

OPEN

UNIVERSITY OF BIRMINGHAM

COUNCIL

5th October 2022 at 4.00p.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); Ms Lucy Baldwin; Ms Lisa Fretwell; Mr Tim Gardam; Professor David Hannah; Ms Rosie Harris; Mr Steve Hollis; Dame Lin Homer; Professor Tim Jones (Provost and Vice-Principal); Mr Harjinder Kang; Mr Mick Laverty; Mr Anthony Lilley OBE; Ms Tianjie (Alice) Liu, Guild International Officer; Professor Catherine Mangan; Ms Acacia Matthews, President of the Guild of Students; Mr Richard Swann; Professor Adam Tickell (Vice-Chancellor and Principal).

Also present: Professor Hugh Adlington (Interim Pro-Vice-Chancellor (Research and Knowledge Transfer)); Professor Richard Black (Pro-Vice-Chancellor and Head of College); Professor William Bloss (Interim Pro-Vice-Chancellor and Head of College); Dr Catherine Cochrane (Director of Research Strategy and Services) - Minute 22/71; Ms Erica Conway (Finance Director); Ms Cathy Gilbert (Director of External Relations) - Minute 22/66; Professor Stephen Jarvis (Pro-Vice-Chancellor and Head of College); Professor Pam Kearns (Director of the Institute of Cancer and Genomic Sciences) - Minute 22/70; Professor Deborah Longworth (Pro-Vice-Chancellor (Education)); Ms Rebecca Lambert (Director of Planning and Performance Insight) - Minute 22/68; Gavin Maggs (Director of Development and Alumni Relations) - Minute 22/70; Professor Robin Mason (Pro-Vice-Chancellor (International)); Mrs Colette McDonough (Head of Governance); Dr Emma Robinson (Academic Registrar) - Minute 22/67; Mr Lee Sanders (Registrar and Secretary); Mr Mark Senior (Chief of Staff); Professor Andrew Stockley (Pro-Vice-Chancellor and Head of College).

Apologies: Ms Deborah Cadman OBE; Dr Clive Hickman OBE; Ms Jacqueline Taylor.

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

22/60 Declarations of Interest

Reported: that no changes to the Register of Interests were declared.

22/61 Membership and Terms of Reference

Noted: the membership and terms of reference of the Council (CO.22.10.01). The Pro-Chancellor welcomed Lucy Baldwin and Lisa Fretwell to their first meeting and Acacia Matthews and Tianjie (Alice) Liu to their first meeting as members of Council.

22/62 Minutes

Resolved: that the minutes of the meeting of Council held on 29th June 2022 be approved (CO.22.10.02), subject to the addition of Acacia Matthews and Alice Liu to the list of those in attendance.

OPEN

22/63 Matters Arising from the minutes not addressed elsewhere on the agenda

- (1) **[NOT FOR PUBLICATION]**

22/64 Pro-Chancellor's Items

- (1) Strategy Day

COMMERCIAL IN CONFIDENCE

[NOT FOR PUBLICATION]

- (2) One to One Meetings

Noted: the summary of the annual one-to-one meetings between members of Council and either the Pro-Chancellor or one of the Deputy Pro-Chancellors (CO.22.10.03). These provided a formal opportunity for members to reflect on the workings of Council during the academic year.

Reported that:

- (a) the Pro-Chancellor and Deputy Pro-Chancellors had conducted 17 one-to-one discussions in respect of 2021/22. They had found the overall tenor of the feedback from these discussions to be very positive. Members enjoyed being on Council and felt that Council was well-run and well-supported. The focus of the conversations was therefore on the opportunity to improve even further from a very strong base;
- (b) Paper CO.22.10.03 reported the common themes arising from the 1 to 1 meetings and actions that were proposed in response;
- (c) the discussion of Paper CO.22.10.03 focussed on:
- (i) the importance of continuing to broaden the diversity of Council membership, noting that this remained a priority of the current search for new members;
 - (ii) the plans for members of Council to visit the Guild of Students later in the academic year;
 - (iii) the inclusive and collaborative approach of the Pro-Chancellor as Chair of Council which was welcomed by members of Council.

- (3) Appointments

Reported that:

- (a) the Pro-Chancellor had approved the following appointments on behalf of Council:
- (i) Jacqueline Taylor, Member of Remuneration Committee, for three years to 31st July 2025;
 - (ii) Malcolm Harbour, BPAS Trustee representing Council, for two years to 31st July 2024;
- (b) work was continuing to fill the vacancies for a lay member of Council and a co-opted member on the Audit Committee.

22/65 Vice-Chancellor's Items

Considered: the report of the Vice-Chancellor (CO.22.10.04).

- (1) Commonwealth Games

Reported:

- (a) that the Commonwealth Games had been a tremendous success for Birmingham and the University;
- (b) the evening presentation for November Council would be on the achievements and legacy of the Commonwealth Games.

(2) Senior Appointments

[NOT FOR PUBLICATION]

22/66 Recruitment and Admissions Update

COMMERCIAL IN CONFIDENCE

Considered: the Recruitment and Admissions Update (CO.22.10.05).

Reported:

(a)-(c) ***[NOT FOR PUBLICATION]***

Resolved: that the recruitment and admissions update be approved as set out in Paper CO.22.10.05, ***[NOT FOR PUBLICATION]*** and Council congratulated all those involved on the successful outcome of recruitment for September 2022 entry.

22/67 2022 National Student Survey Performance Summary

Considered: the 2022 National Student Survey Performance Summary (CO.22.10.06).

Reported that:

(a)-(i) ***[NOT FOR PUBLICATION]***

Noted: the analysis of the University's performance in the 2022 National Student Survey and the implications for delivery of Birmingham 2030 ambitions as set out in Paper UEB.22.10.06.

Resolved: that Council approved the approach being taken to address the areas where current performance in the NSS required improvement, ***[NOT FOR PUBLICATION]***

22/68 Birmingham 2030 Strategic Framework Scorecard and Annual Measures of Success Update

COMMERCIAL IN CONFIDENCE

Considered: the Birmingham 2030 Strategic Framework Scorecard and Annual Measures of Success Update (CO.22.10.07).

Reported that:

(a)-(h) ***[NOT FOR PUBLICATION]***

Noted: the Autumn 2022 position against the University's Birmingham 2030 Measures of Success and the UEB Scorecard (CO.22.10.07).

OPEN

22/69 Centre of Excellence for Railway Testing, Validation and Through Life Engineering

COMMERCIAL IN CONFIDENCE

Considered: the Centre of Excellence for Railway Testing, Validation and Through Life Engineering (CO.22.10.08).

Reported that:

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

Resolved: that the outline business case and submission of a full bid to Tranche 1 of Research England's UK Research Partnership Investment Funds (RPIF) for the 'Centre of Excellence for Railway Testing, Validation and Through Life Engineering' be approved as set out in Paper CO.22.10.08.

22/70 **[NOT FOR PUBLICATION]**

22/71 Strategy, Planning and Resources Committee

Considered: the report from the meeting of the Strategy, Planning and Resources Committee held on 20th September 2022 (CO.22.10.10).

(1) 2021/22 Financial Outturn

COMMERCIAL IN CONFIDENCE

Reported that:

(a)-(c) **[NOT FOR PUBLICATION]**

- (d) it was not proposed to make any significant changes to the accounting policies and judgements for 2021/22. The going concern disclosure would be updated following the completion of the current exercise to update the 5-year plan;
- (e) the basis of preparation for the financial statements had not been updated, as the guidance had not changed from last year. This reflected the Statement of Recommended Practice (SORP) 2019: Accounting for Further and Higher Education, Financial and Reporting Standard (FRS) 102 and the Office for Students (OfS) Accounts Direction;
- (f) the timeline for submission of the audited financial statements to the OfS had returned to pre-Covid requirements of submission in December, with final audited accounts requiring approval by Council in November 2022;
- (g) the Finance Director would be undertaking work to explore changes which could empower budget holder decision making and streamline expenditure processes, noting it was often College or local budget holders who had put in place checking processes.

(2) Research Applications and Awards Performance 2021/22

COMMERCIAL IN CONFIDENCE

Reported that:

(a)-(d) **[NOT FOR PUBLICATION]**

22/72 Audit Committee

Considered: the report of the Chair of the Audit Committee on the meeting of Audit Committee held on 27th September 2022, noting:

OPEN

- (a) the first 'business as usual' update of the revised Institutional Risk Register approved by Council, on recommendation of the Committee, in June 2022;
- (b) the 2021/22 Annual Report of Internal Audit and their work which was highly regarded in the University;
- (c) ***[NOT FOR PUBLICATION]***

22/73 Academic Assurance Report

Noted: the requirements of Council in relation to academic assurance and, prospectively, what academic assurances members of Council would receive and when, as the academic year progressed as set out in the Academic Assurance report (CO.22.10.13). As these materials were then presented during the academic year, members of Council could refer to Paper CO.22.10.13 to remind themselves that they were part of the ongoing assurance to Council on academic matters, including on matters of academic quality and the student experience.

22/74 Forward Programme of Business 2022/23

Noted: the Forward Programme of Business for 2022/23 (CO.22.10.14).

22/75 Code of Practice on Corporate Governance

(1) Code of Practice

Noted: the updated version of the University's Code of Practice on Corporate Governance (CO.22.10.15). This had been updated to:

- (a) reflect changes in the titles and names of post holders;
- (b) reflect replacement of the role of Treasurer with a second Deputy Pro-Chancellor and the consequential changes to the University's Charter, Statutes and Ordinances approved by Council and the Privy Council earlier this year;
- (c) correct web links;
- (d) reflect that the University's Visitor is now the King;
- (e) ensure the wording on approval of urgent business between meetings aligns with Council's Standing Orders.

The Scheme of Delegation at Appendix B to the Code of Practice was under review. A revised version would be submitted to Council for consideration and approval in November 2022.

(2) Revision of Policy and Procedure on Public Interest Disclosure and "Whistleblowing"

Reported: that the University's Policy and Procedure on Public Interest Disclosure and "Whistleblowing" was an Appendix to the Code of Practice on Corporate Governance. It had been reviewed in light of the following changes which had been made to the Public Interest Disclosure Act 1998 to affect all disclosures:

- (a) that the worker, in making their disclosure, must have a reasonable belief that the disclosure was in the *public interest* in order to qualify for protection; and
- (b) the *good faith* requirement had been removed from the Act and replaced with a provision whereby an Employment Tribunal could reduce compensation by up to 25% in cases where the disclosure was not made in good faith.

It was also recommended that the Policy and Procedure be amended to provide clarification on the correct scope of use and to accurately reflect the public interest disclosure and "whistleblowing" process.

OPEN

Resolved: that the proposed revisions to the Policy and Procedure on Public Interest Disclosure and “Whistleblowing” be approved as set out at Appendix 1 of Paper CO.22.10.15.

22/76 Capital Projects over £10m

COMMERCIAL IN CONFIDENCE

Noted: the progress update on Capital Projects over £10m (CO.22.10.16).

22/77 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.22.10.17).

22/78 Appointment to PHTA Board

Noted: that, in accordance with the Scheme of Delegation for Council, the Registrar and Secretary had approved the appointment of Allan Andrews as a Patient Representative on the PHTA Board.

22/79 Any Other Business

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

22/80 Programme of Meetings

Noted: the programme of meetings of Council for the remainder of 2022/23:
Tuesday 29th November 2022, 5.00pm, Council Presentation and Dinner
Wednesday 30th November 2022, 9.00am, Council Meeting
Tuesday 31st January 2023, 5.00pm, Council Presentation and Dinner
Wednesday 1st February 2023, 9.00am, Council Meeting
Thursday 20th April 2023, 9.00am, Council Strategy Day and Dinner
Tuesday 27th June 2023, 5.00pm, Council Presentation and Dinner
Wednesday 28th June 2023, 9.00am, Council Meeting