UNIVERSITY OF YORK
COUNCIL

Minutes of the meeting held on 24 June 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 S Brabyn
Mr J Calhoun (GSA)
Mr M Galloway
Mr B Greenwood
Professor M Hallett
Mrs M Loffill

Mr B McCarthy
Mr T Ngwena (SU)
Mrs A Selvaratnam
Mr D Tecwyn
Mrs J Unwin
Dr H Wilkinson

In attendance: The Registrar and Secretary
The Director of Finance
Governance Officer, Dr P Evans
SU President elect, Mr T Ellis

Apologies for absence were received from Professor B Fulton and Mrs J McAleese.

10-11/45 Presentation: Research and Teaching in Archaeology

Council received a presentation from Dr Jonathan Finch (Archaeology) on integration of teaching/research and internationalisation, with particular reference to links between his work at Harewood House and in the Caribbean.

10-11/46 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.

10-11/47 Minutes

The unreserved minutes of the meeting held on 4 March 2011 were approved (C.10-11/45) and Council noted progress against the action schedule based on the minutes (C.10-11/46).
Further to M10-11/28, the Vice-Chancellor updated Council on the current situation in respect of pensions, as follows:

- the USS Joint Negotiating Committee and Board had approved changes to the USS scheme for implementation from 1 October 2011;
- UCU did not accept the scheme changes and was balloting its members to support strike action and action short of a strike;
- UCU might support strike campaigns organised by other unions in respect of other public sector pension schemes which applied to the higher education sector.

10-11/48 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.10-11/47). It was noted that the Scheme of Delegation would be submitted to the next meeting and that the final report of the Senate effectiveness review group would be considered by Senate at its meeting in July.

The Chair commented that the annual effectiveness questionnaire had been circulated and members were asked to return it by the deadline.

10-11/49 Home/EU Tuition Fees 2012/13

Further to M10-11/6 and M10-11/32, Council considered the recommendation from the Senior Management Group that the University should set its home/EU undergraduate tuition fee level for 2012/13 at £9k p.a. (C.10-11/48). It was noted that, at its meeting on 10 June 2011, the Policy and Resources Committee had recommended that this proposal be put to Council.

Introducing the proposal, the Vice-Chancellor drew Council members’ specific attention to the following:

- the general principles agreed by Council in relation to setting the fee level;
- the political background and context to the proposal, including decisions made by other institutions;
- widening participation and the University’s access agreement as submitted to OFFA;
- the key influencing factors behind the proposal;
- planned use of additional income to enhance the student experience, underpin financial sustainability and reinforce the University’s competitive position.
The Vice-Chancellor also expressed his personal view that the proposal before Council represented the best option for the University in a political and economic climate in which full public funding for higher education had long since ceased to be a possibility.

During a detailed discussion the following points were noted:

(a) The first draft of the access agreement submitted to OFFA had proposed a target of increasing the percentage of students from socio-economic groups 4-7 to 20-22% over a five-year period. OFFA had queried the use of such a range and the agreement had been amended to a target of 20%, but with an aspiration to achieve a higher percentage.

(b) The additional income generated by the proposed fee of £9k, assuming no decrease in student numbers, was estimated at c.£27m p.a. Of this sum, £9.1m p.a. would be spent on widening access measures from 2015. Budgeting for the remaining additional income would remain conservative until completion of the next student recruitment round for entry in 2012 and in order to ensure contingency against possible shortfalls in student numbers and/or further decreases in the HEFCE teaching grant. Annual review of progress against access targets would allow the University to revisit if necessary the proportion of income invested in access measures.

(c) Although OFFA currently lacked the statutory authority to impose specific fee levels on autonomous institutions, there were some sanctions available to it in respect of failure to deliver against access targets. It was possible that the imminent government White Paper might include reference to enhanced powers for OFFA.

(d) The OFFA guidelines on the amount of the additional income to be devoted to access were based on two factors: the fee levels agreed by institutions and their past performance in widening participation. The University’s proposed spending (34% of additional fee income above £9k) was slightly higher than required by OFFA guidance.

(e) The loan repayment threshold was £21k, with graduates paying back 9% of their income above that level. Interest would be charged on the loan during the period of study and until loan repayments started it would be charged at the rate of inflation. Thereafter the following rates would apply:
• earning between £21,000-£41,000 – interest at the rate of inflation plus up to 3%;
• earning over £41,000 – interest at the rate of inflation plus 3%.

(f) Sensitivity analyses of fee levels lower than £9k had confirmed that, while the impact on recruitment was impossible to estimate at this stage, the effect on the funds available to enhance the quality of the student experience, and therefore on market competitiveness, was considerable. It was noted in this context that the decision of one institution (LSE) to set fees at £8.5k had been viewed as tokenistic and that the socio-economic groups thought to be most debt-averse would be those eligible for the most support funding (e.g. fee waivers, bursaries etc).

(g) The SU President introduced an additional paper from a student protest group which had been circulated electronically before the meeting and which opposed the proposed £9k fee level. Particular attention was drawn to the comments in respect of debt aversion, employability, the ‘graduate premium’, accrual of interest on debts and the link between price signals and quality. It was noted that the SU had not set out its own position on fees but shared some of the protesters’ concerns about debt aversion, which reinforced the need for clear and effective communication of financial support arrangements and of the deferred nature of loan repayments (i.e. no upfront payment of fees by students). The SU President expressed his personal preference for communicating a range of fees up to £9k which factored in the lower levels that those in receipt of financial support would be charged.

(h) As regards the subsequent, ongoing communication of fee and support arrangements and the way these linked to the University’s access agreement, the Registrar confirmed the strategic approach that would be adopted to conveying key messages to all stakeholder groups, including via the web and at open days for prospective students. It was agreed that this communication strategy should be submitted to Council at its next meeting and that every effort should be made to convey the University’s commitment to widening participation and investing in improving the quality of the student experience (including details from the access agreement once it had been signed off by OFFA).

(i) In terms of access targets, it was agreed that these would need to be reviewed on a rolling basis in response to the new student
recruitment conditions across the sector and other external factors.

(j) In response to the suggestion that a slightly lower fee level would provide marketing advantage to the University through differentiation from competitors, the point was reiterated that the loss of income for investment in the student experience would outweigh the possible gain in PR terms. It was also suggested that the University might appear to be uncertain about the quality and excellence of its provision relative to competitors who had taken the decision to charge the maximum amount. The same argument also applied to the suggestion that a range of fees might be publicised.

(k) The GSA President made the point that outreach and schools liaison work for widening participation required a high level of investment in order to be effective, which strengthened the argument for maximising available income through the higher fee level.

Following the above discussion, Council approved the proposal that the University set its home/ EU undergraduate tuition fee level for 2012/13 at £9k p.a. It was agreed that the related medium-term communications strategy should be submitted to the next meeting, including details of how financial support arrangements would be clearly and easily accessible on the University website. Council also authorised the Vice-Chancellor to take forward discussions with his counterpart at the University of Hull as regards setting the fee level for the Hull York Medical School.

10-11/50  
**Staffing Reductions in Biology and Computer Science**

Council considered proposals for staffing reductions in the Departments of Biology and Computer Science (*C.10-11/49*), noting that they were brought to Council in accordance with revised procedures arising from the new employment statute.

Introducing the proposals, the Registrar clarified the differences between the proposals, noting that one related to the end of funding for a specific research project (Biology) and the other arose from budgetary concerns and the resulting need to rationalise support arrangements (Computer Science). It was noted that in both cases efforts were being made to achieve the staffing reductions through redeployment and voluntary severance, and in Biology through bidding for new research projects in the area concerned.

With regard to the proposal in respect of Computer Science, Council noted an additional document which been submitted by
the staff affected and circulated to members electronically before the meeting. It was also **noted** that Sally Brabyn had met with the individuals concerned as an elected staff member of Council. Ms Brabyn **reported** that the staff had expressed concern about the pace of the proposed restructuring, the transfer of some roles to IT Services and the fact that they had not had sight of the business plan.

During discussion the following points were **noted**:

(a) In the context of support for academics and students and benchmarking across departments and disciplines, staffing structures were not necessarily a straightforward bottom-line decision in higher education. Benchmarking data had however confirmed that historically the University spent relatively more than its comparators on devolved IT support within academic departments, and that this had created overstaffed structures in some areas which could be effectively streamlined through transfer of some support roles to central IT Services. This was particularly the case in research areas which had experienced a diminution in activity and income.

(b) The proposal had been under consideration by the Head of Department since the medium-term planning process earlier in the year and there was ongoing consultation with the staff concerned (the proposals had already been amended in the light of points raised by staff).

(c) No services would be transferred from departmental to central IT support until a clear plan had been developed by the Head of Department which assured continuity of service quality in specialist areas. The proposed restructuring from 40.5 FTE to 36.5 FTE would continue to allow for ‘bespoke’ support for computer science from specialist technicians.

Following discussion, Council **approved** the restructuring proposals, subject to ongoing consultation with the staff concerned and sharing of the relevant business case where this had not yet happened.

Arising from these specific staffing proposals, Council **approved** the recommendation that a standing sub-group of Council be established in order to consider proposed redundancies on its behalf on a between-meetings basis, the group to have the following constituency:
• the Deputy Vice-Chancellor (Chair);
• two staff members of Council (one academic, one support staff);
• two lay members of Council.

It was agreed that the sub-group would be able to consider proposals more thoroughly than Council, referring proposals back to management as necessary (as had been the case with the redundancy sub-committee previously established before the recent statute change).

10-11/51 Students’ Union and Graduate Students’ Association Constitutions

Council approved new constitutions for the Students’ Union (C.10-11/50) and Graduate Students’ Association (C.10-11/51), noting that they had been revised in accordance with recent legislation, in particular the Charities Act.

The Chair congratulated the student presidents on overseeing the work required to re-draft the constitutions and pass them through the various internal approval stages with the student body.

10-11/52 Langwith College Procurement

Council referred to M10-11/11 from the meeting held in November 2010 at which it had approved the proposed development of Langwith College on the Heslington East campus. Council clarified that following such approval it had delegated the authority to enter into all such documents and arrangements necessary to effect the transaction to any two of the following authorised University signatories:

• the Vice-Chancellor
• the Deputy Vice-Chancellor
• the Registrar & Secretary
• the Director of Finance
• the Treasurer

10-11/53 Executive Report: Pro-Vice-Chancellor for Students

Council received the annual executive report from the Pro-Vice-Chancellor for Students, Dr Jane Grenville (C.10-11/52), covering the following areas:

• accommodation and catering
• welfare
• colleges
During discussion the following points were noted:

(a) Following consideration by the Health, Safety and Welfare Committee, discussions were ongoing with the Health Centre regarding provision of its genitourinary medicine drop-in clinic.

(b) A major concern in relation to student welfare was the culturally engrained attitude (not just within the student body) to alcohol consumption. Awareness was however growing about the health and other risks associated with excessive alcohol consumption and Colleges were encouraged to organise alcohol-free events, especially during Freshers Week. It was notable in this context that the College bars continued to struggle financially, largely because they could not compete on price with the large supermarkets.

(c) With regards to potential issues arising from the new fees regime, the Pro-Vice-Chancellor emphasised the importance of students understanding the difference between the purchase of accommodation, food and other services and the payment of fees to secure the expertise of teaching staff and learning resources.

(d) As regards communicating information about the financial support available under the new fees structure (M10-11/49 above refers), it was reported that a new web area was under development which provided clear details in respect of bursaries, fee waivers etc. The webpages included drop-down boxes into which personal information could be entered in order to generate a bespoke picture of the support package to which each individual would be eligible, accompanied by clear instructions on pre-registration application. The new site was being further developed and tested over the summer and would be live by the start of the next academic year.

Council thanked the Pro-Vice-Chancellor for her annual report.

Executive Report: Director of HR

Council received the annual executive report from the Director of HR, Pat Lofthouse (C.10-11/53). The Director drew Council’s attention to the various strategic projects that underpinned the HR Strategy, covering the full lifecycle of employees at the University as regards:
• workforce planning and recruitment
• induction and training
• remuneration and managing performance
• leadership development
• employee relations
• HR effectiveness

During discussion the following points were noted:

(a) With regard to the low and poor quality data in respect of sickness absence among academics, the Director confirmed that cultural issues were a barrier to full reporting, although online reporting would have some impact. The data in respect of support staff was considerably more robust and it was agreed to provide this to Council for information.

(b) On the matter of staff turnover, the Director confirmed that it was very similar to comparator institutions, with a high proportion of leavers being research staff on fixed-term contracts. The turnover of academics on permanent contracts was ca.3% and there appeared to be more activity and mobility in the sector in recent years.

(c) Noting that the Staff Survey had recently closed, the Director was asked to present the results at a Council meeting in 2011/12.

(d) It was reported that Commercial Services was exploring the possibility of expanding current nursery provision through partnership with local schools.

(e) In terms of the effect of reduced pay awards in recent years on academic staff recruitment, the Director confirmed that this was not currently a major concern, although it was necessary to pay market supplements in certain disciplines, especially when recruiting international staff.

(f) It was possible that the new funding structure for higher education might lead to greater differentiation and diversity within the sector, which in turn might have implications for national pay bargaining structures.

Council thanked the Director for her annual report.
Financial Performance Data

Council received for information financial performance data for the period ended 30 April 2011 (C.10-11/54).

Business from Committees

Business from the following committee meetings was noted and/ or approved (C.10-11/55):

(a) Audit Committee: 25 February and 27 May 2011 (including recommendations in respect of the contracts for internal and external audit provision)
(b) HYMS Joint Board: 2 March 2011
(c) Equality & Diversity Committee: 10 March 2011
(d) Nominations Committee: 6 May 2011 (including recommendations in respect of honorary degrees, Court membership and committee appointments)
(e) Policy and Resources Committee: 10 June 2011

Role of Governing Bodies in Relation to Student Unions

Council received for information a new guide produced by the CUC/ NUS regarding the role of university governing bodies in relation to student unions (C.10-11/56)

Unreserved Business from Senate

Council noted the following unreserved business from the meeting of the Senate held on 17 May 2011:

(a) Vice-Chancellor’s report on recent events/ developments (C.10-11/57);
(b) report on contingency plans for assessment and examinations (C.10-11/58)
(c) register of validated programmes and collaborative provision (C.10-11/59).

Use of Seal

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

Date of Next Meeting

The date of the next meeting was noted as Friday 22 July 2011 at 12:00.