UNIVERSITY OF YORK

COUNCIL

Minutes of the meeting held on 8 November 2017

Present:
The Chair of Council
The Vice-Chancellor
The Deputy Vice-Chancellor
The Treasurer
Pro-Chancellor (Mrs D Jagger)
Pro-Chancellor (Ms J Unwin)
Pro-Vice-Chancellor (Professor D Smith)

Mr S Bayley
Mr P Carpenter
Ms C Chamberlain (GSA)
Dr C Dye
Professor A Field
Professor C Hunter
Mrs N Inchbald

Mrs D Jagger
Professor Q Summerfield
Mr C Thompson
Mrs C Thomson
Mr A Urquhart (SU)
Mrs S Wadsworth

Registrar & Secretary, Ms J Horsburgh
Director of Finance, Mr J Lindley
Governance Officer, Dr P Evans
Governance Administrator, Ms B Carter Ellis
Vice-Chancellor’s Executive Officer, Ms H Brian
Director of Human Resources, Dr J Ivory (for M17-18/7)
Director of Estates & Campus Services, Mr S Talboys (for M17-18/9 and 10)
Chief Executive Officers of YUSU and GSA, Mr B Vulliamy and Mr P Gorbert (for M17-18/11)
Director of Health, Safety and Security, Mr D Fowler (for M17-18/12)

Apologies for absence were received from Dr K Dittrich and Mr M Galloway.

17-18/2 Presentation on Academic Quality Assurance and Standards

Council received presentations from Professor John Robinson (Pro-Vice-Chancellor/Teaching, Learning & Students) and Mr Nigel Dandy (Head of the Academic Support Office) on the University’s processes for assuring academic quality and degree standards.
As regards the internal assurance framework, key aspects were noted in respect of:

- linkage to the specific assurance requirements of HEFCE’s ‘Annual Provider Review’ (APR);
- inputs to the student academic experience;
- programme design under the York Pedagogy;
- programme governance at departmental and University level.

During discussion the following points were noted:

(a) As a key part of the quality assurance system, external examiners were appointed following a scrutiny and assessment process led by the Standing Committee on Assessment (a sub-committee of the University Teaching Committee). York academics also played this role at other institutions as part of the routine interchange of academic expertise across the sector.

(b) Departmental teaching committees held accountability for addressing quality issues that might arise, although Heads of Departments and Faculty Deans were also closely involved, especially as regards key indicators such as the National Student Survey (NSS).

(c) The University’s ‘Statement on Teaching Performance Expectations’, which had been approved by Senate, included a number of triggers for remedial intervention in the event that individual support for teaching was required. Heads of Departments were also required to share ratings summaries for their staff with the Faculty Deans.

(d) Academic members reported that the Pro-Vice-Chancellor and Academic Support Office provided accessible and constructive professional support to departments on teaching quality matters, including implementation of the York Pedagogy.

(e) In terms of measuring the efficacy of the York Pedagogy in providing students with a distinctive experience that supported their academic development and employability, it was noted that it was too soon to assess this fully, although some indication would be provided by student responses to the new questions included in the NSS. Further work to evaluate the impact of the pedagogy would be undertaken in due course.

(f) In response to a query on the level of external, independent scrutiny built into the assurance framework, a number of elements came together here, including the annual programme review process, external satisfaction surveys, the role of external examiners and, most importantly, constructive feedback from students themselves.
(g) As regards student understanding of the aims of the York Pedagogy, this was achieved by its strong emphasis on programme learning outcomes (PLOs), which, it was hoped, would affect the way students articulated the knowledge and skills they had acquired through their York degree programme.

(h) On the question of grade inflation across the sector and grade equivalence between different institutions, traditionally the main method of monitoring, calibrating and controlling such matters had been the external examiner system, although more recently a metrics-driven approach had started to develop, e.g. as a new metric in the Teaching Excellence Framework (TEF). In this context the Pro-Vice-Chancellor confirmed that grade inflation, monitored through the annual statistical reports to Senate and Council, had to date been modest and justified at the University (e.g. for equity reasons across different disciplines). The evident tension was acknowledged between maintaining such standards and the metrics employed in some league tables as regards the percentage of ‘good’ (i.e. normally first or upper second) degrees awarded.

(i) In terms of how graduating students might be able to present to prospective employers their knowledge and skills as set out in the PLOs they had achieved, this was not recorded on their actual degree certificates but was information that could be presented by other means such as provision of relevant programme documentation.

In order to further clarify the quality assurance and enhancement framework at national level and the University’s position within this framework, the Pro-Vice-Chancellor presented details in respect of the following:

- the purpose and rationale of the TEF;
- the criteria and benchmarked data informing TEF ratings;
- the University’s previous approach to the supporting narrative in its TEF submission;
- observations on the process and preparation for the current year’s TEF assessment;
- analysis of NSS performance and the University’s relative position within the Russell Group (RG).

During discussion the following points were noted:

(a) Only twelve institutions had failed to meet the minimum reporting requirement for the last NSS following the NUS-promoted boycott of student participation. HEFCE had subsequently provided an
aggregation process to facilitate ongoing comparison and analysis of institutional data.

(b) The University’s poorer performance on ‘teaching on my course’ this year arose from the inclusion of a new question within that dimension of the NSS asking whether ‘my course had challenged me to achieve my best work’, and this aspect would therefore be the subject of developmental work with departments over the coming year.

(c) The University’s overarching NSS ambition was to deliver comprehensive excellence across all the dimensions in all departments.

(d) As a higher institutional response rate in the NSS tended to improve the University’s rating, departments would continue to be asked to encourage their students to complete the survey.

(e) There was thus far no evidence of TEF ratings influencing student application choices, although it was possible that this could change over time, especially if the government continued to promote the exercise strongly. Stronger evidence for the factors underlying applicant choice was provided by the Student Barometer survey and information gathered by External Relations during Open Days.

Following discussion, the Chair observed that although some of the sector’s assessment methodologies of teaching quality might be problematic, they were nevertheless important in providing the underlying evidence for further enhancement activities. It was also agreed that positive outcomes were likely to become ever more important in the context of marketing and recruitment.

Noting the points covered by the presentations and in the associated formal written report from the Pro-Vice-Chancellor (C.17-18/1), Council decided to authorise the Vice-Chancellor as accountable officer to sign the required accountability return on its behalf, as required by HEFCE circular letter 37/2017 (October 2017).

17-18/3 Membership/ Terms of Reference

Council noted its membership for 2017/18 and its terms of reference as defined by the agreed Statement of Primary Responsibilities (C.17-18/2). The Chair welcomed new members to their first formal meeting.
Declaration of Conflicts of Interest

Members were invited to declare any potential conflicts of interest relating to the business of the meeting. The following matters were declared:

- the offices of Mrs Wadsworth and Mr Urquhart were tenants in the Market Square building (M17-18/10 below refers);
- the Deputy Vice-Chancellor was Chair of the Board of York Science Park (M17-18/9 below refers).

Minutes

The unreserved minutes of the meetings held on 28 July and 28 September 2017 (C.17-18/3) were approved. Council also noted the action-schedule based on the minutes (C.17-18/4), in particular the items that were to be considered at the current meeting.

Key Performance Indicators

Council received the latest RAG (Red, Amber and Green) summary sheet of its key performance indicators (C.17-18/5), noting the metrics that had been updated since the last meeting in respect of the student experience, graduate destinations and employee engagement.

Noting that the only red-rated indicator related to entry tariff, the Vice-Chancellor commented that admission of high quality students was a key institutional priority and that work with academic departments was ongoing to manage the balance between entrant tariff and agreed income targets. In response to a query on the correlation between entry tariff and final degree outcomes, it was noted that tariff was one of many influencing factors, all of which needed to be considered holistically in efforts to widen participation (e.g. through contextual admissions).

It was noted that several of the KPI metrics provided an assessment against previous performance rather than against benchmarking data and that the underlying thresholds behind each rating were currently being reviewed.

Equal Pay

Further to M16-17/78 (HR Director Executive Report), Council received a report from the new HR Director (Dr Joss Ivory) on the University’s equal pay action plan (C.17-18/6).

Related to the report, the Director also tabled the headline pay gap figures for which there was a new statutory reporting requirement in
2018. It was noted that, in the specific format required for statutory reporting, the mean hourly rate pay gap at the University was 19.23% (cf. 17.4% nationally).

As regards the main report on the University’s Equal Pay Review 2016, it was noted that the methodology was different to the requirement of the statutory report and the mean pay gap was 19.71%. The Director observed that the mean pay gap on this reporting basis had reduced by 3% since 2008 and that there were no significant gaps within grades (the overall gap being a product of the diminishing representation of women through the senior grades, most notably at Band 3 professorial level). Council noted the associated action plan to address the pay gap which had been agreed by the University Executive Board (UEB) in August 2017.

During discussion the following points were noted:

(a) Although the trend was moving in the right direction, further concerted effort was required in both senior appointments and promotions to acknowledge different female careers paths. It was suggested that targets (as opposed to quotas) could be useful here, as well as other forms of directive action (e.g. mandating a formal explanation if only one gender was represented on a shortlist).

(b) Other proposals for action suggested by Council members included review of promotions criteria, mandating unconscious bias training, monitoring the gender balance on recruitment panels and asking panels to agree the first salary of new professorial appointments (as opposed to negotiation with candidates). As regards promotions criteria, the Deputy Vice-Chancellor reported that these had recently been reviewed and no evidence of inherent bias had been identified. The Academic Promotions Committee was also currently working to address the issue of a gender pay gap of 6.09% (mean) for Professorial Band 3. It was also confirmed that all recruitment panels were mixed gender.

(c) In response to the observation that only some of the relevant factors were within the University’s control, it was generally agreed that this did not rule out target-setting but rather implied that it was valuable to express the University’s overarching ambition in this manner. It was also noted that failure to hit an agreed target could be explained, which in itself would highlight the broader difficulties associated with reducing the gap.

(d) It was also generally agreed that eradication of pay gaps should be a matter of agreed institutional policy, not simply a matter of compliance with statutory disclosure requirements. In this context it was noted that the statutory reporting of gender pay gaps was likely
to be extended to other protected characteristics under equality law (e.g. age and ethnicity).

(e) The HR Director reported that, following an internal organisational re-structure, the University’s Equality and Diversity Office was transferring back into the HR Directorate, which would further align strategy in the area of equality and diversity and help to support the ongoing work on equal pay.

17-18/8 Executive Report from the Vice-Chancellor
[FOI exempt/commercially confidential]

17-18/9 Estates Masterplan Framework
[FOI exempt/commercially confidential]

17-18/10 Market Square Building
[FOI exempt/commercially confidential]

17-18/11 Students’ Union Code of Practice

Council considered a report on Codes of Practice for the Students’ Union (YUSU) and Graduate Students’ Association (GSA) [C.17-18/12].

Introducing the report, the Registrar commented that presenting the Codes of Practice to the Council responded to a requirement for governing body oversight of arrangements for student unions, as set out in the Education Act 1994 (Section II), and that the Codes set out how this oversight was governed. Council was also reminded that it had approved YUSU’s new constitution in March 2017 and noted that oversight of YUSU and GSA’s finances would take place through the Finance and Policy Committee.

Noting that consultation had been undertaken with the relevant officers of both student associations, Council approved the Codes of Practice for both YUSU and GSA and also confirmed the constitution (Memorandum and Articles of Association) of the GSA. It also approved the associated recommendations that the Registrar:

(a) be nominated to have oversight on minor changes to YUSU and GSA governing instruments on behalf of the Council (with any major revisions requiring Council approval);
(b) be delegated on behalf of the Council to maintain oversight of due electoral process in YUSU and GSA annual officer elections;
(c) act as the first point of contact for the escalation of complaints regarding either YUSU or GSA once internal union/association procedures had been exhausted.
Prevent Duty Annual Report

Council considered the annual report for HEFCE on University compliance with the statutory Prevent Duty (C.17-18/13).

Attending the meeting to present the report, the Director of Health, Safety and Security (Denis Fowler) reported that compliance with the Duty had been subject to internal audit review, with only a few minor recommendations in respect of staff training (already implemented). It was also reported that there were effective systems in place and effective collaboration with YUSU as regards the management of events involving potentially contentious external speakers.

The following points were noted in discussion:

(a) As regards questions of freedom of speech, it was noted that the University had a legal duty to guarantee academic freedom and freedom of expression and that the opportunity to challenge and debate differing views and opinions through free and open discussion was a core tenet of that duty. The Director of Health, Safety and Security commented that a number of external speakers had commented favourably on the University’s planning and arrangements for events. In general terms, the University’s approach to the Prevent Duty was one of wellbeing and safeguarding.

(b) In terms of dialogue on Prevent with external bodies, it was reported that regular workshops and briefing events were organised by both HEFCE and the Russell Group.

(c) Noting that the Duty arose from the Counter-Terrorism and Security Act 2015, it was acknowledged that this encompassed consideration of all forms of potential extremist activity, including far-right organisations (which were known to be active in the region).

(d) There had been no reportable incidents under the Duty in 2016/17, although the University had as a courtesy recently alerted its HEFCE contact to press reports of an incident in which some members of a student sports society had been photographed wearing t-shirts bearing offensive messages and symbols, including swastikas.

Following discussion Council approved the annual report for submission to HEFCE and decided to authorise the Chair to sign the associated annual monitoring declaration on its behalf.
International Strategy

Further to M16-17/66 (*International Strategy*) from its meeting in May 2017, Council considered an executive report from the Deputy Vice-Chancellor on the International Strategy and associated activities (*C.17-18/8*).

Presenting the report, the Deputy Vice-Chancellor drew attention to the detailed information it provided in respect of recruitment activities, international mobility and partnerships. Particular attention was drawn to a new strategic alliance with Maastricht University and an engagement strategy for India (examples of initiatives to mitigate the likely effects of Brexit) and broadening the University's recruitment reach for overseas students, as well as to new scholarships to support international recruitment and a revised agent commission scheme.

During discussion the following points were noted:

(a) The alliance with Maastricht involved identification of areas of mutual interest in teaching and research and work was currently progressing to develop appropriate programme approval mechanisms. Other initiatives were also in train to help the University retain access to European research funding such as the Horizon 2020 programme (€80bn of funding available in the period 2014-2020).

(b) There were a number of routes for academic departmental engagement with the internationalisation agenda, facilitated through the International Committee, the Associate Provosts and the Global Engagement team.

(c) Heightened engagement in India was expected to bring benefits across a range of activities and, with a knock-on effect across such countries as Pakistan and Sri Lanka, was partly intended to address an over-reliance on China in international recruitment.

(d) As regards the quality of the international student experience, benchmarking information from a number of surveys, especially the iGraduate Survey, confirmed high levels of satisfaction with teaching and learning, accommodation quality (but not price), safety, the campus and the city. Work was ongoing to address issues raised in respect of health provision, campus buildings and careers support. Such matters were also monitored by the Student Life Committee.

(e) A number of integration initiatives were in train including celebration of cultural events on campus (e.g. Diwali, Chinese New Year etc.), ongoing work to further internationalise the teaching curriculum and ensure appropriate levels of English language capability.
(f) Links with Africa provided a number of new opportunities which were being developed by the Associate Provost responsible for that geographic area. Research opportunities arising from the government’s Global Challenges Research Fund (£1.5bn over five years) were particularly strong in Africa and would be further explored by a University delegation visiting Ghana in January 2018.

Following discussion, Council thanked the Deputy Vice-Chancellor and the Global Engagement team for the comprehensive report which provided assurance as to the nature and extent of specific internationalisation initiatives.

17-18/14  
Financial Statements for the Year ending 31 July 2017

The Treasurer presented the financial statements for the year ended 31 July 2017 (C.17-18/10), also drawing Council’s attention to the report from the joint meeting of the Audit and Finance and Policy Committee at which the accounts had been reviewed in detail (C.17-18/9).

The Treasurer commented on the following key features of the accounts:

- income and expenditure;
- total reserves on the balance sheet;
- in the level of surplus compared to the previous year (from £4m to £21m);
- considerable reduction in net borrowing;
- key facts in respect of capital expenditure, net worth and staff/student numbers.

During discussion a number of minor textual corrections were agreed in the accompanying representation letter to the external auditors (KPMG) and in the strategic review section of the annual report.

As a general observation, Council members acknowledged that although the University was in a sound financial position, there was no room for complacency in the context of the high degree of uncertainty facing the sector on a number of fronts (e.g. the future tuition fees regime, the outcome of Brexit and student recruitment). There was also the ongoing issue of the USS pension deficit to take into account (M17-18/8 above refers)

Council approved the Annual Report and 2016/17 financial statements for signature and submission to HEFCE and also decided to authorise the Director of Finance to sign the associated representation letter to the external auditors (KPMG), subject to the minor corrections noted.
Council considered the summary corporate risk register (C.17-18/14).

Presenting the register, the Registrar drew Council’s attention to the fact that the paper also included a progress report on recent enhancements to the risk management process agreed by UEB. It was noted that the University was moving towards a more active risk management process, including the establishment of a new Risk Review Group which would include lay members and report to UEB.

During discussion the following points were noted:

(a) A question was raised as to why risks associated with the University’s reputation had retained an amber rating after mitigation, rather than moving to a green rating given the improvements and gains the University had made recently (e.g. exceeding targets for graduate employability). Council decided to ask UEB to review this particular risk assessment.

(b) In terms of responsibility and ownership of the risks associated with student recruitment, it was generally agreed that this was an area of shared risk between departments and senior management. It was suggested that the risks associated with future student recruitment should also appear in the finance section of the risk register.

Council considered the Audit Committee’s annual report for 2016/17 (C.17-18/15), noting that it would be submitted to HEFCE by 1 December 2017 with other annual accountability returns.

Presenting the report, the Registrar commented that the Audit Committee had conducted a thorough review of the report at its most recent meeting and, subject to minor textual amendments, had approved it for submission to Council and HEFCE. Noting the mandatory reporting elements of the report, Council welcomed the Committee’s concluding statement that the University had adequate and effective arrangements for:

- risk management, control and governance;
- economy, efficiency and effectiveness (value for money);
- management and quality assurance of data submitted to external agencies.
17-18/17 Governance Review

Council considered a report from the Registrar on a proposed review of Council’s sub-committees and other governance arrangements (C.17-18/16).

Presenting the report, the Registrar drew specific attention to planned reviews of the following:

- Council sub-committees (including creation of new committees in the areas of risk management and estates)
- effectiveness of UEB and strategy development;
- academic governance/faculties beneath Senate.

In discussion it was generally agreed that Council’s role should continue to be that of the overarching forum in which top-level strategic questions were considered, while more detailed work in areas of its specific governance responsibility was undertaken by its sub-committees.

It was noted that the proposed programme of work would be undertaken in a phased manner during 2017/18 and that specific recommendations would be brought back to Council for consideration in due course.

17-18/18 Internal Audit Annual Report

Council received for information the annual report from the internal auditors (C.17-18/17).

17-18/19 Research Income in 2016/17

Council received for information a report on the final outcome for research income in 2016/17 (C.17-18/18).

17-18/20 Student Complaints

Council received for information the annual report on student complaints in 2016/17 (C.17-18/19).

17-18/21 Council Attendance in 2016/17

Council received for information a report on attendance by members in 2016/17 (C.17-18/20).
17-18/22 Financial Out-Turn

Council received for information a report on the financial out-turn for 2016/17 (C.17-18/21).

17-18/23 Business from Committees

Business from the following committee meetings was noted and/or approved (C.17-18/22):

(a) Audit Committee: 22 September and 20 October 2017
(b) Finance & Policy Committee: 29 September 2017
(c) Nominations Committee (business via correspondence)
(d) Appointments Committee (business via correspondence)

17-18/24 Unreserved Business from Senate

Council noted the following unreserved business from the meeting of the Senate held on 17 October 2017:

(a) National Student Survey 2017 (C.17-18/23)
(b) Postgraduate Research Experience Survey 2017 (C.17-18/24)
(c) Destination of Leavers from Higher Education (C.17-18/25)
(d) Student Employability Strategy (C.17-18/26)

17-18/25 Use of Seal

Council approved the use of the Common Seal of the University (details available in the Registrar and Secretary’s office).

17-18/26 Date of Next Meeting

The date of the next meeting was noted as Wednesday 24 January 2018 (12:00).