

## **COUNCIL (BUSINESS MEETING)**

### Open Minutes

Of the meeting held on Tuesday, 13 April 2021 via Microsoft Teams.

**Present:** Dr Michael Hipkins (Independent [Chair]); Irene Kirkman (Independent [Deputy Chair]; Emma Binnie (PSE representative); Professor Nick Braisby (Vice-Chancellor); Anna Crabtree (Independent); Annet Gamell (Independent); Tamsin Grainger (Students' Union President); John Hathaway (Senate nominee); Professor Florin Ioras (Senate nominee); Tim Marshall (Co-opted); Ken McCrea (Co-opted); Anthony Murphy (Independent); Jordan Penning (Student); Dr Susan Rosser (Independent); Karen Satterford (Co-opted); John Smith (Independent); Supriya Sobti (Independent)

**In attendance:** Professor Gavin Brooks (Provost and Deputy Vice-Chancellor); Professor Rachel Cragg (Pro Vice-Chancellor: Education and Digital); Trevor Gabriele (Director of Finance); Julie Griggs (Interim Director of Human Resources); Ian Harper (Director of Commercial and Business Development); Ellie Smith (University Secretary and Clerk to the Council); Dr Marcus Wood (Minute Secretary)

**Apologies:** Andy Cole (Independent); Dr Cheryl Pitt (Academic representative); Bob Shennan (Independent);

### **Welcome**

21.17 The Chair welcomed members to the meeting. Apologies for absence were recorded as above.

### **Declaration of Conflicts of Interest**

21.18 No conflicts of interest were declared.

### **Minutes of the previous meeting / Action Sheet**

21.19 The Open and Reserved minutes of the meetings of 23 November 2020 and 9 February 2021 were approved as an accurate record.

21.20 Council noted the status of Actions as recorded on the Consolidated Action Sheet provided. Updates were provided as follows:

- a) Minute 20.186: Issues identified by the student focus group were being worked through at local level via the Student Success Directorate. Closed.
- b) Minute 20.218: It was noted that, on behalf of Council, the Chair had sent each UET member a small gift and thank you letter which had been greatly appreciated by all. Closed.

## Matters Arising

- 21.21 Council formally noted sign-off via Docusign of the final versions of the University's 19/20 accounts by the Chair of Council, and Directors of Missenden Abbey and BCUC Services Limited.
- 21.22 Council further noted for the minutes approval by correspondence with all members of an amendment to the Facilities Agreement with Barclays Bank as required following the acquisition by the University in its entirety of the Buckinghamshire Education Skills and Training (BEST) Subsidiary Company.
- 21.23 Council also noted Chair's Action to approve the OfS 5 year forecast in accordance with the action in minute 20.188. Attention was drawn to the chronology provided where it was noted that the figures approved by Chair's Action on the basis that they were the same as previously approved by Council in July 2020 had been updated in September 2020 for the Office for Students as an additional requirement due to coronavirus – where figures had used actual figures from recruitment which presented a more positive picture than the original cautious deficit budget. Rather than endorse the Chair's Action which contained this discrepancy, Council instead endorsed the updated figures that had been returned to the Office for Students.

## University Matters

### Vice-Chancellor's Report

- 21.24 Council received the report. Council further noted updates as following:
- a) The return of students following the easing of coronavirus restrictions on 29 March 2021. 60% of students had now 'returned' to their studies although many were on some form of placement.
- Students on non-practical programmes (where restrictions remained in place) continued to study via online means and there had been no announcement from the Government whether they would be able to resume face to face studies prior to 17 May.
- Both the University and UUK considered the situation to be unfair to these students given the range of other activities that they could now engage in and was campaigning to raise the profile of this issue in the national press and media. The University had also written to local MPs and had received confirmation that Steve Baker, MP for the High Wycombe constituency, would raise the matter in Parliament.
- b) An uncertain student recruitment picture. This was challenging due to delays in acceptances nationally, the destabilization of UCAS processes, and some late offers from some providers.
- The University continued to focus on recruitment activities via the Conversion Task and Finish Group to improve the position and had reviewed its approach to the use of unconditional offers where permitted by contextual widening participation allowances – which was viewed positively by the OfS as it encouraged greater participation by those with some form of disadvantage.
- In addition, the University was also reviewing its accommodation offer to enable offers to be made simultaneous for both a place on a programme and within accommodation.

## Key Performance Indicators (KPIs)

- 21.25 Council considered the latest update tracking performance against KPIs. Continuation rates showed improvement in 2018/19 and were now above benchmark although still lower than most competitors and had received an Amber rating. Further improvement was anticipated as 2019/20 data became available.
- 21.26 Council queried the reasons for: lower retention rates for mature students; why Bucks was outperforming benchmark; and the capacity for further increases. It was noted retention is generally lower for mature students due to their additional responsibilities, e.g. caregiving. The University's figures are heavily influenced by nursing where performance is very closely monitored as a requirement of the NMC which can be used to share good practice with other programmes.

## Research Excellence Framework (REF)

- 21.27 Council noted the University's submission to the 2021 REF exercise, where individual submissions had been made in six Units of Assessment. An independent external review of the submissions had indicated the high quality of the submission which would be an important step towards a future Research Degree Awarding Powers (RDAP) submission. Council expressed its thanks to all staff involved in preparing the submission. The outcome of the exercise would be published in April 2022.
- 21.28 Council further noted that 2021 was an important year for showcasing environmental sustainability as the UK would be hosting an international Climate Change Conference in November 2021. Some of the impact studies prepared for the REF had an environmental focus, including in particular the Water Aid project in Africa. The research team was working with University Communications to further publicize these activities and further updates would be provided to Council in due course.

## Minutes from University Committees

- 21.29 Council received the minutes from recent meetings of Senate, Education Committee, and the Research & Enterprise Committee. Attention was drawn to the positive impact of the implementation of the University's *No Detriment Policy* to support students through the pandemic.

## CMS / Pinewood Update

This item was considered under Reserved Business due to commercial confidentiality.

## Ofsted Update

- 21.30 Council noted the outcomes of recent Ofsted visits to the University in November 2020 and February 2021 to review Ofsted provision in respect of Level 4 and Level 5 apprenticeship and other provision, and ITE education provision respectively. Neither visit was a formal inspection and only the visit in November had generated a report although outcomes in both cases were positive.
- 21.31 Council was reminded that as of April 2021 all apprenticeship provision is now subject to Ofsted inspection. Accordingly, the University has established a working group to prepare appropriately. A briefing would be arranged for Council members in due course so that members could be updated ahead of a formal visit.
- 21.32 Currently, Ofsted inspection visits had been deferred due to the pandemic, but the full visit schedule would be reinstated from September 2021.

## Honorary Awards Nominations 2020-21

This item was considered under Reserved Business as the matter related to individuals.

## Condition of Registration C1 and Compliance with Consumer Protection Law

- 21.33 Council considered the review report prepared in response to the OfS requirement, on behalf of Government, for all HE providers to review their compliance with consumer law and provide assurance to their governing body of ongoing compliance with ongoing condition C1 (guidance on consumer protection law).
- 21.34 Attention was drawn to the report findings that:
- new/returning students have been provided with sufficiently clear information about their studies and there is no basis on which the University is required to actively consider its obligations under consumer law for refunds or other redress.
  - there is no potential compliance risk with condition C1 and therefore there is no requirement to inform the OfS of risk and remedial action.
- 21.35 Attention was also drawn to: the lessons learned from the report which will continue to be reflect upon to ensure that the University maintains the quality, quantity and accessibility of its provision to students; and the involvement of the University's internal auditors in a sector-themed audit on the Covid response to identify best practice and areas for improvement.
- 21.36 Council noted that only 59% of students considered that hybrid curriculum was an effective way of learning for them. However, while this was much lower than other barometers of satisfaction it was acknowledged that students had not enrolled on the basis of this teaching approach and had expressed a clear desire instead for face to face teaching.
- 21.37 It was also agreed to follow up on suggestions reported by the student representative that the late replacement of associate lecturing staff on individual programmes could lead to a reduction in quality and affect the overall student experience.
- Action: Trevor Gabriele**
- 21.38 Council approved the report with some minor typographical amendments noted during the course of discussions.

## Use of the University Seal and Coat of Arms

- 21.39 Council noted one use of the Seal since the previous meeting.

## Missenden Abbey Update

This item was considered under Reserved Business due to commercial confidentiality.

## Resources Committee items

### Minutes of the previous meetings

- 21.40 Council received the Resources Committee minutes from the meetings of 12 January and 7 April 2021. Attention was drawn to an update on the sustainability of the University estate and the embedding of environmental and sustainability considerations in to curriculum via the Curriculum 23 Change Programme. The Chair of the Committee also noted a very positive financial position for the University despite some ongoing pensions challenges, a strong cash position, and the integration of budget planning within overall School and Directorate activities.

### Financial position (M7) and Q2 Quarterly Outturn for 2020/21

- 21.41 Council noted the updated financial and quarterly position which had been considered in detail at the recent Committee meeting.

- 21.42 Clarification was sought from members over the University's accounting policy of reporting partnership figures as net or gross. The Director of Finance explained that the University used its Management Accounts to manage the University itself. Changes to accounting processes were primarily intended for the external audience to demonstrate the scope of the University's activities. Figures for 2021/22 would continue to show both internal and external figures so that Council could be mindful of both positions.

## **Audit Committee items**

### Minutes of the previous meeting

- 21.43 Council received the minutes from the Audit Committee meeting of 26 January 2021.

### Appointment of the external auditors

This item was considered under Reserved Business due to commercial confidentiality.

## **Governance Committee items**

### Minutes of the previous meeting

- 21.44 Council received the minutes of the meeting of 16 February 2021.

### Recruitment update for 2021/22

- 21.45 The Chair of Governance Committee provided a verbal update on recruitment activities:

- Three candidates have been shortlisted for the position of Chair of Council. A strong appointment is anticipated in due course.
- Anna Crabtree's appointment as an independent Council member has been extended for a further four-year period from 1 August 2021.

### Calendar of meetings for 2021/22

- 21.46 Council noted the draft committee dates for the 2021/22 academic year. However, these would be confirmed following the appointment of the new Chair of Council as some changes may be required due to their availability.

### Scheme of Delegation

- 21.47 Council endorsed minor changes to the Scheme of Delegation as highlighted in the document provided following recommendation via Chair's Action of the Committee.

## **Student Experience Committee items**

### Minutes of the previous meeting

- 21.48 Council received the minutes of the inaugural meeting of 9 March 2021. Focus of the meeting was on briefings in relation to the National Student Survey (NSS), Teaching Excellence and Student Outcomes Framework (TEF), the University's Access and Participation Plan, and its work with the Students' Union. The next meeting would focus on freedom of speech, student engagement and lessons learned from the pandemic. The meeting would also consider the SU Block Grant for recommendation to Council.

### **Date of next meeting**

21.49 The date of the next meeting was confirmed as Tuesday, 1 June 2021, from 4.00pm, where the focus would be on strategic items. The Chair also welcomed members to attend a catch up with UET members planned for Monday, 19 April 2021.