

BOARD OF GOVERNORS

Minutes of the meeting held on 31 March 2014

Present

Bernard Laverty	Independent member	Chair of the Board
Lesley Munro	PVC & University Secretary	Clerk to the Board
Richard Benjamin	Independent member	
John Cater	Vice-Chancellor	Ex-officio
Gareth Dowling	Student member	Students' Union President
Clive Edwards	Independent member	
Rob Green	Independent member	
Lisa Greenhalgh	Independent member	Chair: Audit Committee
Bill Johnson	Support staff member	Elected
David Owen	Independent member	Deputy Chair & Chair Resources Committee
Denise Walker	Independent member	

In attendance

Lynda Brady	PVC & University Secretary
Steve Igoe	Deputy Vice-Chancellor (Resources)
Paul Malone	Students' Union General Manager

Apologies

Martin Ainscough	Independent member	
Stephen Hesford	Independent member	
John Maxwell	Independent member	
Robert Smedley	PVC & Dean of Education	Academic Board representative
Lynnette Turner	Academic staff member	Elected
Alice Walker	Student member	Elected

The Chair welcomed Lynda Brady to her first meeting of the Board.

BG.13.061 Presentation: Student Services

Received Document BG/042/13 (copies circulated subsequent to the meeting)

The Director of Student Services outlined the functions and scope of the Service which covered student accommodation, financial support, inclusive services, counselling services, student health and well-being, discipline, complaints and support for Care Leavers and the volunteer chaplaincy service. She highlighted the project work undertaken by the Service such as Resilience Training and the Pre-entry Transition Programme and the consistently high levels of satisfaction reported against all aspects of Service delivery. In considering future challenges, the recent government announcement of the withdrawal of the Access to Learning Fund (ALF) was noted and particular attention was drawn to the issues arising from the larger student population resident on campus along with concerns around the accessibility of support for students with mental health needs.

The Vice-Chancellor indicated that the removal of ALF funding was disappointing and the University acknowledged the need to ensure students in financial hardship continued to receive appropriate support. It was noted that the University had already had to supplement the 13/14 fund by £100,000.

Members thanked the Director of Student Services for the presentation and for the work of the Service in providing essential support for students.

BG.13.062 Declarations of Interest

There were no Declarations of Interest specific to the meeting.

BG.13.063 Chair's Announcements

There were no Chair's Announcements.

BG.13.064 Chair's Action

There was no Chair's Action to report.

BG.13.065 Minutes of the previous meeting

Received: Document BG/043/13

Noting that the Deputy Vice-Chancellor (Resources) should have been recorded as present, the minutes of the meeting held on 27 January 2014 were agreed and signed by the Chair as a correct record.

BG.13.066 Action Log

Received: Document BG/044/13

Members received the Action Log noting the follow-up to governance issues arising from discussions at the May 2013 meeting.

BG.13.067 Matters arising not included elsewhere on the agenda

There were no matters arising.

SECTION A ITEMS

BG.13.068 Minutes of Committees

.01 Resources Committee (24 February 2014)

Received: Document BG/045/13

The Chair of Resources Committee introduced the minutes highlighting the positive discussion of the Students' Union 12/13 accounts and the strong University performance identified in the 13/14 early mid-year reforecast. The Committee had welcomed the report from the Director of Facilities Management noting the contribution made by the Service to the student experience and the recognition achieved from national awards. The Infrastructure Strategy introduced by the Director of IT Services had provided reassurance whilst recognising the challenges in maintaining wireless bandwidth, despite continued investment. In considering the VAT position in relation to the new Sports Development project, a decision had been made to continue the current position with services supplied through the University's Enterprises subsidiary noting that this was an HMRC compliant scheme. The challenging issues around pensions had also been noted.

The Resources Committee minutes were received.

.02 Nominations Committee (24 February 2014)

Received: Document BG/046/13

The Chair introduced the Nominations Committee minutes highlighting the significant discussion around the Senior Management structure following the departure of the Deputy Vice-Chancellor (Academic).

The Vice-Chancellor referred members to the structure chart appended to the minutes noting that this had been discussed with senior staff in the University and was proposed for implementation. He drew attention to:

- The direct reporting line for the PVC/Deans of Faculty to the Vice-Chancellor;
- A single Deputy Vice-Chancellor designation which remained a Governor appointment;
- A new PVC appointment with a business/external focus;

Whilst noting that the revised structure would ease succession planning, the Vice-Chancellor indicated that ensuring the right culture and ethos throughout the University was the most essential aspect in achieving the cohesive approach necessary for a successful future.

In discussion, the following points were noted:

- The diagram needed to better reflect that lead responsibility for research across the University lay with the PVC/Dean or Arts and Sciences;
- Whilst an International Recruitment Strategy had been approved which concentrated on safer markets, further work on a full International Strategy was required and this would be the responsibility of the new PVC (External Relations) post.

The Chair noted that the revised structure marked an important step in addressing issues from the recent disciplinary hearing.

Members commended the structure and particularly welcomed the designation of a new PVC post with a focus on Enterprise.

The Nominations Committee minutes were received.

.03 Audit Committee (10 March 2014)

Received: Document BG/047/13

The Chair of Audit introduced the minutes drawing attention to the timetable for the external audit tender. She commended the excellent reports from the internal auditors in relation to Risk Management and outcomes in Capital Projects which had provided substantial assurance.

The Audit Committee minutes were received.

BG.13.069 WLBC/EHU Forum (22 November 2013 & 10 March 2014)

Received: Document BG/048/13 (10 March minutes tabled)

The Chair introduced the minutes noting that discussion had centred mostly on campus development. Whilst there were continuing (largely unjustified) complaints around student behaviour, it was clear that the partnership work of the Students' Union and Student Services was appreciated.

The WLBC/EHU Forum minutes were received.

BG.13.070 Update on OFT Investigations

Received: Document BG/049/13

The Clerk introduced this item which related to two investigations.

.01 Universities Terms and Conditions

The final report on this investigation highlighted the need for Universities to ensure that actions taken in relation to student debt were fair and proportionate. In particular, the practice of some universities in implementing academic sanctions, such as the refusal of graduation, for non-tuition fee debt was highlighted as likely to be regarded as unfair. The Clerk noted that degree ceremony attendance was not essential to graduation with many students receiving their awards in absentia.

.02 Call for Information

It was noted that the Call for Information had been established to better understand how choice and competition were working in the higher education sector. Whilst initial findings did not suggest there was uncompetitive behaviour in the sector or collusion in relation to fee setting, the OFT had recommended that the new Competition and Markets Authority should undertake a compliance review in terms of information provision and seek to inform the design of the HE regulatory regime in order to ensure this did not itself undermine competition and choice.

The OFT update was received.

BG.13.071 Management Information February 2014

Received: Document BG/050/13

The Deputy Vice-Chancellor (Resources) introduced this item indicating that receipt of the second tranche of tuition fee income from the SLC added to the level of certainty that could now be applied to the end of year position. He highlighted the favourable impact of continued gap savings coupled with lower costs than anticipated in relation to auto-enrolment. Taking account of the current position a final surplus of £24 million appeared possible although the full impact of the complex algorithms relating to student numbers set out in **HEFCE's Recurrent Grant Letter** (*recently received and tabled at the meeting*) had yet to be worked through.

Attention was drawn to **HEFCE's annual assessment of institutional risk** (*recently received and tabled at the meeting*) noting the University was not considered to be at higher risk and demonstrating exceptional financial performance in the supporting graphs. Borrowing levels were slightly above the sector average but this had been necessary to support capital investment some years ago and was now falling as loans were repaid.

The February 2014 Management Information and HEFCE's Recurrent Grant Letter and annual assessment of institutional risk were received.

BG.13.072 Financial Health of the Higher Education Sector

Received: Document BG/051/13

The Deputy Vice-Chancellor (Resources) introduced this report which was largely positive although there were some pointers to areas of potential concern. The overall operating surplus for the sector was reported at 3.9% which offered little comfort in terms of known future increases to the cost base and a significant number of institutions were operating below this level. It was suggested that 8 – 9% would provide a more sustainable financial outcome.

The HEFCE report on the Financial Health of the Sector was received.

BG.13.073 Proposed Revisions to the Framework for Inspecting Initial Teacher Training

Received: Document BG/052/13

This item was deferred to the next meeting.

SECTION B ITEMS

BG.13.074 Vice-Chancellor's Report

Received: Document BG/053/13

The Vice-Chancellor introduced his report highlighting the following points:

.01 Recruitment

- Current recruitment figures to HEFCE monitored programmes suggested the University would be able to meet budgeted numbers for 2014/15 although it would be challenging to meet the new maximum of 2221(excluding ABB students) which had been recently increased by an additional allocation of student numbers.
- Whilst recruitment had been well supported by excellent Open/Visit Days this year, it was important that the University widened the pool of applicants for the future. With this in mind, the Deans had been asked to begin work on an academic development plan/strategy through to 2020 which would encourage cross-faculty working and

offer more flexibility and choice for students within the curriculum as well as the development of new and distinct programmes.

- Recruitment to professional programmes in Health remained strong but the political environment for Education programmes continued to give rise for concern with an increased government allocation of places to Schools Direct despite the lack of evidence that this was a preferred route for applicants. Overall however, recruitment was ahead of the previous year and the Faculty was engaging with Schools Direct in a measured and careful way whilst also continuing to diversify its non-professional routes to provide further security.

.02 Trade Union Dispute

- Whilst the origins of the current national pay dispute were well understood, recent strike action had received limited support (fewer than ten staff at the University participated in the three two-hour stoppages for example). The proposed assessment boycott by UCU planned from 28 April would take the dispute to another level however with the potential for more significant disruption even with limited participation. But, unlike the two hour stoppages, the position in relation to partial performance had been legally tested and it was clear that employers were entitled to withhold all salary payments to participating members in such circumstances. In the event of the boycott going ahead, this was likely to lead to a short but damaging dispute.
- It was noted that staff were not required to give advance notice of their intention to take industrial action but they were required to declare their position retrospectively. Not to do so would be fraudulent. Employers were required to identify what action would be taken in advance of the commencement of specific action.

Concluding discussion, it was noted that there was still time for action to be averted and it was not believed that the majority of staff would wish to disadvantage students by delaying graduation. UCEA was meeting with trade unions in advance of the 2014 pay round and the University had already indicated its support for an increased pay offer for 2014.

The Vice-Chancellor's report was received.

BG.13.075 Students' Union Report

*Received: Document BG/054/13
(This item taken earlier in the agenda order to allow Students' Union representatives to attend a Union Awards event)*

The President of the Students' Union introduced his report highlighting in particular the campaign to end mental health discrimination and stigma which had culminated in the signing of the 'Time to Change' pledge by the University and the Students' Union on 27 March. He also drew attention to Awards Week which included events for Sport, Volunteering and Societies and, for the first time, local Landlord awards.

In relation to the recent Students' Union elections, it was noted that all sabbatical posts had been contested this year and that turn-out was considerably above the previous year at 10.2%. Results were reported as follows:

President:	Kayley Wilson
VP FAS:	Codie Austin
VP Education:	Tamara Giles
VP Health:	Thomas Hurdsfield
Student Governor:	Connor Richmond

A formal report on the elections would be made to the next meeting and it was agreed that Kayley and Connor should attend the next Board meeting as part of their induction.

In response to a members' question, it was noted that the resident student population represented a potentially significant political force which could be important in local elections. Whilst there would not be a polling station at the University for the upcoming May elections, this could be pursued for future years.

The Students' Union report was received.

BG.13.076 HEFCE Grant Letter

Received: Document BG/055/13

The Vice-Chancellor introduced the government Grant Letter to HEFCE which set out government priorities and provided the backdrop to the HEFCE Recurrent Grant Letter recently received. The letter

confirmed the additional allocation of student numbers for 2014/15 and the removal of all student number controls from 2015/16 whilst also signalling the removal of ALF funding and the further reduction of Student Opportunity funding.

The HEFCE Grant Letter was received.

BG.13.077 CUC – Draft Higher Education Code of Governance

Received: Document BG/056/13

The Chair introduced the draft Code of Governance sponsored by the Committee of University Chairs (CUC) which was currently out for consultation. It was noted that the Code sought to address areas of potential weakness which had become apparent through a number of incidents around large donations and international collaborations which had proved to have significant reputational consequences. Some concerns had been expressed however about the possible blurring of executive and governance responsibilities in the current draft.

Overall, members were supportive of the sharper focus to the documentation and noted that a change of emphasis in the language used could address most of the concerns raised. The Clerk would respond on this basis.

Action: Clerk

The draft CUC Higher Education Code of Governance was received.

BG.13.078 Collaborative Provision Strategy

Received: Document BG/057/13

The Clerk introduced the revised strategy noting the underlying principle remained the development of partnerships which enhanced the University's reputation and a consequent emphasis on the analysis of quality and probity undertaken through a robust due diligence process.

The Collaborative Provision Strategy was received.

BG.13.079 Capital Projects Update

Received: Document BG/058/13

The Deputy Vice-Chancellor (Resources) introduced the report which highlighted the successful completion of 12/13 projects. It was noted that there was a small overspend on the BioSciences project but that this was accommodated by savings elsewhere in the total budget which was expected to return a £480,000 saving overall. An error in the VAT calculations by Turners was reported which had led to a potential retrospective University liability of around £230,000. This was accepted as an honest mistake and it had been agreed that the University would negotiate a mutually satisfactory solution which would be reported to the Resources Committee in due course.

Action: Deputy Vice-Chancellor (Resources)

In relation to 13/14 projects, it was noted that work had started on the Phase 8/9 Residences and that the project was expected to complete in July 2014. Tenders in relation to the Sports Centre Building shell were due for consideration on 1 April following an OJEU compliant procurement process. This project was expected to complete in December 2014. In terms of costs, current estimates suggested a saving against the £12 million residential project balanced by a possible overspend on the £14 million Sports Centre project.

Members welcomed the progress to date and commented on the very successful opening of the Creative Edge building which had taken place recently.

The Capital Projects Update report was received.

BG.13.080 Access Agreement 2015/16

Received: Document BG/059/13

The Clerk introduced this paper which set out the main principles of the University's 2015/16 Access Agreement for fee regulated programmes as follows:

- Fees to be maintained at £9,000 (£6,000 for Foundation Degrees),
- A bursary of £1,000 to students from low income families (<£25,000) in their first year of study;

- Care Leaver Bursary of £1,000 per annum;
- High Achiever Scholarship of £1,000 for ABB students;
- Maintenance of the current Excellence and Chancellor's Scholarship scheme;
- Support for compulsory course-based activities such as field trips and travel to placements.

In addition, it was proposed that a hardship scheme should be developed to respond to the withdrawal of the government-backed ALF scheme.

It was noted that there was increasing national evidence that bursary schemes did not impact on student choice although the impact on retention was less clear. Further evidence would inform decisions on bursary provision for future years.

The Board approved the approach to the Access Agreement outlined in the paper.

Action: PVC/University Secretary

BG.13.081 Key Performance Indicators

Received: Document BG/060/13

The Clerk introduced the annual summary of Performance Indicator data drawing particular attention to the latest HESA data on the percentage of students projected to leave with no award which showed a further reduction to 10.3% and placed the University 3% ahead of benchmark. The overall picture for the annual indicators was positive and it was noted that the amber indicators for recruitment were a reflection of risk rather than performance.

The Key Performance Indicator report was received.

BG.13.082 Any other Business

There was no other business

SECTION C ITEMS

BG.13.083 Academic Board Summary Report

Received: Document BG/061/13

The Academic Board summary report for 19 March 2014 was received.

BG.13.084 Date and time of next meeting

The next meeting is scheduled for 12 May 2014.