16-17/29  Presentation on Marketing

Council received a presentation from the Director of External Relations (Joan Concannon) on the University’s brand proposition and associated marketing activity.
Registrar & Secretary

As it was his last meeting of Council before taking up a new post, the Registrar & Secretary (Dr David Duncan) was thanked by the Chair for his contribution to the University and the work of the Council.

Declaration of Conflicts of Interest

Members were invited to declare any potential conflicts of interest relating to the business of the meeting. None were declared.

Minutes

The unreserved minutes of the meeting held on 11 November 2016 were approved (C.16-17/29). Council also noted the action-schedule based on the minutes (C.16-17/30), in particular the items that were to be considered at the current meeting.

Effectiveness Review

Further to M16-17/5 (Effectiveness Review), Council received for information an updated progress report on the implementation of actions arising from its recent effectiveness review (C.16-17/31), including the new reporting template for Council sub-committees and the updated role descriptor for Council members to support the recruitment and induction process.

Executive Report from the Vice-Chancellor

Council received an Executive Report from the Vice-Chancellor (C.16-17/32) covering, inter alia, the following matters:

- ongoing passage of the Higher Education and Research Bill (HERB) through the House of Lords, with a large number of amendments to the legislation being proposed (see [a] below);
- welcome recognition by government of the role that might be played by universities in the delivery of its new industrial strategy;
- meetings and workshops in Brussels to consider the impact of Brexit and gain better understanding of the likely EU negotiating position as it affected HE;
- work on financial scenario planning and risk analysis (with special thanks to Council lay member John Lister for his input to this process, which would be reported in greater detail at the next meeting);
- further option appraisal work by the University Executive Board (UEB) in respect of the Management School’s space needs and future usage of the Smith & Nephew building recently acquired by the University, in the context of the campus master-plan (M16-17/39 below refers);
• launch of a recruitment initiative to appoint world-leading academics, mainly at professorial level, to add impetus to the University’s research strategy and preparation for REF 2021;
• progress to recruit a new Pro-Vice-Chancellor (Knowledge Exchange and Partnerships), Registrar & Secretary, HR Director and Director of Corporate Planning.

During discussion the following points were noted:

(a) UUK had welcomed recent confirmation from the Minister of State for Universities and Science (Jo Johnson) that the government would be introducing significant amendments to the HERB in respect of:

- independence of institutions in defining academic standards;
- duty on the new Office for Students (OfS) to respect institutional autonomy in all matters (including academic freedom of speech);
- establishment of a new committee to scrutinise degree-awarding powers;
- preventing the full revocation of royal charters;
- duty on the OfS to encourage collaboration;
- requirement for the OfS to publish an annual report on its cooperation with the UKRI;
- requirement for the OfS to encourage diversity as regards types of provider and models of study;
- enshrining of the ‘Haldane Principle’ regarding the dual-funding model for research;
- duty for the minister to make clear the separate budget allocations to each research council;
- new ability for universities to offer two-year accelerated courses (up to the tuition fee limit of three-year courses);
- new requirement for the OfS to monitor and encourage credit transfer schemes;
- obligation for universities to publish information on student attainment, broken down by selected equality characteristics.

(b) The prospect of two-year degree programmes would be examined in greater detail, including the likely impact on market share for specific departments/programmes. It was uncertain how employers would react to this development which highlighted the importance of research-led teaching as a central element of the University’s brand proposition. Such shorter programmes could also have unintended consequences for access and widening participation.

(c) Consultation was still underway regarding the proposed sponsoring of secondary schools by universities (M16-17/7 from the last meeting
refers), although there had been reference to the proposal in the current year’s guidance from the Office for Fair Access (OFFA).

(d) Special thanks were offered to the Director of Corporate Planning (David Muckersie) for his considerable contribution to the development of the University over the last twenty-six years. It was noted that the Business Intelligence Development Manager (Alastair Knock) would be Acting Director while recruitment proceeded for a permanent replacement.

(e) The University had recently received from HEFCE the initial assessment of its Annual Provider Review (APR). No concerns on quality or standards had been identified, but a concern had been raised in respect of the relatively poor condition of the University estate and the need for a strategy to address this matter. A response had been submitted that referenced the current work on master-planning (M16-17/39 below refers) and also the capital developments since the estates condition data included in the review (2014/15). It was noted that HEFCE would consider this response in determining its annual risk categorisation of the University (which would either be “not at higher risk” or “at higher risk”).

(f) With regard to the planned recruitment of senior academic researchers, attention was being paid not simply to remuneration but to providing a comprehensive and attractive package, which might in some cases require market supplements or investment packages in collaboration with research councils (e.g. for provision of facilities or equipment).

(g) Further consideration of the future usage of the Smith & Nephew building would take into account the research reviews and strategic plans of the various departments under consideration, including their current student recruitment profile. Due consideration would also be given to the poor state of a number of academic buildings. As regards desk space for postgraduate researchers in the social sciences, it was noted that this was amply provided in the Research Centre for Social Sciences (RECCS).

16-17/35 York EMC Services  
[FOI exempt/commercially confidential]

16-17/36 New Student Residences  
[FOI exempt/commercially confidential]
Incorporation of the Students’ Union

Council considered a proposal in respect of the incorporation of the Students’ Union (YUSU) as a charitable company limited by guarantee (C.16-17/9). The YUSU CEO (Ben Vulliamy) attended the meeting for this item of business.

The Registrar reported that YUSU had taken extensive legal advice which had confirmed incorporation as the best means to protect its Trustees from personal liability, with approval now being sought from Council in accordance with its general duty under the Education Act (1994) to ensure that YUSU operated in a fair, democratic, accountable and financially sustainable manner. It was also reported that the proposed new governance arrangements and associated Articles of Association had been passed by a clear majority in a recent student referendum. Mr Vulliamy commented that as YUSU grew in size and complexity, it was important to have governance arrangements better suited to managing the related financial risks.

Council approved the change of legal structure for YUSU and its new Memorandum and Articles of Association.

Pro-Vice-Chancellor (TLS): Annual Executive Report

Council considered the annual executive report from the Pro-Vice-Chancellor (Teaching, Learning and Students) [C.16-17/36].

Presenting his report, Professor Robinson drew particular attention to the following:

- robust assurance in respect of academic standards, which Council would be expected to confirm to HEFCE on 1 December 2017 as part of the new regulatory framework;
- efforts towards continuous improvement of the academic experience and student outcomes (especially as confirmed by periodic reviews of departments);
- confirmation that the University continued to meet the standards of Part 1 of the European Standards and Guidelines (2015);
- new OFFA guidance on the role expected of HEIs in raising attainments in schools (for which sponsoring a school might be one possible solution).

During discussion the following points were noted:

(a) The Chair welcomed the in-depth report which covered a wide range of important initiatives in respect of teaching and learning as well as
reference to new priorities such as the Teaching Excellence Framework (TEF).

(b) As regards the adequacy of the recent additional investment in the York Advanced Research Computing Cluster (£150k), it was noted that IT investments were prioritised through consideration by Planning Committee in the context of cost/benefit relating to the University Strategy. A number of options were being considered in respect of research computing, including shared facilities, with the aim of moving the University into a mid-tier position in the Russell Group in this area.

(c) Structures were being introduced to the Careers Service to support more placement years, although it was not feasible to guarantee such placements to all students and current demand was relatively low.

(d) As combined degrees offered both attractions and risks to individual departments, these would be considered in the newly established faculty learning and teaching groups in the context of the specific challenges they inevitably presented in terms of programme design, timetabling, assessment etc.

(e) The revision to National Student Survey (NSS) targets had been undertaken in the context of the planned improvement across all dimensions, which had also been set out in the University’s TEF submission. If achieved, the new target for outcomes in the top half of every NSS dimension (i.e. comprehensive excellence) would have considerable impact on the University’s TEF rating.

(f) It was difficult to predict the outcome from the TEF assessment panels to be reported in May 2017 as it was believed universities had adopted a very wide range of approaches to the narrative element of the submission. It was suspected that this lack of easy comparability might oblige the panels to focus primarily on the uniform metrics provided for each institution.

(g) The strong rhetorical emphasis on the institutional pedagogy in the TEF submission had been a strategic decision that deliberately sought to highlight the key significance of programme design, which was not widely acknowledged in higher education.

(h) Although there would be a review of the pedagogy implementation to confirm its positive consequences, clear causal linkage to an improvement in outputs would be difficult as these were influenced by a wide range of input factors.
(i) As regards marketing the pedagogy in the context of CMA requirements, a more overt promotional campaign about its distinctiveness would be launched when all programme learning outcomes were available. Reference was also made to the pedagogy in the new prospectus.

(j) Confirmation of the additional resources allocated to student mental health provision was provided in the action schedule of the Mental Ill-Health Task Group (Appendix 4 of the report refers).

Council thanked the Pro-Vice-Chancellor for his helpful and detailed report, noting that it strongly supported its assurance provision on academic quality and standards provided to HEFCE.

16-17/39   Estates Master Planning

Council considered a report from the Director of Estates and Campus Services on the master planning process for campus redevelopment (C.16-17/37). Attending the meeting to present the report, the Director drew Council’s specific attention to the following:

- guiding strategic principles
- summary of feedback from Make architects
- site-wide issues
- refurbishment of CLASP buildings
- connections to the city and between the three sites
- arrival points and links to the lake
- wayfinding and signage
- timeline of next steps to November 2017

Council members noted the following points in discussion:

(a) Further consideration would be given to engagement with Council members as the project progressed.

(b) An imaginative approach to the refurbishment of the old CLASP buildings and covered walkways was welcomed as an evolutionary step, although the longer term sustainability of such an approach would need to be carefully assessed. The Estates Director confirmed that a range of options would be considered.

(c) It was requested that the architects make further proposals regarding the best means to link Campuses East and West across the green ‘buffer zone’ between them. The Vice-Chancellor commented that Make had delivered an overarching concept and aesthetic that could now be challenged and further explored in the next stage of the development process.
(d) Although a number of solutions to improved East/West linkage could be proposed, including possible use of the Smith & Nephew building as a unifying hub or nodal point, the YUSU President suggested that the key issue from the student perspective was the provision of events and services on Campus East, some of which might be presented as open to the wider local community (e.g. theatre/film performances). It was noted that completion of the Piazza building (December 2017) and development of retail units on Field Lane would play a role here.

Following discussion the Chair requested that the Vice-Chancellor and UEB consider how best to maintain a dialogue with Council on this crucial matter.

16-17/40 Integrated Finance and Estates Strategies

Linked to the discussion on estates master-planning, Council considered a progress report from the Director of Finance on the integrated development of finance and estate strategies (C.16-17/38).

Presenting the report, the Director drew particular attention to the establishment of an integration project team, which would include membership from External Relations in order to handle communication matters. Council noted that the finance strategy focused on three areas: funding the University Strategy, maintaining adaptive capacity and mitigating risks. It also noted the ten specific issues that were central to addressing these three areas of concern, to be informed by guidance from the Finance and Policy Committee and Council on the appropriate level of risk appetite in different areas.

During discussion the following points were noted:

(a) Parallel development of the finance and estate strategies was essential to ensuring that the latter was not unrealistically divorced from the funding implications. As the estates plans gradually emerged the finance team would become more involved in costing, identification of revenue streams and consideration of funding models for specific projects. Larger projects would be submitted to Council to verify that they were within acceptable risk parameters.

(b) The Vice-Chancellor reported that his preferred initial approach was to proceed cautiously, with estates projects funded by free cash wherever possible, unless there were specific obstacles that could only be overcome by alternative methods of delivery. It was noted in this context that Make architects had been fully briefed on the University’s current financial position.
(c) Council supported the suggestion in the report that the University needed to maintain sufficient accessible liquidity to meet its planned and expected operational and project commitments, with an emphasis on efficiency and cost control.

(d) In terms of funding options for estates development, this might also include revenue from benefaction fundraising and input from industrial/commercial partners for research buildings.

Noting the Director of Finance’s comment that considerable work would be undertaken on both strategies in the period June-October, the Chair encouraged UEB to consider how best to maintain Council’s involvement with this complex project, while also maintaining sufficient management capacity to take it forward. Consideration also needed to be given to the capital expenditure assumptions to be built into the budget for 2017/18. It was noted that key milestones on the development timeline over the next few years were currently being identified by the project team.

16-17/41  Key Performance Indicators

Council considered the 2017 KPI report (C.16-17/39) and also a report from the KPI Working Group established following the previous year’s effectiveness review (C.16-17/40).

Attending the meeting to present the two reports, the Director of Corporate Planning commented on the following aspects of the current KPI set:

- the generally positive direction of travel in respect of research income, the NSS, employability, generation of free cash and liquidity;
- the relatively static effect of such improvements in the context of similar if not greater improvements among competitors;
- the challenges and volatility in the student recruitment market that were brought starkly to the fore in the supporting contextual data (Attachment 3 of the report refers).

During discussion the following points were noted:

(a) OFFA had changed its widening participation measure from NS-SEC (National Statistics Socio-Economic Classification) classes 4-7 to POLAR (Participation of Local Areas) quintiles, i.e. a move from social class to HE participation rates by locality. The University’s performance in this area was likely to be affected by planned changes to nursing education at a national level that would have an impact on the intake to Health Sciences.
(b) The data on estate condition did not yet incorporate the Spring Lane teaching building, Biology Phase 2 or the Smith & Nephew building, all of which would increase the proportion of the estate in conditions A or B.

(c) Benchmarking of the cost of support services relative to other universities by the Tribal consultancy had confirmed that the central administration was relatively lean and in some areas under-resourced. Nevertheless it was hoped that the annual efficiency target of £3.8m for the support services could be achieved, in part through further centralisation of some functions (cf. the recent centralisation of the marketing function).

(d) International league tables were difficult to influence as they tended to be based on assessment of reputation arising from a somewhat unclear questionnaire process. The Business Intelligence Unit would shortly be meeting with QS Rankings in order to gain a better understanding of their underlying methodology. The Vice-Chancellor also commented on the growing levels of state funding for HE in some countries and other methods being employed to improve their position in international rankings (e.g. through targeted mergers of institutions).

(e) As regards league tables more generally, it was noted that UEB was working to develop a strategy that responded more proactively to the different metrics being used and, significantly, the different weightings given to these measures. It was hoped that in due course the University’s positive improvement across most measures would deliver reputational enhancement, although this would also depend on the efficacy of similar activities by competitors.

Presenting the separate Working Group report, the Director of Corporate Planning commented that while performance monitoring had improved at all levels across the University and was embedded in the annual medium-term planning process with departments, a more sophisticated level of monitoring was proposed for Council in respect of student recruitment (including RAG ratings and enhanced competitor analysis), especially in the postgraduate market. A revised set of indicators was therefore proposed for Council with effect from 2018 (Appendix 1 of the report refers).

The following points were noted:

(a) The Vice-Chancellor commented that it would be useful to develop a clear indicator for the quality of research outputs, as research income per academic was not informative in some disciplines and journal citation rates had no validity in the arts and humanities. At an
institutional level, comparisons on this measure were further compounded by differing academic portfolios (subject mix). The Pro-Vice-Chancellor (Research) suggested that department research reviews might be one method of generating more informative measures in this complex area.

(b) In order that Council might start the process of understanding its proposed new set of metrics, it was decided that it should receive an example of the new KPI set populated with the necessary data at its next meeting.

Following discussion the Treasurer thanked the Working Group for its efforts to develop new KPIs as requested by Council and commented that this would remain work in progress subject to ongoing review.

16-17/42 Urgent Decisions Group

Council received for information a report from the meeting of the Urgent Decisions Group held on 8 February 2017, noting that it had approved proposals in respect of:

(a) nominations agreements for student accommodation with an external provider (300 bed-spaces in Student Castle);

(b) refinancing the loan in place in the joint venture entity owning Goodricke College;

(c) sale of York EMC Services (in principle approval, M16-17/35 above refers) and the proposed remuneration scheme for the negotiating team.

16-17/43 Health, Safety and Security Annual Report on 2016

Council received for information the annual health, safety and security report for 2016 (C.16-17/15), noting that it had been moved into the discussion section of the agenda in accordance with a recommendation from the previous year’s effectiveness review.

Attending the meeting to present the report, the Director of Health, Safety and Security (Denis Fowler) commented that staff and student engagement with health and safety was generally positive and that there were currently no major issues he wished to report.

During discussion of the report the following specific points were noted:

(a) Work was currently in train with the Accommodation Office and legal advisors to amend student accommodation contracts to ensure that
the Health, Safety and Security Department (HSSD) was authorised to enter student rooms to investigate suspected breaches of fire safety regulations.

(b) There had been some inaccurate double-counting of issues arising in the three-yearly programme of fire risk assessments, which was being addressed. It was noted that college officers were now involving HSSD staff at an earlier stage in investigation of breaches of fire safety.

(c) Noting its responsibility for providing assurance to HEFCE on the University’s compliance with the statutory Prevent Duty arising from the Counter-Terrorism and Security Act (2015), Council welcomed confirmation that staff and students were engaging with the various awareness-raising activities in this area. It was noted that event management procedures had also been updated in order to assess risk levels in respect of external speakers, event marketing etc. The Chair reminded Council that it had approved both the University’s Prevent Policy and Procedures and its annual report on Prevent for HEFCE (M16-17/22 from the previous meeting refers).

Council thanked the Director for his comprehensive report on this important area of legal compliance.

16-17/44 Financial Performance Data

Council received for information financial performance data for the period ended 31 December 2016 (C.16-17/43).

16-17/45 Business from Committees

Business from the following committee meetings was noted and/or approved (C.16-17/44):

(a) Remuneration Committee: 4 November 2016;
(b) Finance and Policy Committee: 9 December 2016 and 8 February 2017;
(c) Student Life Committee: 2 November 2016 and 26 January 2017;
(d) Nominations Committee: February 2017 (including posthumous award of a Morrell Fellowship to University donor Roger Peter Whelpton);
(e) Ethics Committee: February 2017 (including amendments to paragraphs 3.2 and 2.14 of the University’s Code of Practice for Good Ethical Governance);
(f) Health, Safety and Welfare Committee: 21 February 2017;
(g) Equality, Diversity and Inclusion Committee: 3 November 2016;
(h) HYMS Joint Board: November 2016.
16-17/46 Unreserved Business from Senate

Council noted the following unreserved business from the meeting of the Senate held on 31 January 2017:

(a) Teaching Excellence Framework (C.16-17/45)
(b) Student Partnership Agreement (C.16-17/46)
(c) Research Excellence Framework (C.16-17/47)
(d) Online Learning (C.16-17/48)

16-17/47 Use of Seal

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

16-17/48 Date of Next Meeting

The date of the next meeting was noted as Friday 26 May 2017.