UNIVERSITY OF BIRMINGHAM

COUNCIL

29th January 2020 at 9.00a.m.

MINUTES

present:

Members Mr Ed Smith CBE (Pro-Chancellor, in the Chair): Professor Sir David Eastwood (Vice-Chancellor and Principal); Mr Derrick Anderson; Mr Malcolm Harbour CBE; Professor Tim Jones (Provost and Vice-Principal); Professor Karen Rowlingson; Dame Lin Homer; Mr Mick Laverty; Mrs Caragh Merrick (Treasurer); Professor Una Martin; Ms Joanne Park (Guild International Officer); Professor Corey Ross; Mr Richard Swann; Ms Jacqueline Taylor; Professor Nicola Wilkin.

Also present:

Professor Kathleen Armour (Pro-Vice-Chancellor (Education)); Professor Richard Black (Pro-Vice-Chancellor and Head of College); Professor Jo Duberley, Deputy Pro-Vice-Chancellor (Equalities) - for Minute 20/09; Professor Andrzej Gasiorek (Pro-Vice-Chancellor and Head of College); Ms Cathy Gilbert - for Minutes 20/06 and 20/11(1); Professor Laura Green (Pro-Vice-Chancellor and Head of College); Mr Paddy Jackman, Interim Director of Campus Services - for Minute 20/08: Ms Rebecca Lambert, Director of Planning and Performance Insight - for Minutes 20/05 and 20/12; Mr Stephen McAuliffe, Academic Registrar - for Minutes 20/07 and 20/10; Mrs Colette McDonough (Assistant Secretary); Dr Emma Robinson, Interim Academic Registrar Designate - for Minutes 20/07 and 20/10; Mr Lee Sanders (Registrar and Secretary); Professor Andy Schofield (Pro-Vice-Chancellor and Head of College); Professor Tim Softley (Pro-Vice-Chancellor (Research and Knowledge Transfer)); Mr Will Spinks, External Consultant - observing as part of the Effectiveness Review of Council; Mr Colin Townsend, Principal of University of Birmingham School - for Minute 20/13.

Apologies: Ms Deborah Cadman OBE; Mr Alan Davey CBE; Mr Harjinder Kang; Professor Robin Mason (Pro-Vice-Chancellor (International); Dame Una O'Brien; Mr Josh Williams (President of the Guild of Students); Mr Richard Haywood (Deputy Pro-Chancellor); Professor David Adams (Pro-Vice-Chancellor and Head of College); Ms Erica Conway (Finance Director).

Papers:

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

20/01 Minutes

Resolved: that the minutes of the meeting of Council held on 27th November 2019 be approved (CO.20.01.01).

20/02 Matters Arising from the minutes not addressed elsewhere on the agenda

(1) University Accounts for the year ending 31st July 2020

Reported that:

the Annual Report and Accounts for the Financial Year had been approved by Council, by e-mail, on Sunday 1st December 2019 and submitted to the Office for Students;

(b) members of Council were thanked for responding to the e-mail during that weekend.

20/03 Pro-Chancellors Items

(1) Evening Presentation: Digital Strategy and Cyber Security

Reported that:

- (a) the Pro-Chancellor reflected on the presentations on development of the University's Digital Strategy and the University's approach to cyber security which had been given by the Chief Information Officer to members of Council the previous evening;
- (b) the discussion of the University's Digital Strategy had covered:
 - (i) student and staff privacy considerations;
 - (ii) the significant consultation exercise which had been held to develop the Digital Strategy which had engaged stakeholders across the University;
 - (iii) the benefits of digital integration, simplification and standardisation;
 - (iv) open access research data requirements;
 - (v) how the University would benchmark the effectiveness of its Digital Strategy against competitors;
 - (vi) [NOT FOR PUBLICATION]
 - (vii) the plans for further work on development of the Digital Strategy, noting that the final version would be submitted to Council, via Strategy, Planning and Resources Committee, for approval in June 2020;
- (c) Council was briefed on the University's approach to cyber security, **[NOT FOR PUBLICATION]**

20/04 Vice-Chancellor's Items

Noted: the report of the Vice-Chancellor (CO.20.01.02).

(1) Access and Participation Plan

Reported that:

- (a) a member of Council referred to press coverage of the OfS statement that the access gap at England's most selective universities would almost halve in the next five years if universities met ambitious new commitments;
- (b) as previously reported to Council, the University's A2B intake had increased in 2019/20 and the University's Access and Participation Plan committed to delivering a suite of central and local initiatives in order to deliver against a set of targets focused on closing a series of gaps in access (recruitment), success (attainment) and progression (employment). The OfS required that the University provide an update on progress in closing performance gaps for priority students in January 2021. Council would be kept updated on the University's progress with implementation of its Access and Participation Plan in the meantime.
- (2) <u>Institute for Global Innovation</u>

Reported that:

(a) Council congratulated the University on the early success of the Institute for Global Innovation (IGI), noting that it had secured three £1m+ awards from the Global Challenges Research Fund (GCRF), with a cumulative value in excess of £5.2million, bringing GCRF-related awards for IGI members to over £6 million this

- year. Of these, two were the very prestigious "Network plus" grants (£2million each). A letter would be sent to the Director of the IGI on behalf of Council to congratulate him on this early success;
- (b) the strength of the Institute's interdisciplinary approach, noting emerging themes and future opportunities for projects included climate change, resilient cities and the Commonwealth Games;
- (c) the launch of the Institute for Global Innovation would be held on 5th March 2020;
- two members of Council, Richard Haywood and Una O'Brien, had been appointed to the IGI Advisory Board.

[NOT FOR PUBLICATION]

(4) Novel Coronavirus

<u>Reported</u> that Council was given a full briefing on the University's response to Coronavirus, noting:

- (a) the Registrar and Secretary had convened a meeting of the Strategic Emergency Response Team (SERT) to manage the University's response to the outbreak;
- (b) the University's approach was informed by the advice from Public Health England, World Health Organisation, the Foreign and Commonwealth Office, Universities UK and the UK Government, as well as taking local advice from staff based in the China Office, partners in country, and the University's academic experts in this area:
- (c) the University was in contact with its 83 students in China and a small number of staff (including those permanently based in the China Office). Alternative arrangements were being made for students due to travel to study in China in the next few weeks and the position regarding flying faculty to Jinan University was under review:
- (d) the University was working closely with Schools and the Guild in supporting Chinese students at the University, including the latest Public Health England and government advice and guidance, especially for those returning recently from China following the New Year and who felt unwell;
- (e) [NOT FOR PUBLICATION]
- (f) advice for staff and students had been published on the University Website and also communicated via e-mail; this was regularly updated;
- (g) further meetings of SERT would be held later in the week to continue to manage the University's response to the outbreak, noting that the Foreign and Commonwealth Office had advised against all non-essential travel to mainland China;
- (h) a further update would be provided at the next meeting of Council.
- (5) Sir Alex Jarratt, Chancellor of the University

Reported: with great sadness, the death of Sir Alex Jarratt, Chancellor of the University, 1983 to 2002.

20/05 Update of Strategic Framework Key Performance Targets

Considered: the Key Performance Targets Update (CO.20.01.03).

Reported:

- (a) [NOT FOR PUBLICATION]
- (b) that 12 out of the 16 KPTs had been updated in this cycle, reflecting the availability of data;

- (c) that the next iteration of the Strategic Framework Key Performance Targets would adopt a balanced scorecard approach and early thinking on this would be shared at the Council Strategy Day in April 2020;
- (d) that there would be an evening presentation on staff engagement at Council in June 2020;
- (e) the limitations of HESA Graduate Outcomes which was the new approach nationally run by HESA for the collection of graduate destinations data. The University would be re-constructing its dataset to achieve a more accurate representation of its graduate employability than HESA's and would work at sector level to address concerns about the new model, noting the importance of the University's graduate employability ranking, particularly for future student recruitment.

<u>Resolved</u>: that the University's Key Performance Targets Update be approved as set out in Paper CO.20.01.03.

20/06 Recruitment and Admissions Update

Considered: the Recruitment and Admissions Update (CO.20.01.04).

Reported that:

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

- there was concern about the potential impact on recruitment due to the delays in English language testing in China because of the Coronavirus;
- (k) the next recruitment and admissions update would be submitted to Council in June 2020.

20/07 StARS – Expansion of the Programme

The Case for Investment

Considered: the proposed expansion of the Student Administration Refresh and Simplification (StARS) Programme (CO.20.01.05).

Reported that:

- the University had two student records systems: Banner (by Ellucian) which was originally implemented by the University in the late 1990s, and BIRMS (Banner Interface Record Management System) which was a suite of sub-systems created in-house over many years to provide additional functionality that had not been available at the time, especially at school-level;
- (b) **[NOT FOR PUBLICATION]**
- (c) the existing StARS programme had to date been a significant success. Since July 2018, the programme had unobtrusively implemented a series of successful major system upgrades and mapped over 300 administrative processes across a defined area of education administration. [NOT FOR PUBLICATION]
- (d) the purpose of expansion of the StARS programme [NOT FOR PUBLICATION] was to complete the upgrade of the University's student education administration system, expanding the scope and building significantly on the foundations of the successful completion of Phase 1. This would replace BIRMS with new systems, tried and tested at other universities and supplied by the US company Ellucian and their partners [NOT FOR PUBLICATION]);
- (e) the review of StARS had first been considered by UEB at its meeting on 28th October 2019. It was agreed that a fully costed business case, considering the strategic, financial and management case for the decommissioning of BIRMS and replacing it with modules from Banner and Ellucian, should be produced for

consideration by UEB, SPRC and Council. This was the purpose of Paper CO.20.01.**05**. UEB on 16th December 2019 and SPRC on 15th January 2020 had considered the proposal and business case and had recommended their approval to Council:

- (f) [NOT FOR PUBLICATION]
- the benefits of expansion of the Programme as set out in Appendix 4 to Paper CO.20.01.**04** were considered. *[NOT FOR PUBLICATION]*
- (h) **[NOT FOR PUBLICATION]**
- (i) lessons were being learned from the experience of New Core, noting that the Finance Director was a member of the StARS Programme Board:
- (j) members of Council expressed their support for the proposed expansion of the StARS Programme. The discussion focussed on:
 - (i) the importance of learning from the experience of New Core and ensuring strong project management from the outset;
 - (ii) the arrangements for ensuring and monitoring benefits realisation:
 - (iii) strong endorsement by Council of the importance of standardisation of processes, noting that a very strong case would have to be made to the Programme Board to justify any element of customisation;
 - (iv) assurance of effective resourcing of the project;
 - (v) the due diligence undertaken in respect of Ellucian;
 - (vi) the importance of academic engagement with the project, noting that the Pro-Vice-Chancellor (Education) was UEB sponsor and Chair of the Programme Board which had representation from both academic and professional services staff;
 - (vii) the arrangements for management of student personal data in the new system;
 - (viii) [NOT FOR PUBLICATION]
 - the arrangements for monitoring progress of the project, noting that regular updates would be provided to UEB, Strategy, Planning and Resources Committee and Audit Committee.

Resolved that:

- (i) the StARS programme be expanded to replace all the student education administration functions of BIRMS (the University's in-house system) with new off the shelf systems supplied by the University's existing student records system supplier, Ellucian, via Banner Modules and via Ellucian's development partners;
- (ii) **[NOT FOR PUBLICATION]**
- (iii) [NOT FOR PUBLICATION]

20/08 **[NOT FOR PUBLICATION]**

20/09 Annual Assurance Report on Equality, Diversity and Inclusion

<u>Considered</u>: the annual assurance report on Equality, Diversity and inclusion (CO.20.01.07).

Reported that:

- (a) the report set out:
 - (i) details of activities and progress on key equality and diversity themes on the 4th year of the Equality Scheme;
 - (ii) additional activity and priorities for the coming year;
 - (iii) a summary of key staff and student equalities data;
- (b) much of the work to be undertaken in the immediate future would be focussed around ongoing work on applications to Athena Swan and for the Race Equality

- Charter mark, as well as the development of a new Equality Scheme to tie in with the University's new Strategic Framework;
- (c) during 2020, the Deputy Pro-Vice-Chancellor (Equalities, Diversity and Inclusion) (DPVC (EDI)) would be working with each College to develop individual College Equality Schemes and College-level targets for senior female academic staff that were both achievable and aspirational;
- (d) members of Council noted the progress made on key equality and diversity themes and drew particular attention to:
 - (i) the importance of the work being undertaken by the University to address the BAME Attainment Gap:
 - (ii) whether equality, diversity and inclusion performance indicators might be included in the balanced scorecard approach referred to at Minute 20/05 above:
 - (iii) progress with the University's Race Equality Charter Submission;
 - (iv) the excellent work undertaken by member of Council, Derrick Anderson, in supporting the University's work on equalities, diversity and inclusion.

 Other members of Council who were also able to assist were encouraged to contact the DPVC (EDI).

Resolved that:

- the Annual Assurance Report on Equality, Diversity and Inclusion be approved as set out in Paper CO.20.01.**07**;
- (ii) Dame Lin Homer would join Derrick Anderson as members of Council in reviewing the University's Race Equality Charter Submission.

20/10 Annual Assurance Report on Student Wellbeing

Considered: the annual assurance report on student wellbeing, including trends and developments and priorities and progress for the current 2019-20 academic year (CO.20.01.08).

Reported that:

- (a) Council noted that initial documentation for the new University Mental Health Charter had been published in December 2019 by Student Minds, having been commissioned by the Office for Students and supported by Universities UK. The Charter had been long in development and this first publication set out an extensive roadmap for further work. The background described four "domains": Live, Work, Learn and Support, and eighteen underpinning thematic areas. Further details of the framework for application to the University Mental Health Charter Mark would follow later in 2020 and were expected to consider both staff and student communities within the University. This provided a timely link to the work of the Deputy Pro-Vice-Chancellor (Staffing) who was leading on the development of staff wellbeing;
- (b) the OfS consultation on harassment and sexual misconduct in higher education was noted by Council. This set out a number of proposed expectations on the part of Higher Education Providers "for the prevention of harassment and sexual misconduct, and then for addressing it when it occurs".
- (c) the University had, prior to the OfS consultation, announced two high level working groups which would begin work in early 2020 to review the support it offered to all students accusers and accused in cases of sexual violence. Firstly, an expert panel led by the Head of the Birmingham Law School, Professor Lisa Webley and with representation from the Guild of Students, would consider changes to the University's disciplinary policy, including the extent of University jurisdiction and ability to investigate, especially off campus or out of term time, and in cases where

the Police had decided not to proceed with a case. Secondly, the University would establish a further consultative group to examine the 'You Report, We Support' portal in order to evaluate changes made already and identify further improvements;

- (d) the discussion of the annual report by members of Council covered:
 - (i) the waiting times for support which continued to be a concern amongst the student population, and reflected concerns within the wider population about extended waiting times for NHS Services, particularly for mental health issues. [NOT FOR PUBLICATION]
 - (ii) the importance of the University continuing to work in partnership with the Guild of Students to support student well-being;
 - (iii) the lesser engagement of male students and measures being put in place by the University to encourage male students to access well-being services;
 - (iv) the approach to PGR well-being;
 - (v) the trend data on student well-being, including mental health and sexual harassment and supported the University's actions in these areas;
 - (vi) the role of faith groups in support of student well-being, noting the strong links between the University's Multi-faith Chaplaincy and Academic Services.

<u>Resolved</u>: that the Annual Assurance Report on Student Well-being be approved as set out in Paper CO.20.01.08.

<u>Noted</u>: that Stephen McAuliffe, Academic Registrar, would be leaving the University at the end of the week to take up the role of Deputy Registrar at the University of Nottingham. Council expressed their appreciation of his contribution to this University and wished him well for his new role.

20/11 Strategy, Planning and Resources Committee

<u>Considered</u>: the report from the meeting of the Strategy, Planning and Resources Committee held on 15th January 2020 (CO.20.01.09).

(1) University of Birmingham Dubai Update

Considered: the University of Birmingham Dubai Update (CO.20.01.**10**).

Reported:

- (a) **INOT FOR PUBLICATION**
- that the University was in its second year of operation in Dubai and had gained considerable experience of the operating context in Dubai and the UAE region more generally, including the challenging undergraduate recruitment position (especially in STEM subjects) and the costs of operating and building a campus in Dubai. [NOT FOR PUBLICATION]
- (c) **[NOT FOR PUBLICATION]**
- (2) Q1 Projected Financial Outturn for year ending 31st July 2020

<u>Considered</u>: the Q1 projected financial outturn for year ending 31st July 2020 (CO.20.01.**11**).

Reported that:

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

<u>Considered</u>: the annual update to Council on University Risk Management and the Risk Register (CO.20.01.12).

Reported that:

(a) ten changes to risks ratings had been made over the year: [NOT FOR PUBLICATION]

- (b) significant focus had also been devoted throughout the year to risks affecting financial sustainability, regulation, Brexit, TEF, Dubai, New Core, and industrial action:
- (c) the Chair of Audit Committee confirmed Audit Committee had reviewed the risk register in detail over the previous year and had recently agreed to invite UEB Strategic Risk Owners to Audit Committee to discuss risks in their area of responsibility instead of Heads of College, whom the Committee had been meeting in recent years;
- (d) work was currently underway to develop the new Strategic Framework 2020-2025. The University's approach to risk management would be reviewed later in the year, in light of the new Framework.

Resolved: that the annual update to Council on University Risk Management and the Risk Register be approved as set out in Paper CO.20.01.12.

20/13 Annual Report of the University of Birmingham School

<u>Considered</u>: the annual report of the University of Birmingham School (CO.20.01.13). As part of the governance arrangements for the School, this report from the Governors of the School was submitted to the Council of the University. It was a progress report on year four of the operation of the School which:

- (a) summarised the current governance arrangements for the School;
- (b) provided an update on pupil numbers;
- (c) provided an update on standards;
- (d) provided an update on the relationship between the School and University;
- (e) outlined the end of year financial position for the financial year 2018/19 from the audited accounts.

Reported that:

- (a) **INOT FOR PUBLICATION**
- (b) the School would in 2019/20 have its first Year 11 cohort of learners, with pupils being prepared and supported for GCSE assessments in the summer 2020 public examinations session. **[NOT FOR PUBLICATION]**
- (c) an Admissions Working Group of Governors and School leaders had reviewed the University of Birmingham's admissions policy, including the nodal arrangements, to ensure that it remained an instrument fit for purpose in leading to a school representative of the city, and in seeking to raise aspiration and widen participation. [NOT FOR PUBLICATION]
- (d) the staffing structure had expanded with subsequent recruitment to meet the growing needs of the School. The staff profile was more professionally diverse than in the earlier years of the School, where very many colleagues were at the earlier stages of their careers. A good composition of colleagues with different levels of professional experience had been in place for September 2019, noting that a series of measures had been put in place to develop leadership skills within the School;
- (e) (i) [NOT FOR PUBLICATION]

- (j) the Working Group on the University Training School would report in June;
- (k) members of Council discussed:
 - (i) the challenges of the complexity of the student intake;
 - the governance of the School, noting the positive impact of the new Chair of Governors, Professor Jeff Bale, former Pro-Vice-Chancellor (Education) of the University;
- (I) Council thanked the Principal, Colin Townsend, for his excellent work since joining the School in September 2018.

<u>Resolved</u>: that the annual report of the University of Birmingham School be approved as set out in Paper CO.20.01.13.

20/14 Appointment of Pro-Chancellor

Considered: progress with the appointment of the next Pro-Chancellor (CO.20.01.14).

Reported that:

- the Council Selection Panel had continued with the appointment process with the assistance of Saxton Bampfylde **[NOT FOR PUBLICATION]**
- (b) Membership Committee had been updated by e-mail on progress with the appointment of Pro-Chancellor and had agreed to consider the recommendation of the Appointment Panel on 11th March 2020;
- (c) following consideration by Membership Committee, a briefing note would be circulated to Council with the details of the preferred candidate. [NOT FOR PUBLICATION]

Resolved: that the updated arrangements and timetable for the appointment of the next Pro-Chancellor be approved, including the recommendation of the Membership Committee, in accordance with the process specified by the University Ordinances, that the appointment should be made by an open election.

20/15 Audit Committee

Reported: that there were no matters which the Chair of Audit Committee wished to bring to the attention of Council.

20/16 Industrial Action Update

Reported that:

- (a) the national UCU strike action had run from 25th to 29th November 2019 and 2nd to 4th December 2019. To date, 400 staff had confirmed to the University that they had taken strike action, approximately half of these taking action for the whole of the strike period. The impact on teaching had varied by School, with the most disruption being in the College of Arts and Law;
- (b) action short of a strike was now being taken by some members of UCU. The University recognised that individuals had a right to restrict their work to the notional 37 hours per week and that it was reasonable for a member of staff to refuse to take on responsibilities outside the normal accountabilities of their role. Equally, it was reasonable for the University to ask members of staff, whether academic or professional services, to prioritise their work in accordance with the needs of their School or department and this meant prioritising the recovery of lost learning;
- (c) the resolution of the UCU pay and pensions dispute could only be found at national level, noting though that this would be difficult given that the reform of the

USS pension scheme was important for the longer term financial sustainability of the sector, and only 57 universities were subject to strike action over the national pay settlement. A series of meetings were being held between Universities UK, UCU and USS, noting that these would include consideration of the second report of the USS Joint Expert Panel which had been published on 13th December 2019. UCEA and UCU had also met before Christmas to discuss non-pay casualisation, workload and the gender pay gap where it might be possible to reach some agreement nationally and which were often cited by staff as the key reasons for taking industrial action. UCU had re-balloted 24 higher education institutions and would determine its future strike action when these ballots had closed, noting that UCU had previously indicated it would take 18 days of strike action over a four week period starting the third week of February 2020;

- (d) the priority of the University was to continue to protect the interests of students and detailed contingency plans were being operated to mitigate the impact of the UCU industrial action on students:
- (e) the number of students seeking compensation due to disruption caused by the strike action had been very low to date, noting that these were being considered through the University's complaints process in accordance with the guidance of the Office of the Independent Adjudicator;
- (f) a further update would be provided to the next meeting of Council.

[The Vice-Chancellor and Principal declared an interest in this agenda item by virtue of his position as Chair of USS].

20/17 Register of Interests

Noted: the update on the register of interests (CO.20.01.15).

20/18 Report to Council on the work of Council-approved Panels During 2019

<u>Noted</u>: the report to Council on the work of Council-approved Panels during 2019 (CO.20.01.**16**).

20/19 Recommendation from Membership Committee Audit Committee: Appointment of Co-opted Member

Resolved: that the appointment of Mr Les Krepa as a co-opted member of the Audit Committee be approved. His initial term of office was to 31st July 2020, noting that Membership Committee would be invited to renew this co-option for the next academic year when it met in June.

20/20 University of Birmingham Enterprise Ltd

<u>Noted</u>: that the re-appointment of Professor David Adams, Professor Andy Schofield and Dr David Brown as Non-Executive Directors on the University of Birmingham Enterprise Ltd. Board for a further two years in each case had been approved by the Registrar and Secretary on behalf of Council.

20/21 Capital Projects over £10m

COMMERCIAL IN CONFIDENCE

Received: a report from the Director of Estates (CO.20.01.18).

20/22 Affixing of the University Seal

COMMERCIAL IN CONFIDENCE

<u>Received</u>: a report noting the transactions which had required use of the University Seal since the last meeting of Council (CO.20.01.19).

20/23 Any Other Business

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

20/24 Programme of Meetings

Noted the programme of meetings of Council:

2019/20

Thursday 2nd April 2020, 9.00am, Council Strategy Day and Dinner Tuesday 23rd June 2020, 5.00pm, Council Presentation and Dinner Wednesday 24th June 2020, 9.00am, Council Meeting

2020/21

Tuesday 29th September 2020, 6.30pm, Council Dinner Wednesday 30th September 2020, 9.00am, Council Strategy Day 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