



## **Minutes                      Meeting of the Council**

**Date:** 6 November 2024

**Present:** Martin Temple, Pro-Chancellor (in the Chair)

Claire Brownlie (Pro-Chancellor), Adrian Stone (Pro-Chancellor), Rob Memmott (Treasurer), Professor Koen Lamberts (President & Vice-Chancellor), Professor Sue Hartley, Dr John Hogan, Alison Kay (items 1-5), Professor Robert Mokaya, Frances Morris-Jones, Dr Phil Rodrigo, Professor Mark Strong, Dr Phil Tenney, Daisy Watson

**Secretary:** Jeannette Strachan

**In attendance:** David Swinn, Rob Sykes, Al Carlile (item 3), Daniel Harrison (item 4), Professor Graham Gee (items 5-6)

**Apologies:** Varun Kabra, Professor Janine Kirby, Caoimhe Nic Dháibhéid, Professor Mary Vincent, Gemma Greenup

### **1. Welcome and Introductions**

1.1 The Chair welcomed Members and attendees to the meeting, which had been added as an additional formal business meeting to relieve pressure on the 28 November agenda and allow appropriate scrutiny and rigorous discussion of several significant and important items.

### **2. Declaration of Conflict of Interests**

2.1 No conflicts were declared.

### **3. University Vision: Annual Performance update 2023/24**

(Al Carlile in attendance for this item)

3.1 Council discussed and noted the annual performance and value for money report for 2023/24, which provided an update on progress against Key Performance Indicators (KPI) and measures from the Value for Money (VfM) Strategy. The report included an assessment of the performance of academic schools/departments and performance against the University's strategic objectives for the student population. This year's report was the first to combine the Annual Performance Report and VfM report, with the aim of providing a comprehensive view of the University's performance. The report was also written to complement the narrative provided in the University's Annual Report, which Council had considered in draft at its previous meeting and would be formally approved at the next meeting.

- 3.2 During a related presentation, attention was drawn to the key performance headlines, performance of Schools and an overview of the University's student population. IN particular, Council noted:
- 3.2.1 that overall KPI and VfM measure performance had been highly positive in 2023/24, with improved or sustained position across nine KPIs, most of which were also key VfM measures, and particular successes for research income-awards and PGR submission.
  - 3.2.2 that progress towards the NSS KPI target was impressive, although maintaining a position of excellence would be challenging, given the experiences of other institutions, particularly in relation to assessment and feedback.
  - 3.2.3 that league table rankings, as measure of reputation, were the University's best overall in the last ten years, driven in part by strong NSS performance and increasing institutional tariff, which would be relevant to any future consideration about measures to mitigate the present financial challenges.
  - 3.2.4 The negative outcomes for 2023/24 related to the University's QS World ranking and financial sustainability, which reflected the challenges to which the University was engaged in addressing.
- 3.3 During discussion, Council considered how to ensure that research excellence measures provided information and assurance about ongoing progress, noting the current limitations of using previous REF performance. Although alternative leading indicators that could provide more regular and reliable data on research progress could be adopted, it was recognised that measuring research performance in such a way was complex and resource intensive, and was likely to necessitate the application of proxy measures which may be misleading or inaccurate. It was reported that UEB had agreed an approach to measuring research performance, thereby facilitating additional reporting on the institutional trajectory towards the KPI target in future. The updated approach would be reflected in the 2024/25 annual report **[Action: AC]**.
- 3.4 With respect to NSS scores, clarification was provided that the Russell Group was chosen as the University's comparator group at corporate level due to the institutional similarities in terms of profile and market position. However, local metrics used a broader range of comparators to help evaluate performance, drive improvement and direct management action. It was suggested that broader NSS sector comparisons (beyond the Russell Group) should be drawn out in future annual performance reports, if the University or Russell Group's position is not reflective of excellence in the sector (e.g. in the areas of assessment and feedback) **[Action: AC]**. Having noted that the relative importance of certain KPIs may vary from year to year, clarification was provided that Schools' targets were based on a subset of the corporate KPIs according to importance and relevance to a particular discipline so that activity could be directed at critical areas.
- 3.5 With respect to Schools and departments, it was noted that over half were currently forecast to achieve their targets but that this was expected to accelerate as various workstreams took effect as the new structure was fully implemented and embedded, with the use of leading metrics, where possible, helping to drive positive change in the medium term. It was noted that new Schools would be developing updated academic visions and performance targets during 2024/25 for agreement by UEB.

#### 4. Annual Health and Safety Report

(Daniel Harrison in attendance for this item)

- 4.1 Council discussed and noted the Annual Report, which had been discussed by both the Joint Health & Safety Consultative Sub-Group and UEB's Health & Safety Sub-Group, and reported to UEB. Council noted updates on the work undertaken over 2023/24 and details of planned activities. Particular attention was drawn to progress against the Health & Safety objectives, as set out in the current three-year plan, including in relation to the near miss-accident ratio; mandatory H&S completion rates; embedding of the H&S management system; and the programme of internal H&S audits. Members also noted specific sections covering fire safety, ionising radiation safety, biological safety, and the University's in-house Occupational Health Service.
- 4.2 During discussion, in which Members commended the comprehensive nature of the report and the very positive direction of travel shown, Council was pleased to note the positive progress in a number of areas. Notable achievements included the ratio of near miss: accident reporting and mandatory training completion rates, and the benefits of the single H&S and occupational health process. It was also noted that the University had engaged an external accreditation body to audit institutional compliance against the relevant ISO standard, which had demonstrated that the University could seek ISO accreditation if it so decided, though this would incur costs. Members also noted the beneficial full-year impact of the new H&S governance structure and the development of a new three-year plan to build on progress and achievements to date, including supporting School leaders to discharge their H&S responsibilities under the new academic structure. It was agreed that the new three-year plan and associated priorities would be shared with Council for information and awareness **[Action: DH]**.
- 4.3 Clarification was provided about the breadth and extent of institutional analysis and wider support for mental health and staff wellbeing, which informed discussions through the UEB H&S Sub-Group and was complemented by significant work to mitigate work-related stress risks and to share good practice from across the sector. Further clarification was provided over the approach to testing local business continuity plans, which was targeted at higher risk areas and, more broadly, had been subject to significant work through the transition to new Schools. It was agreed that future reports would show the relative age of business continuity plans and when they were last tested, as well as sickness absence data **[Action DH]**.

#### 5. Senate Annual Academic Assurance Report

(Professor Graham Gee in attendance for this item)

- 5.1 Council considered the Annual Report, which had been prepared by the Senate Academic Assurance Committee (SAAC) and approved by Senate prior to consideration by Council. The joint Council-Senate Sub-Group had again considered the report in advance of Council, in order to provide additional scrutiny and feedback, and had commended it to Council. Attention was drawn to the report's focus on how the University maintained high quality and standards in relation to its education and research activities and both the assessment of institutional risks in key areas of academic business and the controls in place to mitigate those risks. An additional section covered Senate's discussions over the new Schools structure, which had informed the advice provided to Council. Members also noted the

assurance activities that SAAC planned to undertake during 2024/25, as well as the extent of other academic-related assurances that Council received through other papers and reports over the course of each academic year. The report itself, and additional assurances provided throughout the year, were critical means of assuring Council, thereby informing the annual accountability return to the OfS. It was also reported that SAAC had reflected on positive feedback and suggestions from Council about the 2023 report and Members noted that the Council Effectiveness Review had highlighted the significant progress and improvements made around academic assurance and the clear and fulsome assurance that the report provided.

- 5.2 With respect to apprenticeships, clarification was provided about SAAC's work over 2023/24, as one of priority areas for a deep dive analysis. Although this had demonstrated that the University was on a positive trajectory in this area, SAAC had agreed to revisit the matter after the next Ofsted inspection, which was due imminently. Further clarification was provided about how the University managed and coordinated apprentice-related activities, many of which differed and involved additional considerations from other types of programmes, e.g. SAAC would revisit the subject of apprentice inclusion in the wider student body during 2024/25. Members also discussed particular areas of risk, which generally stemmed from the extent of regulation, particularly around educational matters, and the work done to manage these risks proactively, both through Senate and its committees and internal audit activity. The transition to Schools and the associated enhanced governance arrangements were also expected to strengthen academic assurances further in future, and activities would be monitored actively to ensure that this was the case.
- 5.3 Following discussion, in which Members commended the report and wider progress made around academic assurance, Council confirmed that the report provided the appropriate assurance regarding academic quality and standards at the University, which would be reflected in the annual accountability return to the OfS.

**6. Annual Report of the Council Equality Diversity and Inclusion Committee (EDIC)**  
(Professor Graham Gee in attendance for this item)

- 6.1 Council considered and approved the Annual Report, noting that it would be reformatted for publication on the University webpages and shared back with EDIC and the UEB EDI Sub-Group for wider circulation. It was noted that the report had been considered by the new UEB EDI Sub-Group and EDIC, which had recommended that Council approve it. Members were pleased to note that, as EDIC's first meeting under its revised composition and remit, feedback had been overwhelmingly positive. Attention was drawn to the report's three principal purposes, which were:
- to assure Council that the University was meeting its legal obligations relating to EDI under the Equality Act 2010;
  - to assure Council that the University was making appropriate progress with its EDI priorities under the One University pillar of the Vision and Strategy; and
  - to meet the University's obligations under the Equality Act to report publicly on its progress in meeting its legal obligations.

- 6.2 In addition, it was noted that the University's ability and approach to data collection and reporting in this area was less mature than others but, having undertaken to look to address this in the 2023 report, this year's report included additional data in a number of areas in order to provide a baseline by which to measure progress in future. Similarly, the report sought to balance celebrating the many achievements made whilst being open about areas where progress was slower or further focus was needed.
- 6.3 With respect to gender pay gap reporting, it was clarified that the assessment of progress was based on the current trajectory towards the KPI target. However, it was acknowledged that, whilst challenging, there was more to do to reduce and remove the gap and Schools and departments had their own specific targets so as to increase focus on this area. Further clarification was provided that the reported figures reflected the gender balance across different grades, which was more challenging to address than any differences in pay within grades. Council agreed to review the level of ambition shown in the current target **[Action: RM/JS]**. It was noted that the 2024/25 annual report would include details of the biennial pay audit but consideration might also be given as to whether the University could seek additional external validation in this area to reinforce the actions in place **[Action: GG/RM]**. Members also welcomed the range of work underway under the dedicated action plans and overarching EDI strategy to increase disclosure rates, noting that this could be challenging.
- 6.4 Following discussion, in which Council commended both the structure, format and contents of the report and the commitment shown to the EDI agenda, the report was approved.

## 7. Public Availability of Council Papers

- 7.1 Council received and approved recommendations concerning the publication on the web of papers presented at the meeting, in accordance with previously agreed proposals on the disclosure of information. It was noted that a number of papers were confidential and would not be made publicly available.

## 8. Any Other Business

### 8.1 Home Undergraduate tuition fees increase:

Members noted the Government's announcement to increase the Home UG tuition fee to £9535/annum in 2025. However, this measure did little to address the inadequacy of the overall HE funding structure and was only a one year settlement at present. Even if inflationary increases continued to be applied, the real terms erosion in the value of home UG tuition fees meant that the sector's reliance on overseas tuition fee income would be exacerbated because the uplift in the UGH fee would not cover costs. It was also noted that the increase in fee had been set in the context of encouraging institutions to focus on widening access and participation; their civic role; supporting economic growth; delivering further efficiency gains; and the quality of provision. However, none of those were new and mirrored much of the tone from the previous administration, whilst being areas with which the University was already aligned.

It was also reported that the University's initial calculations showed that the adverse financial impact of the uplift in employer NI contributions, announced in the Budget, was greater than the benefit from any additional UGH fee income.

The uplift in fee would in no way alter the sectoral and institutional needs to address the shortfall in overseas students and respond to the shifting market and the government would need to consider its appetite for the sector remaining reliant on overseas fees or to actively consider an alternative funding model. Any such model would also need to provide an appropriate settlement for research, given that universities' ability to undertake research also relied on support through overseas tuition fee income. It was reported that the University was working with the sector and sector and funding bodies to provide data and analysis to demonstrate the value and impact of a strong and comprehensive research funding base.

- 8.2 27-28 November Council: It was reported that Henry Murison, Chief Executive of the Northern Powerhouse Partnership, had agreed to address Council on the evening of 27 November, while Council would also be offered the opportunity to tour the Students' Union building and meet with a range of student representatives prior to the meeting of Council.