% of the student population) had led to a formal complaint being registered – although one complaint included 42 students on the same course.
- Overall, complaints had decreased by 30% over the reporting period.
- Compensation awarded amounted to £68k (of which £26k was paid by a partner institution). A further £14.5k was awarded following three cases forwarded to the OIA. The greater compensation awarded related to the University being unable to deliver what had been promised to students which was a CMA issue. A CMA Compliance Group had now been set up within the University.

Student non-academic disciplinary cases

- 46 cases were considered under the procedure, 33 in DMM and 13 in S&H.
- 5 students were found to have committed Gross Misconduct. 1 student was subsequently excluded.

Members asked about training for investigators. It was noted that investigators were drawn from the current staff base. The University was not in a position to be able to appoint a full-time investigator.

It was noted that the University does not publish the outcomes of its disciplinary investigations; however, these are sometimes the subject of Freedom of Information requests. Reports themselves remain confidential.

It was noted that in one case considered a student had stolen and used a credit card. It was explained that such incidents are as a matter of course referred to the Police, who may undertake a separate investigation.

Governance Committee

16.15 Minutes of the Meeting held on 2 February 2016

The minutes of the meeting held on 2 February 2016 were received.

The Deputy Chair of Council noted that the committee is continuing to review the CUC Code of Governance and map this to Bucks processes. Remuneration of Council members had been reviewed as part of this but a decision was taken to maintain the current position of not remunerating members. This would be reviewed should recruitment proved to be challenging.

16.16 Membership and Recruitment (C/16/06)

Members noted the update on the current position in relation to the recruitment of two new members and Chair and Deputy Chair elections.

The Clerk to Council reported that:

- Dame Christine Beasley had been the sole nomination for the position of Chair of Council
- Dr Michael Hipkins had been the sole nomination for the position of Deputy Chair of Council

As there were no other nominations for either position a ballot was not required. Both were, therefore, duly **ELECTED**.

16.17 Governance Effectiveness Review (2015-16) (Verbal)

The Deputy Chair of Council updated members in relation to the current position of the five-yearly governance review.

It was reported that Governance Committee (13 October 2015) agreed that the process to be undertaken for the 2015-16 Review would consist of:

- A questionnaire based on the LFHE's 'Framework for Identifying Governing Body Effectiveness in Higher Education'. This questionnaire was sent to all Council members and a selection of staff across the University in January 2016. Initial analysis was undertaken and presented to the Governance Committee (2 February 2016)
- One-to-one interviews with a sample of Council members to explore further areas as identified through the initial analysis of the completed questionnaires
- Review of the process and findings from the Effectiveness Review by an External Reviewer

The final report, containing recommendations from the review, would be presented to Governance Committee (24 May 2016) and Council (11 July 2016). An action plan to address any recommendations would be implemented during 2016-17.

16.18 Calendar of Meetings (September 2016 to December 2017) (C/16/07)

Council considered the dates for September 2016 to December 2017. It was noted that the number of meetings had decreased with one fewer meeting for both Council and Audit Committee.

The Clerk to Council explained that previously Council had three 'business' meetings and three 'strategy' meetings. It had instead been proposed that there should instead be one all-day strategy meeting to be held at the close of the academic year.

A decision had been taken to reduce the number of Audit Committees since the autumn meeting had previously been scheduled to review outstanding auditors' reports. The University had been assured that reports would be provided on schedule and so there was no need for the additional meeting

The calendar of meetings was **APPROVED**.

Audit Committee

16.19 Minutes of the Meeting held on 23 February 2016

The minutes including confidential minutes of the meeting held on 23 February 2016 were received without comment.

Resources Committee

16.20 Minutes of the Meeting held on 8 March 2016

The minutes and confidential minutes of the meeting held on 8 March 2016 were received. A slight amendment was noted to minute 16.08.

(Action Clerk to Council)

16.21 Financial Position January 2016 (C/16/08)

The Financial Position was received. This had also been considered by Resources Committee.

The following points were noted:

- Overall income is forecast to reduce following cuts to the HEFCE core grant. A contingency of £500k has been included to help offset the reduction in future.
- Academic fee income has also been revised downwards following some unrealistic targets being set for recruitment.
- Significant savings have been identified leading to an overall £45k variation to the initial 2015-16 budget. Further savings are anticipated due to vacancies.
- Two contingencies of £500k have been set aside for severance pay and for emergencies.

The final position will be known in August 2016. The current deficit stands at £158k; however, contingencies set aside may not be needed which could return an overall surplus for the year. 2016-17 would be a difficult year for the University and there was a need to be strict on expenditure to free up resources for investment. The Director of Finance was working on a three-year forecast which would be presented in June.

Members asked about an associated cash forecast. It was noted that this was in place and the University had a ~£14m cash balance.

Members also noted reference to the lack of proper monitoring of the cash and capital spend position which is yet to be reconciled. It was acknowledged that this was a serious issue for the University. A paper on the University's cash position will be brought to Resources Committee.

(Action Director of Finance)

The Chair noted that the Director of Finance was working through all areas of operation with her team following her appointment at the start of the academic year. Confidence was expressed that good progress is being made. It was noted that new finance, HR and student records systems have been agreed which should also help with better planning in future.

Subsidiary and Associated Companies

16.22 BEST/University Campus Aylesbury Vale (C/16/09)

The paper had been provided to Council for information on activity at UCAV. Some financial detail was also included in the report.

HEFCE Matters

16.23 5 Yearly HEFCE Assurance Review (3 March 2016)

The Vice-Chancellor reported to Council that the review had been successfully conducted. Some issues had been identified for the University to progress under the Statement of recommended practice (SORP). Recommendations were all highly manageable.

Other Matters

16.24 PREVENT: Update on University approach

The Counter-Terrorism Act came into force in September 2015 with obligations on universities to reduce incidents of extremism on campus. The University had anticipated a number of the issues to be incorporated and had produced an Action Plan which included the development of a Freedom of Speech policy. The Action Plan had been put forward as an example of good practice for other providers.

A self-assessment document had been submitted to HEFCE in January 2016. By 1 April the University would be further required to submit to the funding council its underlying plans. These would be assessed against the benchmarks.

16.25 Use of University Seal and Coat of Arms (C/16/10)

A report on the use of the University Seal and Coat of Arms was received.

Honorary Awards Committee

Minutes 16.26-16.28

See Reserved Business Minutes. Retiring Council Members were asked to leave at this point in the meeting.

16.29 Date of next meeting

The next meeting of Council is scheduled to take place on:

- Tuesday, 7 June 2016, commencing at 2.00pm at University Campus Aylesbury Vale (UCAV) and
- Monday, 11 July 2016, commencing at 4.00pm at Missenden Abbey followed by dinner.

The meeting started at 4.00pm and finished at 6.15pm.

Signed: _____ Date: _____
(Chair of Council)

Prepared by Senior Registrar (Governance) – 23 March 2016
Checked by Clerk to the Council – 24 March 2016
Checked by the Vice Chancellor – 4 April 2016
Confirmed by the Chair – 8 April 2016