

## UNIVERSITY OF BIRMINGHAM

### COUNCIL

23rd June 2020 at 5.00p.m., adjourned at 7.00p.m. and  
re-convened on 24th June 2020 at 9.00a.m.

#### MINUTES OF VIRTUAL MEETING HELD USING ZOOM

Members present: Mr Ed Smith CBE (Pro-Chancellor, in the Chair for all except Minute 20/67); Mr Derrick Anderson; Ms Deborah Cadman OBE (for 23 June only); Mr Alan Davey CBE; Professor Sir David Eastwood (Vice-Chancellor and Principal); Mr Malcolm Harbour CBE; Mr Richard Haywood (Deputy Pro-Chancellor, in the Chair for Minute 20/67); Professor Tim Jones (Provost and Vice-Principal); Mr Harjinder Kang; Professor Una Martin; Professor Karen Rowlingson; Dame Lin Homer; Mr Mick Lavery; Mrs Caragh Merrick (Treasurer); Ms Joanne Park (Guild International Officer); Professor Corey Ross (for 24 June only); Mr Richard Swann; Ms Jacqueline Taylor; Professor Nicola Wilkin; Mr Josh Williams (President of the Guild of Students).

Also present: Ms Tobiloba Adeyemi (President of the Guild of Students 2020/21), Professor Kathleen Armour (Pro-Vice-Chancellor (Education)); Professor David Adams (Pro-Vice-Chancellor and Head of College); Professor Richard Black (Pro-Vice-Chancellor and Head of College); Ms Erica Conway (Finance Director); Ms Rebecca Cutler (Guild Postgraduate Officer 2020/21); Professor Andrzej Gasiorek (Pro-Vice-Chancellor and Head of College); Ms Cathy Gilbert (Director of External Relations) - for Minutes 20/54 and 20/56; Professor Laura Green (Pro-Vice-Chancellor and Head of College); Professor Robin Mason (Pro-Vice-Chancellor (International)); Mrs Colette McDonough (Assistant Secretary); Ms Gillian McGrattan, Director of Human Resources - for Minute 20/47; Mr Trevor Payne, Director of Estates - for Minute 20/54; Professor Clive Roberts, Head of School of Engineering - for Minute 20/58; Ms Emma Robinson (Interim Academic Registrar) for Minutes 20/54 and 20/60; Mr Lee Sanders (Registrar and Secretary); Professor Mark Sterling, Deputy Pro-Vice-Chancellor (Staffing) for Minute 20/47; Professor Jon Rowe (Interim Pro-Vice-Chancellor and Head of College); Mr Mark Senior, Chief of Staff - for Minute 20/54; Professor Tim Softley (Pro-Vice-Chancellor (Research and Knowledge Transfer)); Mr Will Spinks, External Consultant – for Minute 20/67.

Apologies: Deborah Cadman OBE (for 24 June), Corey Ross (for 23 June).

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

#### 20/47 Staff Survey

**Considered:** the outcome of the 2019/2020 Staff Survey, including the list of actions to be taken in response to the Survey and the arrangements for communication of the outcome of the Survey (CO.20.06.01).

**Reported** that:

- (a) an overall response rate of 63% had been achieved (5,355 total responses);
- (b) **[NOT FOR PUBLICATION]**
- (c) the survey contained a number of very encouraging results. For example, across the institution: 87% of staff strongly agreed or agreed with the statement “I

*Note: Non-publication may be due to confidentiality, legal privilege, or personal data.*

*understand how my work contributes to the success of the University.*”, 77% of staff strongly agreed or agreed with the statement *“I am enthusiastic about my job.”*, 74% of staff strongly agreed or agreed with the statement *“I am proud to work for the University.”* and 75% of staff strongly agreed or agreed with the statement *“My line manager listens to my views”*;

- (d) at an institutional level, there were a number of responses to be addressed in relation to the percentage of views expressed on how well the University was adapting to the changing external environment, career development aspirations being met, approach to equality, diversity and inclusion and sense of belonging, staff well-being and 34% of staff believing the survey would be taken seriously;
- (e) a list of key objectives had been identified to address the outcome of the survey at institutional level as set out in Paper CO.20.06.01. The number of objectives was focused on making considerable and meaningful progress in a number of key areas. Some of these actions could be mapped onto existing/planned activity. For example, there was considerable work currently underway on development of a People and Culture Strategy as part of the new Strategic Framework and there were plans to develop a Well-being Strategy and enhance the equality, diversity and inclusion efforts across the institution, as evident by the ongoing work on Athena SWAN and the gender pay gap;
- (f) there were variations in the results across Colleges and Professional Services with some local issues highlighted. Budget centres had been asked to identify and agree a maximum of six actions to respond to results in their areas;
- (g) release of the results had understandably been delayed by the challenges arising from Covid-19 situation. However, dissemination would commence as soon as practicable in order to enable the University and budget centres to plan and deliver these actions before the pulse survey/next full survey was launched and to maintain and further build trust in the survey as a mechanism for employees to give meaningful feedback on their staff experience;
- (h) the discussion covered:
  - (i) the difficulty of comparing results with the previous survey because of the difference in methodology between the two, noting though that this would be possible in future;
  - (ii) the findings for specific staff groups, e.g. research only staff, permanent compared with fixed term contract holders, different age groups, length of service at the University, early career researchers, nationality;
  - (iii) addressing staff well-being in light of the survey findings, noting that development of the University Well-being Strategy was planned to be completed during the next six months;
  - (iv) the importance of effective communication as a tool for making staff feel more valued;
  - (v) the plans for pulse surveys and focus groups to follow up on the survey findings in more detail;
  - (vi) the ability to compare the survey findings with those of other sectors;
- (i) an update on progress with implementation of the objectives arising from the 2019/20 Survey would be submitted to Council and SPRC in May/June 2021.

**Resolved:** that Council welcomed the findings of the 2019/20 Staff Survey and approved the approach being taken by the University to address these and keep Council and SPRC updated on progress as set out in Paper CO.20.06.01 and above.

20/48 University Budget and Financial Management 2020/21

**Considered:** a report and presentation on the University Budget and Financial Management 2020/21 (CO.20.06.02).

**Reported** that:

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

(i) Council expressed its strong support for the approach being taken to the 2020/21 budget and financial management of the University as a result of the pandemic.

**Resolved** that:

(i) the principles within the phase one budget, and the proposed timings and approach to phase two be endorsed;

(ii) the phase one budget for 2020/21 be approved;

(iii)-(iv) **[NOT FOR PUBLICATION]**

20/49 Adjournment of Meeting

**Reported:** that the Pro-Chancellor adjourned the meeting at 7.00 p.m. The meeting was re-convened the following day, 24th June 2020, at 9.00 a.m.

20/50 Minutes

**Resolved:** that the minutes of the meeting of Council held on 19th May 2020 be approved (CO.20.06.03).

20/51 Matters Arising from the minutes not addressed elsewhere on the agenda

**Reported:** that there were no matters arising.

20/52 Pro-Chancellor's Items

**Reported:** that the Pro-Chancellor continued to be in regular contact with the Pro-Chancellor Elect, Vice-Chancellor and Registrar and Secretary and was monitoring the arrangements for the operation of Council and its Sub-Committees, emergency powers and delegations during the Coronavirus Emergency which had been extended to 30th September 2020 by Council on 19th May 2020.

20/53 Vice-Chancellor's Items

**Considered:** the report of the Vice-Chancellor (CO.20.06.04).

**Reported:**

(a) that Council expressed its appreciation of the University's achievement of its Race Equality Charter Bronze Award. Derrick Anderson, Member of Council, was thanked for his contribution to this achievement, noting that the Panel had particularly commended his membership of the self-assessment team;

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

(c) that the Birmingham in Action Campaign, which had been awarded a CASE Gold Circle of Excellence Award, would be re-launched post Covid-19. In the meantime, the Birmingham in This Together Campaign had raised c.£200k to date which would be used by the University to support students in urgent need because of Covid-19 and to support the work of its researchers on Covid-19;

(d) progress in relation to New Core. Council noted that Strategy, Planning and Resources Committee and Audit Committee would continue to be kept informed of

progress with delivery of the benefits realisation for the project and that KPMG would undertake its lessons learned review of the project in the Autumn. It was noted that the University would not have been able to operate remotely without New Core. The President of the Guild of Students suggested that the University should consider how to raise student awareness of the positive progress made in relation to New Core when students returned to campus for the next academic year;

- (e) that the UEB Away Day on 14th July 2020 would be exploring the longer term strategy for education, research and global engagement beyond the immediate Covid-19 emergency. This would then inform work on the Strategic Framework which would be developed by Council during 2021, alongside the next phase of the Capital Programme;
- (f) that the first set of Graduate Outcomes data had been published and further tranches of data were expected over the coming weeks. A paper setting out the University's performance would be submitted to the next meeting of Council on 30th September 2020.

#### 20/54 Covid-19 Update

**Considered:** the work being undertaken by the University in response to the Covid-19 emergency (CO.20.06.05).

##### (1) Framework for Educational Resilience Update

**Reported** that:

- (a) the Framework for Educational Resilience (Appendix 2 to Paper CO.20.06.05) had been approved by Senate on 10th June 2020 with strong support from the vast majority of members of Senate who had commended the approach and recognised the significant amount of work across the University which had been undertaken to develop the Framework;
- (b) the next priority was to develop the timetable for 2020/21, noting that this was being modelled on both 1m and 2m social distancing. The aim was to be able to guarantee students a minimum amount of teaching on campus each week but further work was required to clarify what could practically be offered given the constraints of social distancing and other considerations, such as the Wednesday afternoon slot for student sport and other activities.

##### (2) Arrangements for Start of Next Academic Year

**Reported** that:

- (a) the re-opening of campus was being implemented in accordance with the Framework approved by Council on 19th May 2020. The majority of buildings on campus would be re-opened by September 2020;
- (b) the government's decision to reduce distancing requirements from 2m to 1m+ announced the previous day would be helpful in enabling the University to use its facilities more effectively and enable as many staff as possible to return to campus in September in a safe manner. It was recognised that in some buildings adopting 1m+ would require some local mitigations to enable the spaces to be effectively and safely used (e.g. face coverings, mapping of building circulation routes and hand sanitiser points) and these would be factored into the individual building risk and mitigation plans. As an additional measure to support a safe return to campus the University would be providing every member of staff and every student with a washable, branded, face covering when they returned to campus in September (with guidance having been provided by the College of Medical and Dental Sciences on the type of face covering). Although the use of face coverings had

not been mandated by the government yet, it was expected that their use would be required inside buildings where it was not possible to maintain social distancing. The University would continue to monitor government guidance on face coverings and update this policy as appropriate;

- (c) the University was exploring local options for Covid-19 testing of staff and students linked to the national testing arrangements;
  - (d) the University was exploring options for managing the arrival of students, **[NOT FOR PUBLICATION]** It would continue to communicate the plans for the next academic year to students, whilst observing the moratorium on communications with first year applicants from 27th July 2020 onwards;
  - (e) the Pro-Chancellor emphasised the importance of maintaining flexibility of operation, noting that the expectation of a second wave of Covid-19 in the Autumn.
- (3) Varying the University Session for PGT programmes starting in January

**Reported** that:

- (a) in order to mitigate for the impact of Covid-19 and optimise home and international postgraduate taught student recruitment for the next academic year, the introduction of a January start for some programmes was being considered, **[NOT FOR PUBLICATION]**
- (b) the University Session was specified by Council as set out in Regulation 5.2.3(d), which stated that “The University Session consists of normally 30 weeks of learning, teaching and assessment, as specified by the Council, which is divided into two semesters.” Should January starts be used on some postgraduate programmes, then formal timetabled teaching would be required for those programmes during the summer period, which was outside of the two semesters set out in the Regulation. In line with its powers under the above regulation, therefore, Council was asked to approve a recommendation to vary the 2020/21 University Session to allow for timetabled and any other teaching, learning and assessment outside the two semesters in the summer period as may be required on postgraduate programmes that start in January;
- (c) the decision as to whether to proceed with a January start for some programmes would be taken by University Executive Board by the end of July 2020.

**Resolved:** that under Regulation 5.2.3(d), the 2020/21 University Session be varied to allow for timetabled and any other teaching, learning and assessment outside the two semesters in the summer period as may be required on Postgraduate programmes that start in January.

20/55 Covid-19 Voluntary Leavers Scheme

**[NOT FOR PUBLICATION]**

**Endorsed:** the Covid-19 Voluntary Leavers Scheme as set out in Paper CO.20.06.06.

20/56 Recruitment and Admissions Update

**Considered:** a presentation from the Director of External Relations updating on the latest recruitment and admissions position (CO.20.06.07).

**Reported:**

- (a) that the presentation provided an update on:
  - (i) home undergraduate recruitment, including the revised College

- targets in order to meet the Student Number Control (SNC) +5% and the impact on tariff position;
  - (ii) postgraduate taught recruitment, including the Postgraduate Progression Award and proposed expansion of Birmingham Masters Scholarships;
  - (iii) international student recruitment, **[NOT FOR PUBLICATION]**
- (b)-(e) **[NOT FOR PUBLICATION]**
- (f) that a further update on the recruitment and admissions position would be provided to Council at its briefing session on 14th August 2020;
  - (g) that members of Council continued to support the University's approach to recruitment for 2020/21. The discussion covered:
    - (i) the measures put in place by the University to ensure that it did not exceed the SNC +5%, noting the significant penalties for doing so;
    - (ii) **[NOT FOR PUBLICATION]**
    - (iii) the approach being taken by the University to ensure that its recruitment activities were compliant with the requirements of the Competitions and Markets Authority.

20/57 Strategy, Planning and Resources Committee

**Considered:** the report of the meeting of the Strategy, Planning and Resources Committee held on 9th June 2020 (CO.20.06.08).

(1) University of Birmingham Dubai Update

**Considered:** the University of Birmingham Dubai Update (CO.20.06.09).

**Reported:**

- (a) the current position in relation to Covid-19 in Dubai, noting that the campus remained closed to students until September;
- (b) the recruitment and admissions position, including progress with the pricing work and market research;
- (c) progress with the construction of the Phase 2 campus, **[NOT FOR PUBLICATION]**
- (d) the different ways through which the University's campus in Dubai could contribute to business continuity and recovery as a result of Covid-19;
- (e) that this was the final meeting of SPRC attended by Professor Glyn Watson before he completed his term as Dubai Provost in August 2020. Council thanked Professor Watson for his leadership of the University of Birmingham Dubai.

(2) Outcome of 2019 BPAS Valuation

**Considered:** the outcome of 2019 BPAS Valuation (CO.20.06.10).

**[NOT FOR PUBLICATION]**

**Resolved:** that the outcome of the 2019 BPAS valuation be approved as set out in Paper CO.20.06.10.

20/58 **[NOT FOR PUBLICATION]**

20/59 Annual Health and Safety Assurance Report

**Considered:** the Annual Health and Safety Assurance Report (CO.20.06.13).

**Reported** that:

- (a) good progress had been made since last summer by the University Health and Safety Executive Group (UHSEG) in reviewing and revising the University's overarching Health and Safety Policy and the arrangements to implement agreed improvements; the revised policy had been approved by Council in November 2019. Since then, there had also been a substantial review of the more detailed policies and guidance that supported implementation;
- (b) the period from January onwards had been dominated by supporting the University's response to the Covid-19 pandemic. Health and safety was a priority consideration in the preparation to move the University into restricted operations, and throughout the period of restricted operations given the high volume of Covid-related research being undertaken as well as the continuing need to support the cadre of key workers and student residents remaining on campus. Safety and wellbeing were also vital elements within the detailed planning and execution being undertaken for a phased return to increased campus operations;
- (c) Council commended the successful transition of the University to home working, noting that the safety and wellbeing of those staff undertaking home working had been considered from the outset, and was being kept under review;
- (d) accident data for the reporting period presented at Appendix 1 to Paper CO.20.06.13 was consistent with previous years.

**Resolved:** that the Annual Health and Safety Assurance Report for the period June 2019 to May 2020 be approved.

20/60 Senate

**Considered:** the report of the meeting of Senate held on 10th June 2020 (CO.20.06.14), noting that this report and the paper below were part of the process for providing assurance to Council on academic matters.

- (1) Annual Report of Student Complaints, Appeals and Grievances to Council and Complaints to the Office of the Independent Adjudicator

**Considered:** the Annual Report of Student Complaints, Appeals and Grievances to Council and Complaints to the Office of the Independent Adjudicator (CO.20.06.15).

**Reported** that:

- (a) ***[NOT FOR PUBLICATION]***
- (b) cases did not appear to raise systemic or widespread issues and the University continued to maintain a good record with the OIA: for the seventh year in succession, the OIA had not found any complaint from a University of Birmingham student to be justified, demonstrating that the University's processes were thorough and fair;
- (c) although the number of students reported this year for general misconduct had fallen, the nature of some cases had become increasingly complex, serious and sensitive, in particular those relating to allegations of sexual misconduct. The University's (and the sector's) approach to handling allegations of sexual misconduct were subject to increased internal and external attention, including from the Office for Students (OfS). This was a priority area for the Student Conduct, Complaints and Appeals team and the University as a whole; the University's approach was being reviewed by a dedicated Student Conduct Review Group chaired by Professor Lisa Webley, Head of Birmingham Law School, which was due to report by September 2020.

**Resolved:** that the annual report on student conduct, complaints and appeals be approved as set out in Paper CO.20.06.15.

(2) Changes to Degree Congregations

**Reported** that:

- (a) University Ordinances stated that the University should hold congregations, for the purpose of conferring degrees, at least once a year unless special circumstances meant that it was undesirable or not possible to do so;
- (b) the Covid-19 emergency was clearly such a special circumstance. In light of the Covid-19 pandemic, the summer 2020 congregations on campus had been cancelled for July 2020 (but with virtual graduation celebrations in July 2020 and on campus celebrations planned for March 2021);
- (c) due to uncertainties about whether it would be possible to hold the winter 2020 congregations on campus, a decision might be required in the early Autumn as to whether to also cancel the December 2020 congregations on campus. This decision would need to be made prior to the November 2020 meeting of Senate. In effect, it would mean no degree congregations would be held in 2020, therefore engaging the provision in the Ordinances;
- (d) under the Ordinances, the decision, in special circumstances, not to hold any degree congregations in a year was made by Council on the recommendation of the Senate.

**Resolved:** that delegated authority be granted to the Vice-Chancellor and Principal, as Chair of Senate, to decide, if necessary due to Covid-19, that the University not hold a degree congregation for the purpose of conferring degrees in 2020, as set out above.

20/61 Audit Committee

**Noted:** the report from the meetings of the Audit Committee held on 10th March and 2nd June 2020 (CO.20.06.16).

20/62 Membership Committee

**Considered:** the report from the meeting of Membership Committee held on 9th June 2020 (CO.20.06.17).

**Resolved** that:

- (i) Steve Hollis be appointed as a member of Council for four years with effect from 1st August 2020;
- (ii) the following appointments to vacancies on Council Committees be approved:

Audit Committee

Mr Phil Harrold be appointed and Ms Tiffany Lathe and Mr Les Krepa be re-appointed as co-opted members of the Audit Committee from 1st August 2020 to 31st July 2021.

Membership Committee

Professor Nicola Wilkin be appointed as a member of the Membership Committee from 1st August 2020 to 31st July 2023.

Strategy, Planning and Resources Committee

Professor Una Martin be appointed as an academic member of the Strategy, Planning and Resources Committee from 1st August 2020 to 31st July 2024.



Dame Lin Homer be re-appointed as a lay member of the Strategy, Planning and Resources Committee from 1st August 2020 to 31st July 2024.

Investment Sub-Committee

Professor Hisham Farag be appointed as the academic member of the Investment Sub-Committee from 1st August 2020 to 31st July 2023.

Ms Gemma Woodward be re-appointed as a co-opted member of the Investment Sub-Committee to 31st July 2021 (noting that, although the practice of the Sub-Committee was that co-opted members served for a total of four consecutive years maximum, this co-option for a sixth year was recommended in the interest of maintaining continuity of specialist experience on the Committee).

Ms Lucy Baldwin be re-appointed as a co-opted member of the Investment Sub-Committee to 31st July 2021.

**Noted:** that members of Council might be asked to approve further appointments to the remaining Committee vacancies during the Summer on the recommendation of Membership Committee.

20/63 Standing Orders of Council

**Resolved:** that the amendment of the Standing Orders of Council be approved as set out in Appendix 1 to Paper CO.20.06.18.

20/64 Amendment of Guild Bye-Laws

**Resolved:** that the amendment of the Guild Bye-Laws be approved as set out in Paper CO.20.06.19.

20/65 Any Other Business

(1) Pro-Chancellor and Chair of Council

**Reported:** that Dr Ed Smith CBE, Pro-Chancellor and Chair of Council, would complete his term of office on 31st July 2020 but would always remain a great friend of the University. The Vice-Chancellor, on behalf of Council, thanked Ed for his exceptional contribution and outstanding support of the University since November 2009. The Vice-Chancellor highlighted Ed's major role in the achievements of the University over the past decade and particularly his courage in supporting significant innovations such as the University of Birmingham Dubai and the University of Birmingham School. Ed's impeccable judgement, advice and ability to chair meetings were also commended.

(2) Retiring Members

**Reported** that, on behalf of Council, the Pro-Chancellor and Chair of Council thanked:

- (a) Derrick Anderson who had been a member of Council since 2012;
- (b) Professor Corey Ross who had been an academic member of Council since 2016;
- (c) Professor Karen Rowlingson who had been an academic member of Council since 2016;
- (d) Jo Park for her service as Guild International Officer for the past two years;
- (e) Joshua Williams for his term as Guild President for this academic year;
- (f) Professor Jon Rowe who was completing his term of office as Pro-Vice-Chancellor and Head of the College of Engineering and Physical Sciences.

20/66 Programme of Meetings

**Noted:** the programme of meetings of Council for 2019/20 and 2020/21:

Council Briefing Session (Recruitment and Admissions Update) - 14 August 2020, 11.30am to 1.00pm  
Tuesday 29th September 2020, 6.30pm, Council Dinner  
Wednesday 30th September 2020, 9.00am, Council Strategy Day  
October 2020 - Special Meeting of Council to be arranged to consider Phase 2 Budget  
Tuesday 24th November 2020, 5.00pm, Council Presentation and Dinner  
Wednesday 25th November 2020, 9.00am, Council Meeting  
Tuesday 26th January 2021, 5.00pm, Council Presentation and Dinner  
Wednesday 27th January 2021, 9.00am, Council Meeting  
Thursday 22nd April 2021, 9.00am, Council Strategy Day and Dinner  
Tuesday 29th June 2021, 5.00pm, Council Presentation and Dinner  
Wednesday 30th June 2021, 9.00am, Council Meeting

20/67 Effectiveness Review of Council

**Considered:** the recommendations of the Effectiveness Review of Council (CO.20.06.12).

**Reported** that:

- (a) the overall conclusion of the Effectiveness Review Panel was that Council could continue to be assured of its effectiveness, having regard to the Committee of University Chairs (CUC) Higher Education Code of Governance and other good governance practice;
- (b) this view was strongly supported by Will Spinks, Consultant, former Registrar, Secretary and Chief Operating Officer at the University of Manchester, who provided external scrutiny and advice for the effectiveness review. He reported that there were 'no major issues or failings of governance identified, indeed there are many examples of very good practice' and commended, amongst other things, the spirit between the members of Council as 'very good' with 'a strong sense of there being "one team" across, non-executives, executives and staff and student members'. He also thanked members of Council, the Effectiveness Review Panel, Registrar and Secretary and Assistant Secretary for their openness and support of his work;
- (c) although Council could continue to be assured of effective governance at the University, the Panel had reflected on the opportunities for further enhancement identified by Will Spinks in his report at Appendix 1 to Paper CO.20.06.12 and made recommendations to Council as set out at Appendix 2 to Paper CO.20.06.12;
- (d) the Pro-Chancellor Elect confirmed that he had reviewed the recommendations and supported their approval by Council;
- (e) Council thanked Will Spinks for his significant work and the extremely valuable external experience, insight and scrutiny which he had contributed to this effectiveness review.

**Resolved:** that the recommendations of the 2019/20 Effectiveness Review be approved as set out at Appendix 2 to Paper CO.20.06.12. An Action Plan would be prepared to manage implementation of the recommendations approved by Council. A report on progress with implementation would be submitted to Council in June 2021.