

## UNIVERSITY OF BIRMINGHAM

## COUNCIL

25<sup>th</sup> November 2011

## MINUTES

Members present: Mr J E K Smith (Pro-Chancellor, in the Chair); Mrs M C Davies; Professor D S Eastwood (Vice-Chancellor and Principal); Mr M G Gilbert (Treasurer); Ms E Halford (Postgraduate Mature Students Officer, Guild of Students); Mr R Halton; Mr M Harrop (President, Guild of Students); Professor M J Hilton; Dr R C Horton; Mr R J Keys; Mr G R Mackenzie OBE; Dr N E Price OBE; Professor C Ryan; Professor A J Schofield; Professor M C Sheppard (Provost and Vice-Principal); Ms C Snowball CBE;

Also present: Mrs G Ball (Director of Finance); Dr S J L Gower (Assistant Secretary); Professor J K Heath (Pro-Vice-Chancellor); Professor K O'Brien (Pro-Vice-Chancellor); Mrs H Paver (Director of HR); Professor E W Peck (Pro-Vice-Chancellor and Head of College); Mrs C M Pike (Director, Legal Services); Professor M C Press (Pro-Vice-Chancellor and Head of College); Mr L Sanders (Registrar and Secretary); Professor A Tickell (Pro-Vice-Chancellor); Professor M Whitby (Pro-Vice-Chancellor and Head of College); Professor L S Young (Pro-Vice-Chancellor and Head of College)

Apologies: Mr C N Banks CBE (Deputy Pro-Chancellor); Mr M Devenish; Hon Alderman D Roy OBE; Dr R Sondhi CBE; Ms S Vickers; Professor R A Williams (Pro-Vice-Chancellor and Head of College)

Papers: The minute book contains copies of all written papers or reports to which reference is made below unless indicated otherwise.

11/88 Minutes of previous meeting

**Resolved:** to approve the Minutes of the meeting held on 27<sup>th</sup> September 2011 (CO.11.11.01).

11/89 Matters arising not addressed elsewhere on the agenda

11/79 Changes to University Statutes

**Reported:** that the Privy Council had approved the changes and these, together with the associated delegations, were now in effect.

11/90 Pro-Chancellor's Items

**Received:** an oral report from the Pro-Chancellor

(a) Register of Interests

**Reported:** by the Pro-Chancellor that, together with the Registrar and Secretary, he had reviewed the Register of Interests. He thanked members for completing their

returns. The Assistant Secretary would follow up a small number of queries that had arisen.

(b) Appointment of Directors to Alta Innovations Ltd

**Resolved:** to approve the appointment of the following as Directors of Alta Innovations Ltd.:

Professor Lawrence Young, for the period to 28<sup>th</sup> February 2013;  
Professor Richard Williams, for the period from 1<sup>st</sup> September 2011 to 31<sup>st</sup> August 2013.

11/91 Vice-Chancellor's Items

**Received:** a report from the Vice-Chancellor containing a number of items for information (CO.11.11.02).

(i) Student Occupation

**Reported:** that a small group of up to twenty students had occupied the Lodge at the North Gate. The presence of this number of people in a residential property constituted a breach of fire regulations. Following an application to a judge in chambers an interim order had been granted requiring the students to leave the building and not to occupy other University premises. At all stages of the occupation every opportunity had been taken to reason with the occupiers and to explain the implications of their actions.

(ii) Birmingham Fellows

**Reported:** that the initiative had proved remarkably successful. Some 1400 applications had been received, many of them of outstanding calibre. About 30 Fellowships were to be awarded. It was estimated that these Fellows would bring with them an additional £2.8m of research income.

(iii) League Tables Group

**Reported:** that the working group, chaired by the Registrar and Secretary, was looking at ways in which the University might improve its position in the major League Tables for university performance. The group was focussing on a number of actions that could deliver immediate results – such as data cleansing – though it was recognised that other changes could only be delivered in the longer term.

(iv) University School

**Reported:** that the University intended to submit an expression of interest to the Secretary of State for Education. A formal proposal would be produced and discussed by SPRC and Council in the New Year.

(v) Research Grant awards won

**Reported:** that through its promotion and awards processes the University sought to

recognise major grant winners and to encourage them to stay and pursue their careers in Birmingham. Twice a year the Vice-Chancellor hosted a reception for all major grant winners.

Council welcomed the successes of the staff listed in winning grants and recorded its congratulations.

11/92 BRDL – Lessons Learned Report

There is a separate confidential minute for this item.

11/93 National Student Survey Results 2011

**Considered:** a paper and presentation by Pro-Vice-Chancellor (Education) (CO.11.11.04).

**Reported:** that

- (a) whilst some Schools had strong performances in the NSS, a number of the scores had been unsatisfactory, and the overall results were disappointing;
- (b) the NSS results were of particular importance as they were a component in other League Tables. The student experience was a corner-stone of the University's strategy and satisfied graduates would be powerful advocates for the University in the future;
- (c) a number of actions were already in train at University-level, led by the Pro-Vice-Chancellor (Education) and all Schools were formulating strategies to push up scores, identifying accountability, mile-stones and targets. It was essential to ensure that aspirations were delivered, and that the University aimed beyond mere satisfaction;
- (d) learning resources and feedback were the principal areas of concern (mirrored by the Guild's *Student Voice* survey). In both cases this might reflect students' growing expectations. The score for learning resources was disappointing given the major investments being made in the estate and the University's high provision of pcs. In response the University had extended Library opening hours and launched a new app for student mobiles which showed the availability of pcs on campus.

**Noted:** that

- (a) Council welcomed the discussion on NSS given its importance;
- (b) a range of actions were already in train to address areas of concern that had been identified through the NSS;
- (c) UEB had recently approved a set of indicators of teaching performance that would feed in to staff performance review;
- (d) the President of Guild would speak to Council on the evening of its next meeting about the student experience, and part of the Strategy Day in March would be devoted to wide aspects of the student experience.

11/94 Report of the Audit Committee

**Considered:** a report from the meetings of the Audit Committee held on 4<sup>th</sup> October and 1<sup>st</sup> November 2011 (CO.11.11.05).

**Reported:** by Mr Richard Keys, Chair of the Audit Committee that

- (a) in the opinion of the Committee it was satisfied that the University's risk management and internal control arrangements were adequate and effective and that appropriate arrangements were in place to achieve economy, efficiency and effectiveness;
- (b) the Committee had noted the feedback received from Council members in their one-to-one meetings with the Lay Officers which confirmed that Council and its sub-committees were operating effectively and raised a number of enhancements which the Pro-Chancellor had implemented;
- (c) appendix 3 contained information on the steps that the University was taking to ensure its compliance with charitable law.

**Resolved:**

- (a) to approve the accounting policies (as specified in the Annual Accounts);
- (b) to approve the reappointment of KPMG as External Auditors for the year to 31st July 2012;
- (c) to approve the Annual Assurance Return;
- (d) to thank the Committee and officers for their work.

11/95 Annual Accounts for the year ending 31<sup>st</sup> July 2011

**Considered:**

- (a) audit highlights, memorandum and the management letter from KPMG, the external auditors for the University and its subsidiaries;
- (b) the letter of representation for the University for submission to the external auditors, KPMG;
- (c) the University Annual Accounts for the year ending 31<sup>st</sup> July 2011 and the accounts for each of its subsidiaries.

**Resolved:**

- (a) to adopt and approve the annual accounts for the year ended 31<sup>st</sup> July 2011, as set out in paper CO.11.11.06, confirming that Council had discharged its corporate governance responsibilities;
- (b) to approve the letter of representation for signature by the Pro-Chancellor and submission to the external auditors;
- (c) to approve the accounting policies and estimation techniques on which the accounts were based;
- (d) to thank the Finance Office, the Internal Auditor and the Audit Committee for their work with respect to the Annual Accounts.

11/96 Report from the Strategy Planning and Resources Committee

**Considered:** a report with several recommendations for Council from the meetings of the Strategy, Planning and Resources Committee held on 12<sup>th</sup> October and 15<sup>th</sup> November 2011 (CO.11.11.07).

(i) EIB Loan Facility

**Noted:** that the loan facility of up to a total of £75m was to be used in connection with the development and refurbishment of the campus. The overall cost of the projects being funded amounted to £206.1m. EIB would provide funding of £75m and the University would fund the balance of £131.1m from other sources including internal cash, the HEFCE capital grants and asset disposals.

Council was satisfied that entering into such a contract with EIB would be of significant benefit to the University.

**Resolved:** that

- (a) the University should accept the offer of loan funding from EIB (in the terms set out in the Draft Contract).
- (b) the Vice-Chancellor, Treasurer and Director of Finance be authorised to finalise the contract, taking advice, as necessary, from the University's solicitors and financial advisers.
- (c) the Director of Finance be authorised to sign and dispatch all documents, notices and other communications required or permitted to be given by the University in relation to the Finance Contract.
- (d) the Vice-Chancellor and Director of Finance be authorised to sign the final contract documentation on behalf of the University.

(ii) Budget Review Group

**Reported:** by the Vice-Chancellor that

- (a) the Budget Review Group was a new and robust approach to modelling University budgets with a view to achieving continued investment in enhancing excellence and achieving savings;
- (b) the Group's recommendations had been approved by SPRC, including the work scrutinising income projections, setting realistic but stretching targets and adopting measures to achieve efficiency and effectiveness;
- (c) SPRC had commended the approach being adopted and would receive regular reports on progress through the year.

(iii) Business Engagement

**Reported:** that SPRC and Council would receive a full report on business engagement early in the New Year. Business engagement would also be one of the themes of the March Strategy Day.

11/97 Final Report of the Court Review Group

**Considered:** the final report of the Review Group (CO.11.11.08).

**Noted:** the amendments that had been made in the light of the discussion that had

taken place at Court. Council welcomed in particular the additional information about continuing engagement with members of the present Court.

**Resolved:** to approve the final recommendations in the Review Group's report, including the amendments to University Legislation.

11/98 Report of the Membership Committee

**Approved:** a report from the meeting of the Membership Committee held on 15<sup>th</sup> November 2011 (CO.11.11.09), including the recommendations concerning lay membership of Council and co-opted membership of the Investment Sub-Committee.

**Noted:** the progress of the Appointment Committee to identify the next Chancellor, including the creation of a web-site where staff, students, alumni and members of Council and Court would be able to suggest confidentially names for consideration as the next Chancellor.

11/99 Appointment of Chancellor

**Approved:** a recommendation that Sir Dominic Cadbury's term of office as Chancellor be extended to 31<sup>st</sup> July 2013 (CO.11.11.10).

Council also noted the progress of the Appointment Committee to date.

11/100 Term of Office of Pro-Vice-Chancellor (Estates and Infrastructure)

**Approved:** a paper recommending that Professor John Heath's term of office as Pro-Vice-Chancellor (Estates and Infrastructure) be extended to 31<sup>st</sup> July 2015. (CO.11.11.11).

11/101 Report from the Senate

**Considered:** a report from the meeting of the Senate held on 16<sup>th</sup> November 2011 (CO.11.11.12).

11/102 Report of the Remuneration Committee

**Considered:** a report from the meeting of the Remuneration Committee held on 28<sup>th</sup> September 2011 (CO.11.11.13).

11/103 Financial Outturn for the year ended 31<sup>st</sup> July 2011

**Considered:** a report (CO.11.11.14).

11/104 Annual Reports of University Subsidiary Companies

**Received:** for information, the Annual Reports for the University Subsidiary Companies for the financial year ending 31<sup>st</sup> July 2011 (CO.11.11.15).

11/105 Capital Projects Update

**Received:** a progress report on capital projects above £5M approved by Council (CO.11.11.16).

11/106 Items approved between Meetings of Council

**Received:** a list of items approved since the meeting of the Council on 27<sup>th</sup> September 2011 (CO.11.11.17).

11/107 Affixing of the University Seal

**Received:** a report noting the transactions which had required use of the University Seal since the last meeting of Council (CO.11.11.18).

11/108 Any other business

There was none.

11/109 Dates of Next Meeting

**Reported:** that the next meeting of the Council would take place on **Wednesday 1<sup>st</sup> February 2012** at 10.00 a.m. in the Nettlefold Room at Winterbourne Gardens. On the evening of **Tuesday 31<sup>st</sup> January** there would be a presentation by the President of the Guild of Students.