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UNIVERSITY OF BIRMINGHAM

COUNCIL

2nd February 2022 at 9.00a.m.

MINUTES OF MEETING

Members present: Mr Mervyn Walker (Pro-Chancellor and Chair); Professor Helen Abbott; Professor David Adams (Pro-Vice-Chancellor and Head of College); Mr Mikey Brown, President of the Guild of Students; Ms Deborah Cadman OBE; Mr Wei-Lun Chen, Guild International Officer; Mr Tim Gardam; Professor David Hannah; Mr Malcolm Harbour CBE; Ms Rosie Harris; Mr Richard Haywood (Deputy Pro-Chancellor); Dr Clive Hickman; Mr Steve Hollis; Dame Lin Homer; Professor Tim Jones (Provost and Vice-Principal); Mr Harjinder Kang; Mr Anthony Lilley; Professor Una Martin; Mr Richard Swann; Ms Jacqueline Taylor; Professor Adam Tickell (Vice-Chancellor and Principal).

Also present: Professor Richard Black (Pro-Vice-Chancellor and Head of College); Ms Erica Conway (Finance Director); Ms Cathy Gilbert, Director of External Relations - Minute 22/06; Professor Laura Green (Pro-Vice-Chancellor and Head of College); Professor Stephen Jarvis (Pro-Vice-Chancellor and Head of College); Professor Deborah Longworth, (interim Pro-Vice-Chancellor (Education)); Mr Gavin Maggs, Director of Development and Alumni Relations - Minute 22/14; Professor Robin Mason (Pro-Vice-Chancellor (International)); Mrs Colette McDonough (Assistant Secretary); Ms Gillian McGrattan, Director of Human Resources - Minute 22/13; Dr Emma Robinson, Academic Registrar - Minute 22/10; Professor Corey Ross (interim Pro-Vice-Chancellor and Head of College); Mr Lee Sanders, Registrar and Secretary; Professor Mark Sterling, Deputy Pro-Vice-Chancellor (Staffing) - Minute 22/13; Mr Colin Townsend, Principal of University of Birmingham School - Minute 22/08; Professor Heather Widdows, Pro-Vice-Chancellor (Research and Knowledge Transfer).

Apologies: Mr Mick Lavery; Mr Mark Senior, Chief of Staff.

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

22/01 Declarations of Interest

**Noted** that:

- (i) no changes to the Register of Interest were declared;
- (ii) in relation Agenda Item 8, Annual Report of University of Birmingham School, the Finance Director declared that she was Vice-Chair of the Governors of the Schools of King Edward VI in Birmingham.

22/02 Minutes

**Resolved:** that the minutes of the meeting of Council held on 24th November 2021 be approved (CO.22.02.01).

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22/03 Matters Arising from the minutes not addressed elsewhere on the agenda

- (1) Approval of the Annual Report and Accounts 2020/21

**Reported** that:

- (a) Council on 24th November 2021 had given its initial approval of the University's Annual Report and Accounts 2020/21 and had agreed that members of Council would be asked **[NOT FOR PUBLICATION]** to give final approval following completion of the external audit and consideration of its outcomes, notification of any significant changes to SPRC and Audit Committee and confirmation from Audit Committee that it recommended Council approve the Accounts;
- (b) **[NOT FOR PUBLICATION]**
- (c) the External Audit Partner had confirmed to the University on Monday 20th December 2021 that the University's Annual Report and Accounts for 2020/21 were ready for approval by Council. The Chair of the Audit Committee had then confirmed, on behalf of the Committee, the recommendation of the Audit Committee to Council that the University's Annual Report and Accounts for 2020/21 be approved. Members of Council **[NOT FOR PUBLICATION]** approved the University's Annual Report and Accounts for 2020/21 on 22nd December 2021;
- (d) to (e) **[NOT FOR PUBLICATION]**
- (f) the Accounts had been submitted to the Office for Students and to the University's lenders (with covenant statements) by the end of January in line with their deadlines;
- (g) **[NOT FOR PUBLICATION]**
- (2) **[NOT FOR PUBLICATION]**

22/04 Pro-Chancellor's Items

**Reported** that:

- (a) the search for new members of Council, with support from Odgers, was in train and recommendations for appointment would be submitted to Council in June. Members of Council would be advised when the vacancies were advertised;
- (b) progress was also being made with implementation of the second Deputy Pro-Chancellor role, noting that the required amendment of the Charter and Statutes was due to be completed with approval by the Privy Council in May/June;
- (c) the session held the previous evening had provided the opportunity for a valuable discussion on how the University would achieve its ambition for establishment of Birmingham in the top 50 of the world's leading universities. **[NOT FOR PUBLICATION]**
- (d) **[NOT FOR PUBLICATION]**.

22/05 Vice-Chancellor's Items

**Considered:** the report of the Vice-Chancellor (CO.22.02.03).

- (1) University of Birmingham Dubai

**Reported:** that the formal opening of the University of Birmingham Dubai Phase 2 Campus would now be held on 28th March 2022.

- (2) USS Update

**Reported:** that a meeting of the Joint Negotiating Committee would be held later in the week to consider the results of the USS member consultation on pensions. Universities

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UK was planning a short consultation with USS employers to solicit views on the final stages of the 2020 valuation process and on whether they would endorse a plan to delay implementation of a 2.5 per cent inflationary cap on future benefits to 2025. The University's Council USS Sub-Group would meet to agree the University's response to this consultation.

### (3) Levelling Up the UK White Paper

**Reported:** that the Government would be publishing its Levelling Up the UK White Paper later in the week. This was expected to include positive news for the West Midlands in the form of new investment in Innovation Accelerators, private-public-academic partnerships which would aim to replicate the Stanford-Silicon Valley and MIT-Greater Boston models of clustering research excellence and its direct adoption by allied industries.

### (4) **[NOT FOR PUBLICATION]**

### (5) Death of Professor Michael Clarke

**Reported:** that Council noted with sadness the death of Professor Michael Clarke, former Vice-Principal of the University. Michael had joined the University in 1993 as Head of the School of Public Policy, before being appointed as Pro-Vice-Chancellor in 1998, and Vice-Principal in 2003. He had retired in 2008 and enjoyed a busy retirement including as first Chair of Governors of the University of Birmingham School, Chair of the Birmingham Royal Ballet, Chair of the Three Choirs Festival Committee, and Governor of the King's School Worcester and University of Worcester. In 2018 Michael had been awarded the Canterbury Cross for services to the Church of England. Mr Malcolm Harbour led the tributes to Professor Clarke, noting in particular his excellent work on developing University relations with the City and region.

## 22/06 Recruitment and Admissions Update

### **COMMERCIAL IN CONFIDENCE**

**Considered:** the Recruitment and Admissions Update (CO.22.02.04).

**Reported** that:

(a) to (k) **[NOT FOR PUBLICATION]**

(l) the next recruitment and admissions update would be submitted to Council in April 2022.

## 22/07 Education Update

### (1) Postgraduate Taught Experience Survey 2021

**Considered:** the Postgraduate Taught Experience Survey 2021 (CO.22.02.05B).

**Reported** that:

(a) overall satisfaction was only slightly lower than the University's pre-pandemic scores and ranked in the top quartile for both the Russell Group and sector;

(b) to (d) **[NOT FOR PUBLICATION]**

(e) the University Education Committee had endorsed the PTES analysis and report at its meeting on 30th September 2021, which included a number of recommendations, to be monitored by the Postgraduate Dean through the Graduate Taught Board. The PTES analysis and action being taken had also

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- (f) been considered and noted by UEB on 25th October 2021; the Postgraduate Taught National Student Survey would replace the PTES for 2022 and the outcome of this would be considered by Council, SPRC and UEB in due course.

(2) Student Experience Action Plan 2021-22 & Interim SELT Survey Results

**COMMERCIAL IN CONFIDENCE**

**Considered:** the Student Experience Action Plan 2021-22 and Interim SELT Survey Results (CO.22.02.05A).

**Reported** that:

- (a) the 'Student Experience of Learning and Teaching' (SELT) survey had been circulated to all students in weeks 8 and 9, as a means to capture in-year feedback from students on their experience to date. The data had provided early insight on student perceptions and enabled an in-semester response point to student feedback at programme level ahead of the NSS survey period in 2022. Over 9,000 responses had been received to the survey;
- (b) to (d) **[NOT FOR PUBLICATION]**
- (e) the University would also be running, for the first time, the UK Engagement Survey for first and second year students, enabling analysis of the rich potential conjunction of NSS and UKES data. UKES results would provide a bank of understanding, across the student life-cycle, of students' engagement with their academic experience;
- (f) to (g) **[NOT FOR PUBLICATION]**
- (h) the 2022 NSS and the UKES had opened on 1st February and would run to 30th April 2022. The outcomes of both surveys would be reported to Council in October 2022. In the meantime, a further update on progress with Phase 2 of the Student Experience Action Plan would be given to Council in April 2022.

22/08 Annual Report of the University of Birmingham School

**Considered:** the Annual Report of the University of Birmingham School (CO.22.02.06).

**Reported:**

- (a) that in September 2021 the School had reached full capacity for the first time **[NOT FOR PUBLICATION]**
- (b) to (e) **[NOT FOR PUBLICATION]**
- (f) that the discussion of the Annual Report covered:
- (i) the positive relationship the Principal had developed with the King Edward VI Foundation;
  - (ii) the exemplary work of the School, particularly with SEND students, noting the scope to share this good practice more widely to benefit other Schools in the City;
  - (iii) the projected timescale for the next OFSTED inspection which was expected to be in Summer 2023;
  - (iv) **[NOT FOR PUBLICATION]**

**Resolved:** that the annual report of the School be approved as set out in Paper CO.22.02.06.

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22/09 Strategy, Planning and Resources Committee

**Considered:** the report from the meeting of the Strategy, Planning and Resources Committee held on 19th January 2022 (CO.22.02.07).

(1) Responsible Investment Policy

**Reported:** that SPRC had considered a proposed update of the University's Responsible Investment Policy and the President of the Guild of Students had raised specifically excluding fossil fuels from the Policy during the discussion of SPRC. The Deputy Pro-Chancellor, as interim Chair of the Investment Sub-Committee, had confirmed that the Sub-Committee had previously reviewed the extent of fossil fuel investments held by the University (which were already very limited) and that it was important to bear in mind that companies such as BP and Shell were significant investors in renewable energy which would replace fossil fuels in the longer term. SPRC had also noted that the more progressive responsible investment policies now being adopted in other sectors were characterised by positive investments rather than focusing on restrictions. The Investment Sub-Committee would again be reviewing the investment strategy later in the month and a paper would be submitted to SPRC and Council in June 2022 covering overall investment strategy, including the approach to positive investment. The President of the Guild had been invited to the Investment Sub-Committee to observe the discussion.

(2) Q1 Projected Financial Outturn

**Reported** that:

(a) to (g) **[NOT FOR PUBLICATION]**

(3) Forward Look for OfS

**Considered:** the OfS Forward Look (CO.22.02.08).

**Reported** that:

- (a) as part of the Annual Accountability cycle of reporting to the Office for Students (OfS), the University was required to submit certain financial information in an Annual Financial Return (AFR) for the current and future years;
- (b) the reporting deadlines for the AFR had again been extended by 2 months. The draft tables were usually submitted in December along with the Annual Report and Accounts. This year the draft would be submitted by 1st February 2022, with the final submission required by 1st March 2022;
- (c) **[NOT FOR PUBLICATION]**

**Noted:** the content of the draft Annual Financial Return for 2020/21, which had been submitted to the Office for Students (OfS) before 1st February, as set out in Paper CO.22.02.08.

**Resolved:** that authority be delegated to the Accounting Officer, the Vice-Chancellor and Principal and the Finance Director to submit the final Return to the OfS by 1st March.

22/10 Annual Assurance Report on Student Wellbeing

**Considered:** the Annual Assurance Report on Student Wellbeing (CO.22.02.09).

**Reported** that:

- (a) the University's wellbeing services were provided through an integrated network of

support systems, operating at three primary levels: Wellbeing Teams in Schools and Colleges; central Student Wellbeing Services; and services provided through partner organisations (including PAUSE@UoB, NHS Services, local GP, or other specialist agencies, and the Guild of Students). Collectively they formed the “World of Wellbeing” service for students, which had been further developed in direct response to student feedback and changing need through 2020-21, providing flexible on-line and in person support, including additional support for mental health and wellbeing;

- (b) the number of students accessing the University’s specialist wellbeing services increased in 2020-21 and vulnerable student referrals remained at a similar level, with high levels of anxiety and stress particularly notable:  
**[NOT FOR PUBLICATION]**
- (c) the previously reported under-representation of students from an ethnic minority background and international students accessing services had improved and remained a key area of focus, alongside continuing targeted work to promote services and support to members of the LGBTQ+ community and male students;
- (d) **[NOT FOR PUBLICATION]** In addition to greater Mental Health support, early and on-going actions had been taken to support student wellbeing more generally and to provide a positive on campus experience whenever this was possible; Lakeside; Spring into Summer, graduation celebrations. Learning from 2020-21 had also informed further improvements for the current academic year;
- (e) building on the learning and changes implemented in 2020-21, and from comparative work within the sector, particularly through the Russell Group which had been led by the Academic Registrar and was commended by Council, there was confidence that the University’s current service and level of investment was towards the leading edge, but the University would continue to innovate and improve its provision for the benefit of its diverse student community;
- (f) the discussion covered:
  - (i) the success of PAUSE@UoB and UB Heard initiatives, which extended the specialist services to students;
  - (ii) the resourcing of student wellbeing, noting the University continued to make a considerable investment in the provision of student wellbeing services **[NOT FOR PUBLICATION]**;
  - (iii) the high levels of engagement with the University’s online wellbeing services, which, in some cases, had exceeded levels with parallel in-person activity and would continue to shape the University’s future wellbeing services strategy;
  - (iv) the progress which had been made in relation to increasing the diversity of students accessing wellbeing services;
  - (v) the value which members of academic staff placed on being able to refer their students to the University’s wellbeing services.

**Resolved:** that the annual assurance report on student wellbeing be approved as set out in Paper CO.22.02.09 and that Council expressed appreciation of the work and progress which had been made during the past year.

22/11 Report of Audit Committee

**Noted:** the outcome of the special meeting of the Audit Committee held on 14th December 2022 (Minute 22/03 refers).

22/12 University Risk Management and Risk Register: Annual Update to Council

**Considered:** the University Risk Management and Risk Register: Annual Update to Council (CO.22.02.10).

**Reported** that:

- (a) **[NOT FOR PUBLICATION]**
- (b) the Risk Register was currently being reviewed and updated in light of the Birmingham 2030 Strategic Framework, with a particular focus on streamlining the approach and highlighting the key risks. Audit Committee would consider the revised approach in March and the strategic risks would then be scored by UEB and refined and brought to Council in June;
- (c) to (d) **[NOT FOR PUBLICATION]**

**Resolved:** that that annual update of the University's Risk Management and Strategic Risk Register be approved as set out in Paper CO.22.02.10, noting that the proposed new Risk Register would be submitted to Council in June, following consideration by Audit Committee.

22/13 Human Resources

- (1) Have Your Say Wellbeing and Engagement 'Pulse' Staff Survey 2021

**Considered:** the Have Your Say Wellbeing and Engagement 'Pulse' Staff Survey 2021 (CO.22.02.11).

**Reported** that:

- (a) following an extensive staff survey released in January 2020, a follow-up 'pulse' survey had been launched in June 2021, the focus of which had been on staff wellbeing and engagement;
- (b) the survey participation score had reduced from 65% in the 2020 Staff Survey to 48% for the 2021 Staff Pulse Survey, noting that it had been undertaken during the pandemic;
- (c) there had been a significant variance of responses to the questions when segmented (e.g. by employment contract type, academic schools/professional services, length of service and grade);
- (d) to (h) **[NOT FOR PUBLICATION]**

**Noted:** the outcome of the Have Your Say Wellbeing and Engagement 'Pulse' Staff Survey 2021 as set out in CO.22.02.11, including the development of local action plans and the development of institutional *You Said We Did* type communications for dissemination by 7th March 2022.

- (2) Gender and Ethnicity Pay Gap Reports

**Considered:** the Gender and Ethnicity Pay Gap Reports (CO.22.02.12).

**Reported:**

- (a) that the University's gender pay gap data had been considered and approved by UEB on 11th October 2021. As requested by UEB, the narrative in the Gender Pay Gap Report 2021 (Appendix 1 to Paper CO.22.02.12) had been developed to include reference to changes in different pay quartiles and to emphasise the positive changes, for example, in bonus pay gap;
- (b) that the 2021 Ethnicity Pay Gap Report (Appendix 2 to Paper CO.22.02.12) would be the first to be published by the University. Whilst there was currently no legal duty to publish ethnicity pay gap data, it was considered good practice and in line with the University's Race Equality Charter award and action plan to do so. It also meant that the University would be able to benchmark itself against comparators who published their Ethnicity Pay Gap Reports. The University's ethnicity pay gap

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data had been considered and approved by UEB on 11th October 2021 and, as requested by UEB, the Pay Gap Report had been produced as a narrative to explain the context of the data;

- (c) that both of the reports had been considered by UEB on 10th January 2022 and approved by SPRC on 19th January 2022. They would be published on the University's website and the Gender Pay Gap Report would be linked to the government gender pay gap website by 31st March 2022 (statutory deadline).
- (d) the continued skewing of the bonus pay data due to the impact of NHS Clinical Excellence Awards which were classified as bonus payments;
- (e) the impact of the 2020 Support staff one-off payments on the gender and ethnicity bonus pay gaps which was in part due to the proportions in these groups;
- (d) that members of SPRC had requested further information on other aspects of the University's approach to equality, diversity and inclusion (EDI), including how these issues were considered as part of the academic promotions process. It had been suggested that the Committee might have a session focusing on EDI at a future meeting, noting also that Council would consider the annual assurance report on EDI later this academic year.

### **Noted:**

- (i) the University's Gender and Ethnicity Pay Gap Reports 2021;
- (ii) that the session focusing on EDI might be arranged for the whole Council, rather than SPRC.

### (3) Industrial Action Update

### **Reported** that:

- (a) ***[NOT FOR PUBLICATION]***
- (b) UCU had announced national strike action for up to 10 days across February and March. A five day period of strike action in the ongoing dispute over pensions will begin on February 14th, with those with a mandate for strikes in the "four fights" pay and conditions dispute joining for two days the following week. A further three days of strike action in the pay and conditions dispute have been set for the week following, with the final day timed to coincide with the "student strike" called by the National Union of Students on 2nd March;
- (c) action short of a strike (ASOS) had also been announced by UCU, consisting of removal of online materials and refusal to make up teaching lost in strike action, noting that UCU was also considering expanding ASOS to include an assessment and marking boycott. ***[NOT FOR PUBLICATION]***
- (d) the next update on the UCU industrial action would be provided to Council in April 2022.

## 22/14 Amendment of the Charter and Statutes

**Considered:** the amendment of the University's Charter and Statutes (CO.22.02.13).

### **Reported** that:

- (a) Council in November 2021 had supported a proposal to replace the role of Treasurer with a second Deputy Pro-Chancellor. This required amendments to the University's Charter and Statutes, which need Privy Council approval. Since the Council meeting, the Privy Council Office had been consulted on the proposals and had confirmed that both their Advisors and the Office for Students (OfS) had made no informal comments on the amendments which could now be considered by the University Council, prior to being submitted to the Privy Council for formal approval;
- (b) in addition, the University had received a request to dissolve the now moribund



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Guild of Graduates and Alumni Association (GGAA) from the GGAA itself. While open to any of the University's alumni, the Association had struggled with a small and declining active membership and even to reach a quoracy of 12 for its AGMs. The GGAA pre-dated the establishment of the Development and Alumni Office (DARO), a modern alumni relations approach, and fundraising campaigns. DARO was now the focal point of engagement for alumni and fundraising, making GGAA somewhat of an anachronism. This trend was seen at other universities, who had dissolved their equivalent of the GGAA. The GGAA recognised their situation and had therefore voted to dissolve themselves. This change also required an amendment to the Charter and Statutes

- (c) the University had therefore consulted the Privy Council Office on the proposed changes to the Charter and Statutes and they had confirmed that both their Advisors and the OfS had made no informal comments on the amendments which could now be considered by the University Council, prior to being submitted to the Privy Council for formal approval;
- (d) approval was therefore sought to amend the Charter and Statutes of the University to:
  - (i) replace the office of Treasurer in the membership of Council with a second Deputy Pro-Chancellor role;
  - (ii) dissolve the University's Guild of Graduates and Alumni Association.

### **Resolved** that:

- (i) the amendment of the Charter and Statutes of the University be approved as set out at Appendices 1 and 2 to Paper CO.22.02.13 with effect from the date the Order is approved by the Privy Council, subject to such changes as the Privy Council may require and which are agreed by the University;
- (ii) Senate on 16th March 2022 be invited to comment on the amendment of the Charter and Statutes of the University as set out at Appendices 1 and 2 to Paper CO.22.02.13.

### **Noted** that:

- (i) Council on 5th April 2022 will consider the comments of Senate on the amendment of the Charter and Statutes and consider the passing of a Special Resolution of the Council to amend the Charter and an Ordinary Resolution of the Council to amend the Statutes as set out at Appendices 1 and 2 to Paper CO.22.02.13;
- (ii) following the passing of the Special and Ordinary Resolutions, the University will seek approval of the amendments to the Charter and Statutes from the Privy Council. The amendments will take effect from the date that the Order is approved by the Privy Council (expected to be May/June 2022).

22/15 Report to Council on the work of Council-approved Panels during 2021

**Noted:** the report to Council on the work of Council-approved Panels during 2021 (CO.22.02.14).

22/16 Capital Projects over £10m

### **COMMERCIAL IN CONFIDENCE**

**Received:** the progress update on Capital Projects over £10m (CO.22.02.15).

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22/17 Affixing of the University Seal

**COMMERCIAL IN CONFIDENCE**

**Received:** a report noting the transactions which had required use of the University Seal since the last meeting of Council (CO.22.02.16).

22/18 Any Other Business

**Reported:** that there were no items of Any Other Business.

22/19 Programme of Meetings

**Noted:** the programme of meetings of Council for the remainder of 2021/22:

Tuesday 5th April 2022

Wednesday 29th June 2022