Minutes of the meeting held on 4 March 2011

Present: The Chair of Council
The Vice-Chancellor
The Deputy Vice-Chancellor
The Treasurer (Mr D Dickson)
Pro-Chancellor (Dr R Brech)
Pro-Chancellor (Mrs L Wild)
Pro-Vice-Chancellor (Ms A E M Heaps)

Professor J Bennett  Mrs J McAleese
Mrs S Brabyn  Mr B McCarthy
Professor B Fulton  Mr T Ngwena (SU)
Mr M Galloway  Mrs A Selvaratnam
Mr B Greenwood  Mr D Tecwyn
Professor M Hallett  Mrs J Unwin

In attendance: The Registrar and Secretary
The Director of Finance (for M10-11/27-29)
The Director of Planning (for M10-11/36)
Planning Officer, Dr G Harrison (for M10-11/36)
Governance Officer, Dr P Evans

Apologies for absence were received from Mr J Calhoun (GSA), Mrs M Loffill and Dr H Wilkinson.

10-11/26 Presentation: Student Volunteering

Council received a presentation from Jacqui Tesslement (Manager, Community and Volunteering Unit, Careers Service) and four students on student volunteering activities (slides available via link from the minutes on the Council website).

10-11/27 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 26 November 2010 were approved (C.10-11/28) and Council noted progress against the action schedule based on the minutes (C.10-11/29).

Further to M09-10/6, the Vice-Chancellor updated Council on the current situation in respect of pay and pensions, as follows:

- UCU members had voted to support strike action and action short of a strike in a recent ballot on the annual pay offer (0.4%), which had been implemented and backdated to August 2010;
- UCU members had also voted to support strike action and action short of a strike in a separate ballot on modifications to the USS pension scheme which had been approved by the USS Board;
- the action would take place on a rolling schedule across institutions from 21 March and would trigger the University’s agreed contingency arrangements to minimise disruption to students.

In response to a query, it was reported that UCU represented academic and academic-related staff and had approximately 615 members at York. Council also noted that the Vice-Chancellor had recently become the chair of the Employers Pensions Forum which had been established by Guild HE, the Universities and Colleges Employers Association (UCEA) and Universities UK (UUK) to consider pension issues in the HE sector.

Further to M10-11/10, the Registrar reported that the Privy Council had approved the new Statute 24 relating to staff conduct, discipline, dismissal, suspension and grievances. It was noted that the local branches of UNISON and UNITE had approved the new Statute, while the local branch of UCU had balloted its members with the recommendation that it be approved.

Sports Village and Swimming Pool

Further to M09-10/51, Council received the outcome of a sensitivity analysis in respect of the projected financial performance of the sports village project (C.10-11/30).

Dr Brech confirmed that the figures were realisable in a range of scenarios but noted that major changes to membership arrangements for students in the context of the new fee regime had not been taken into account.
In relation to other points that had been raised in relation to the sports village, it was reported that the café area would be accessible to all users and that some private shower cubicles would be included in the design.

Council agreed that the sports village would need to be responsive to local competition in terms of its marketing and pricing.

10-11/30 Corporate Governance Review

Further to M10-11/ 4, Council received a further report on progress to implement the actions arising from the corporate governance review conducted in 2009/10 (C.10-11/31).

Council approved the proposed terms of reference and membership for the Business Advisory Committee as an advisory body to the Pro-Vice-Chancellor (Business & Community), subject to clarification of the lay constituency in generic terms rather than named individuals (i.e. “four lay members with relevant expertise, one to chair the Committee”).

Council also approved the proposed terms of reference and membership for the Treasury Group as a sub-committee of Council.

Council decided to ask the Chairs and secretaries of both bodies to consider the gender balance of their membership in the context of the University’s Gender Equality Scheme.

10-11/31 Chemistry Department Space Needs

Council considered a recommendation from the Pro-Vice-Chancellor (Estates) in respect of space needs in the Department of Chemistry (C.10-11/32), noting that it had also been considered by the Policy and Resources Committee at its meeting held on 18 February 2011, when the Committee decided to recommend this proposal to Council for approval.

It was noted that on the basis of the condition of its older buildings, the Department had emerged as a high priority in the capital programme, with an indicative allocation of £12.5m to address its space needs. The proposal before Council related to the first stage of a phased programme in the form of a new research building, the construction of which would provide the decant space necessary for the second stage, a new teaching building.

During discussion the following points were noted:
(a) There was no linkage between the research building project and
the later decision as to the number of storeys in the teaching
building.

(b) The project had been considered at various stages on three
occasions by the Policy and Resources Committee. The preferred
contractor had developed plans for the building on a design
fees-only basis, which had capped the maximum exposure to the
University for this work.

(c) Although the project would facilitate a marginal increase in the
Department’s research income, the primary purpose of the new
building would be to ensure the sustainability of the high
quality of its research.

(d) It was suggested that it would be helpful for Council members if
in future such capital project proposals also included a campus
map and a statement setting out plans to minimise disruption to
current students during the construction phase.

Following discussion Council approved the Pro-Vice-Chancellor’s
recommendation that the new Chemistry research building
(Dorothy Hodgkin 2) be constructed at a total project cost of
£6,361,056.

10-11/32 New Funding Arrangements

Further to M10-11/6 and M10-11/8, Council considered a progress
report on the University’s preparations for the new funding regime
(C.10-11/33).

The Vice-Chancellor also reported verbally on more recent
developments since the report had been circulated. It was noted
that the government had delayed publication of its White Paper
from March to June, which meant that the access agreements to be
submitted to OFFA by 12 April would have a greater degree of
conditionality. This delay was thought to have been caused by legal
complications and government recognition that it could not gauge
the financial effects of its proposed reforms until universities had
published their new fee levels. It was also reported that OFFA had
delayed publication of its full guidance, although its Director (Sir
Martin Harris) had indicated to the sector the key parameters that it
would use to assess institutional access agreements, approval of
which was a pre-condition for setting a higher fee. These
parameters included the expected level of spending on support for
disadvantaged groups relative to the fee level. Universities would
be expected to set and monitor their own targets.
The Registrar introduced the progress report, drawing attention to the areas where officers were following up the specific suggestions made by Council members at the recent away day. It was noted that the group developing the University’s access agreement for submission to OFFA was considering the appropriate balance of spending on bursaries, fee waivers and outreach, with an estimate that approximately £8m p.a. would eventually be spent on these arrangements in steady state. There would be a strong outreach focus on socio-economic groups 4-7, additional support for disadvantaged groups when at the University and reference to the contribution made by specific departments to widening participation. Council noted that the access agreement would be subject to negotiation with OFFA before final sign-off in June or July.

During general discussion, the following points were noted:

(a) In terms of timescale, the final version of the access agreement (i.e. as signed off by OFFA) would be circulated to Council members for information. It was currently planned that a firm proposal on home/EU undergraduate tuition fees for 2012/13 would be brought to the Council meeting in June.

(b) The access agreement only related to home students; there was no linkage with relative proportions of home/overseas students, which was beyond governmental jurisdiction (i.e. the government could regulate home student numbers but not the student mix).

(c) Approximately 23% of current York students received financial support on the basis that their family income was less than £25k p.a., and the access working party was currently assuming that this percentage would remain more or less the same.

(d) Relative levels of support for bursaries, fee waivers and outreach naturally differed in the view of government, OFFA and students themselves. Although some research seemed to show that bursaries had not affected applicants’ choice of institution, it was not yet known if this would continue to be the case in a higher fee regime.

(e) The University wished to support gifted and talented entrants from disadvantaged backgrounds, and there might be potential for means-tested scholarships to support this ambition.

(f) The current HESA performance indicator for widening participation (i.e. the percentage of young first degree entrants from low participation neighbourhoods) was statistically
complex and much discussed in the sector. Institutions would therefore be required to develop their own targets based on their current position.

(g) In terms of current widening participation levels and whether the objectives of the University Plan implied that these should be increased over time, there would need to be appropriate review and monitoring over the early years of the new access agreement to ensure the viability of any particular strategy. As it was firmly committed to universities achieving success in the area of social mobility, OFFA expected that access agreements should be reviewed annually, at least during the transition to the new arrangements (“a programme of defined progress each year – set within a five-year timeframe – in relation to appropriate benchmarks”).

Council noted that the situation was complex and evolving and expressed its support to the executive in the challenging task of developing an appropriate access agreement.

Executive Report: Teaching & Learning and Information

Council received the Deputy Vice-Chancellor’s Executive Report on Teaching & Learning and Information (C.10-11/34), noting in particular the following elements of the report:

- generally high academic standards but variations in quality which the Teaching & Learning Strategy sought to address by ‘levelling up’;
- library refurbishment as huge benefit to students once complete but with inevitable disruption to students during current works (as reflected in NSS results relating to learning resources);
- ongoing need to invest in information resources;
- range of specific projects being undertaken as part of the Information Strategy.

During discussion the following points were noted:

(a) There was a variety of reasons why a small number of academic departments had received a markedly lower NSS score in 2010, including the need for a cultural shift to a more student-centred approach, deficiencies in functioning as a collaborative unit and problems reported by a single cohort of students in one year (e.g. in respect of departmentally specific timetabling issues). With regard to the latter point, it was noted that the NSS results clustered in a very tight distribution, with the result that small
deteriorations (or, conversely, improvements) could have a dramatic effect on an individual department’s position from one year to the next. At an institutional level, however, the results were more stable and better able to show trends.

(b) With regard to engagement with NSS outcomes, it was reported that departments realised the significance of the results to themselves and the wider University and felt a strong need to perform well. Sharing of good practice from the best performing departments had demonstrably helped to improve results in others.

(c) It was noted that the NSS feedback from students on quality was a purely internal, subjective judgement as the final-year students in question were not in a position to compare their experience with any other institutions, creating possible anomalies in the results.

(d) The new fees regime would increase the significance of the NSS and provide a challenge to academic staff faced with other significant priorities, most notably submissions for the next Research Excellence Framework (M10-11/34 below refers).

(e) Improvements in NSS scores required effective departmental leadership and organisation, coupled with attention to detail and awareness of student expectations (e.g. in terms of responsiveness and turn-around times). It was hoped the new Peer Support for Teaching Policy (2010) would contribute to higher levels of staff buy-in to quality enhancement as an institutional imperative.

Council thanked the Deputy Vice-Chancellor for his comprehensive report.

10-11/34  Executive Report: Research

Council received an Executive Report from the Pro-Vice-Chancellor for Research (C.10-11/35). The Pro-Vice-Chancellor drew Council’s specific attention to the following elements of his report:

- the ‘flat cash’ research funding settlement and information on the sorts of projects that in future were most likely to be supported by the research councils;
- the shift of support from individual doctoral students to block-grant support for doctoral training centres in broad subject areas such as social sciences.
During discussion the following points were noted:

(a) With regard to the growth trend in research income margins (19% in 2006/07 to 28% in 2009/10), it was important to maintain research volume and quality, including in those areas where the overhead income was not as high as others (e.g. EU and charity-funded research). In the new funding environment only the highest quality applications were likely to be successful, and departments were therefore peer-reviewing proposals more intensely to sustain their success rate.

(b) Quality would also be the key factor in submissions to the next research assessment exercise (now called the Research Excellence Framework/REF) as there would be no quality-related (QR) funding at the lower level. The REF would weight its assessment on output (65%), impact (20%) and environment (15%). Given the lead-times for research publications, 2011-12 would be a critical period in the University’s preparations for the REF in 2014.

(c) A strategic approach would have to be adopted to the REF submission, including in relation to the proportion of staff submitted and which assessment panels to submit to. However, although some institutions were tending to disaggregate teaching and research activities, the University would not be doing this as it continued to believe in the powerful and valuable inter-relation between teaching and research quality, which was a key feature of York’s success and identity.

Council thanked the Pro-Vice-Chancellor for his report.

10-11/35 Key Performance Indicators


Attending the meeting to present the report, the Director of Planning confirmed that the indicators would be reviewed in due course in order to articulate with the University Plan and any emerging sector priorities, but for this year they had remained the same in order to demonstrate trends and to prioritise preparatory work for the new funding regime. It was noted that overall the indicators continued to demonstrate a positive and encouraging picture of the University, with an increasing operating surplus, growing student numbers, an increasingly diverse and
internationalised student body and positive league table rankings, combined with continued success in research.

During discussion the following points were noted:

(a) Where the University had agreed targets (e.g. in relation to student numbers or research income), it would be useful to include them as indicators because trend data alone did not necessarily reveal progress against aspiration.

(b) It was suggested that operating cash flow was a key indicator that might be included in place of one of the existing financial indicators.

(c) With regard to the data on staff by gender, it was clarified that the ‘Research’ and ‘Teaching’ categories related mainly to those staff on fixed-term research- or teaching-only contracts; most core academic staff appeared in the ‘Academic’ group. Noting that 30% of the latter group were female, it was reported that the figure was closer to 50% among new appointees and that there was considerable variation by department and subject area.

(d) With regard to the widening participation figure of 7.2% relative to the HESA benchmark of 6.8%, it was reported that there was currently no internal target for entrants from low participation neighbourhoods and that the University was likely to use its own indicators and definitions in its access agreement (M10-11/32 above also refers).

(e) On the question of whether staff:student ratios might be introduced as a possible indicator related to the figures for staff costs and total student numbers, it was noted that, although the figures were available for individual departments and considered as part of medium-term planning meetings, they were more difficult to interpret in a meaningful way at institutional level.

(f) It was agreed that some of the indicators (e.g. in relation to widening participation) would be more informative if placed in the context of comparison with the University’s main competitor group.

(g) The rising gearing ratio related to the drawdown of borrowing and was comfortably in line with agreed parameters.

(h) It was noted that the restated figure for the percentage of the estate in condition categories A and B (projected as 52% in 2010/11) revealed the challenges associated with achieving the
right balance in the capital programme between new build and refurbishment. This would be an increasingly important area in the light of rising student expectations and a more competitive recruitment environment. In this context the Registrar reported that a five-year programme to refurbish 2,500 student rooms would commence in summer 2011. It was also noted that the completion of Phase 1 of Heslington East provided decant space that facilitated progress of refurbishment of Heslington West, in accordance with the longer term estates strategy.

Council thanked the Planning Office for the report and asked the SMG to consider ways in which it might wish to adapt the current set of KPIs in such a way that they remained fit for purpose as a useful management tool as well as providing assurance to Council on institutional performance.

10-11/36 Annual Report on Health and Safety

Council received for information the annual report on health and safety (C.10-11/37) and commended the Health & Safety Department on further substantial progress in this area.

10-11/37 Financial Performance Data

Council received for information financial performance data for the period ended 31 December 2010 (C.10-11/38).

10-11/38 Business from Committees

Business from the following committee meetings was noted and/ or approved (C.10-11/39):

a) Ethics Committee: 12 November 2010
b) HYMS Joint Board: 8 December 2010
c) Equality & Diversity Committee: 9 December 2010
d) Nominations Committee: 11 February 2011
e) Health, Safety and Welfare Committee: 22 February 2011

10-11/39 Unreserved Business from Senate

Council noted the following unreserved business from the meeting of the Senate held on 1 February 2011:

(a) report on the current HEFCE consultation on changes to the public information provided by institutions (C.10-11/40);
(b) report on review of Senate effectiveness (C.10-11/41).
10-11/40 Use of Seal

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

10-11/41 Date of Next Meeting

The date of the next meeting was noted as Friday 24 June 2011 at 12:00.