

UNIVERSITY OF BIRMINGHAM

COUNCIL

29th September 2009

MINUTES

Members present: Dr W J Glover (Pro-Chancellor, in the Chair); Professor J S Bale; Mr C N Banks CBE (Deputy Pro-Chancellor); Dr S Battle CBE; Professor D S Eastwood (Vice-Chancellor and Principal); Mr M G Gilbert (Treasurer); Mr R Halton; Miss B Jones, (Vice-President (Education and Access), Guild of Students); Mr G R Mackenzie OBE; Professor J M Marshall; Mr F Neuner (President, Guild of Students); Dr N Price OBE; Dr S S Sahota OBE; Professor M C Sheppard (Vice-Principal); Hon Alderman D Roy; Dr J S Taunque MBE

Also present: Mrs G Ball (Director of Finance); Dr S J L Gower (Minute Secretary); Professor J K Heath (Pro-Vice-Chancellor); Mrs H Paver (Director of Human Resources); Professor A Pauwels (Head of College); Professor E W Peck (Head of College); Professor J I Petts (Pro-Vice-Chancellor); Mrs C Pike (Director of Legal Services) for items 09/72 and 09/74 only; Professor M C Press (Head of College); Professor A J Randall (Pro-Vice-Chancellor); Mr L Sanders (Registrar & Secretary); Professor N P Weatherill (Head of College)

Apologies: Ms B Blow; Mrs M Cass; Mrs M C Davies; Mr D Hartnett CB; Mr N C Paul CBE

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

09/67 Membership and Terms of Reference of the Council

Received:

The membership of the Council for 2009/10 and its terms of reference (CO.09.09.01).

09/68 Minutes of previous meeting

Resolved:

That the minutes of the meeting held on 1st July 2009 (CO.09.09.02/02a) be approved, subject to an amendment to 09/44(v) listed as a separate confidential minute.

09/69 Matters arising not addressed elsewhere on the agenda

(a) Revised Health and Safety Policy (Minute 09/43 refers)

Reported:

That the Policy had been further revised and would be resubmitted to the next meeting of

Council following formal adoption by the Environment Health and Safety Executive Committee.

(b) Report of the Membership Committee (Minute 09/54 refers)

Reported:

That the Committee had nominated Mr N Paul to the vacancies on the Strategy, Planning and Resources Committee and the Investment Committee.

Resolved:

That these nominations be approved.

09/70 Pro-Chancellor's Items

Received:

A report from the Pro-Chancellor on a number of matters for information (CO.09.09.03).

(a) Leadership Foundation Seminar for Student Governors

Mr Neuner reported that he and Ms Jones had attended this event earlier in the month. The event had provided an introduction to the HE sector, the skills required of student governors and their role in governance.

The Pro-Chancellor commended these programmes, in particular for the opportunity they provided for interaction with the peer group across the sector.

(b) Remuneration Committee

The Pro-Chancellor reported that the Remuneration Committee had met on 24th September. In the opinion of the members of the Committee processes were now much improved and very robust. Substantial progress had been achieved on issues of equal pay, and there was no case of an equal pay differential that was not otherwise explained by performance. All proposals were within budget and fuller detail would be provided in a report to Council in November.

(c) Benefaction for Chancellor's Court Auditorium

Reported by the Vice-Chancellor that:

- (a) an alumnus had offered a gift of £2m towards the Chancellor's Court Auditorium project, to be paid through a family trust. Due diligence was currently being undertaken. The terms of the donation would involve the naming of a building, which would need Council's approval;
- (b) the donation was to remain confidential pending due diligence, and until 30th October when a formal announcement would be made to coincide with the launch of the Circles of Influence campaign.

Resolved:

That, in view of the timing of the public announcement, Council should delegate its authority to the Pro-Chancellor, in consultation with the Deputy Pro-Chancellor (as Chair of the Estates and Infrastructure Sub-Committee), the Treasurer and the Vice-Chancellor, to agree to the naming of the building when they were satisfied that due diligence had been completed.

09/71 Paper on the Review of INLOGOV (Institute of Local Government Studies)

Considered:

A paper outlining recommendations in relation to INLOGOV (CO.09.09.04)

Noted: that

- (a) the Review had been initiated by the Department with the support of the College;
- (b) the key issues that had led to the review included poor recruitment to a new undergraduate programme, declining research income, a relatively poor staff return to the RAE, and a seminar programme that was struggling in a competitive environment – all of which had led to a loss of focus in the view of stakeholders;
- (c) it was appropriate for Council to see the rigour of the analysis and the basis for the recommendations;
- (d) the recommendations had received the support of the College Board and UEB;
- (e) the recommendations had also been unanimously endorsed and supported by the Senate at its meeting on 23rd September. In particular, Senate had heard that the INLOGOV staff were very supportive of the academic basis of the Report and had expressed confidence in the prospects for the future;
- (f) the consultation process had started and discussions were already taking place with departmental staff;
- (g) arrangements would be put in place to ensure that postgraduate students would be able to complete their studies.

Resolved: to APPROVE

The principles in the paper, and that the consultation process which had already commenced with staff and the union, should continue and a report on the outcome of the consultation be brought back to Council.

09/72 Revised Code of Conduct for Research

Considered:

The revised Code of Practice (CO.09.09.05/05a)

Reported:

- (a) the paper proposed amendments to the University's current Code in the light of guidance published by RCUK and the UK Research Integrity Office (UKRIO) and was informed by Codes of other research-intensive universities. The revised Code reflected legal requirements and was consistent with similar documents at other institutions;
- (b) the Code would be supported by additional guidance that would be published to ensure that academic staff and research students were aware of the implications of the revised Code

- (c) the revised Code had been the subject of extensive consultations. A number of comments had already been made at Senate and discussions with UCU representatives had been continuing on the nature of these changes;
- (d) such changes to the version in the current paper were not major and were likely only to seek to clarify some of the points addressed.

Resolved:

That following consultation with the UCU, a revised version of the Code would be submitted to the Pro-Chancellor for approval on behalf of Council, and that a copy of this version should then be forwarded to members for information.

09/73 Proposals for Review of Council Effectiveness 2009/2010

Considered:

Proposals for the membership and terms of the Committee to undertake the Review of Council Effectiveness in 2009/10 (CO.09.09.06).

Noted: that

- (a) the proposals had been drawn up following discussions with the lay officers and the Vice-Chancellor;
- (b) there was a desire to keep the Review Group reasonably small to expedite its work, but that it would seek views from a wide range of stakeholders, including Council members, the student body and the academic community.

Resolved: to APPROVE

The proposals as set out in the paper, subject to further discussion on student involvement in the process.

09/74 Charity Commission Guidance on Research by HEIs

Considered:

A briefing paper (CO.09.09.07)

Reported:

That the paper summarised guidance from the Charity Commission on research by HEIs and in particular the requirements placed upon the Council as the University's Charity Trustees.

Resolved to APPROVE

- (a) the proposals in the paper with immediate effect;
- (b) the consequent amendment to the Scheme of Delegation of the Powers of Council.

09/75 Appointment of External Auditors and Internal Auditors (Computer Audit) for 2009/10 and beyond

Considered:

The outcome of the Audit Tender (CO.09.09.08)

Reported:

- (a) the recommendation was made following a formal tender process and a series of presentations over two days;
- (b) the recommendation was a unanimous one and was made with the full support of the Chair of the Audit Committee.

Resolved:

That the recommendation that KPMG be appointed as external auditors for 2009/10 and the following four years be approved.

Noted:

The appointment by Audit Committee of Deloitte as the provider of computer audit services to the Internal Audit Service for three years, with a option to extend for a further two years.

09/76 Appointment of the next Pro-Chancellor – Progress Report

Received:

A progress report (CO.09.09.09)

Noted: that

- (a) the process was progressing well. A number of high quality candidates had been attracted to the role and interviews would be taking place shortly;
- (b) Council would be notified next month of the outcome of the interviews and the election process.

09/77 Updated Code of Practice on Corporate Governance and Related Procedural Matters

Received:

Information regarding the updated Code of Practice on Corporate Governance and Related Procedural Matters (available at <http://www.council.bham.ac.uk/docs/Council-Code-of-Practice-on-Corporate-Governance-2009-10.pdf>) (CO.09.09.10)

09/78 Items approved between meetings of Council

Received:

A list of items approved since the meeting of the Council on 1st July 2009, under the procedure for approval of business between meetings of Council (CO.09.09.11)

09/79 Affixing of the Seal

Received:

A report noting the transactions which have required use of the University Seal since the last meeting of the Council (CO.09.09.12)

09/80 Any Other Business

(Note: there is a separate confidential minute in relation to this item.)

09/81 Date of next meeting

Reported:

That the next meeting of the Council would take place on **Thursday** 26th November 2009, at 2.00 pm in the Senate Chamber