

Council

Minutes of the Meeting held on Wednesday 2 March 2022 at 0900-1330hrs in the Teaching Room 1, National STEM Centre Learning Centre.

Meeting Attendance

Members present:	Denise Jagger, Chair and Pro-Chancellor Professor Simon Best Professor Dame Vicki Bruce Philip Carpenter, Pro-Chancellor Andy Durrant Jonny Exon Lindsey Fussell Professor Kieran Gibson Professor Charlie Jeffery, Vice-Chancellor & President Professor John Loughhead Judith McNicol Professor Nicky Milner Amanda Nevill Dr Philip Rycroft Professor Lesley Stewart Professor Saul Tendler, Deputy Vice-Chancellor & Provost Chris Thompson, Pro-Chancellor, Treasurer & Senior Independent Lay Member Professor Kiran Trehan (<i>joined from 1055hrs</i>) David Watson Patrick O'Donnell, YUSU President Dr Viviane Yuxin Cao, GSA President
In attendance:	Dr Adam Dawkins, Secretary to Council Tyrrell Basson (M21-22/059-062) Rebekah Desport (M21-22/056-071) Bethan Ellis (M21-22/068-071) Dr Joss Ivory Professor Tracy Lightfoot (M21-22/059-077) Jeremy Lindley Professor Matthias Ruth (M21-22/063-066) Richard Walker, Interim Assistant Director of Campus Services (M21-22/063-066)
Apologies:	None.

Section 1: Standing Items

Apologies, Welcomes and Valedictions (Oral Report)

- 21-22/047 The Chair **noted** the excellent development session on Equality, Diversity and Inclusion (EDI) Strategy which had been held on thanked colleagues from IntoUniversity, PwC, Samuel from the Student Expert Panel and UEB for their presentations, which were engaging and encompassed the scope of EDI initiatives planned to help overcome the EDI barriers which exist in the University. Council's commitment to EDI was critical to its success.

Declaration of Interests in Items on the Agenda (Oral Report)

- 21-22/048 Council **noted** the following interests:
- a. in relation to the Universities Superannuation Scheme (USS) which would be discussed on the agenda for Professor Dame Vicki Bruce and Professor Simon Best, and several UEB members of Council and officers in attendance;
 - b. David Watson with regard to City Campus East land discussions and the City of York Plan 2030 due to his links to the Halifax Estates, as summarised in the Vice-Chancellor and President's Report and UDG minutes of 17 February 2022.

Council Minutes: 19 November 2021(C.21-22/27), Summary Action Tracking and Matters Arising not covered elsewhere on the Agenda (C.21-22/28)

- 21-22/049 Council **confirmed** the non-confidential and reserved business minutes of its meeting on 19 November 2021 as an accurate record, and **noted** the Summary Action Tracking and Matters Arising.

Constitution and Nominations Committee update from 01 March 2022 (C.21-22/028a)

- 21-22/050 Council **considered** a paper update on the meeting of Constitution and Nominations Committee held on 01 March 2022.

- 21-22/051 The Chair and Secretary **reported** that:
- a. the meeting had addressed: (i) the good progress on implementing the Halpin Review recommendations, as summarised in the grid on the Category 2 item on this agenda; (ii) several membership matters; (iii) policy matters regarding a Code of Practice on Committee Transparency and a Council EDI Statement and (iv) final amendments to the Charter and Statutes for submission to the Privy Council as would be covered later on the meeting agenda;
 - b. the EDI Statement responded to a Halpin Review recommendation on diversity targets for Council membership, which also sought to express wider EDI commitments. This included encompassing gender targets, but to instead address targeted means in respect of ethnicity and disability diversity;
 - c. that Briana Pegado had decided for professional and personal reasons that she would not be re-joining Council following a leave of absence;
 - d. an update on the Chancellor Search exercise.

- 21-22/052 Council **observed** that:
- a. it thanked Briana for her contribution to Council's work and wished her well for the future;
 - b. continuing to diversify Council member recruitment remained a priority in seeking a successor to fill the vacancy, as reflected in the proposed EDI Statement. [REDACTED]
 - c. the ability to remunerate independent Council members whose professional circumstances were such that attendance would otherwise be a barrier to their participation was a consideration, and it was pleased this was being addressed through the 'benefits' article in the proposed Charter amendments. Remuneration to open access and/or as modest recognition of the demands of taking on a non-executive or trustee roles was becoming a more prevalent consideration in public and third sector board recruitment discussions;
 - d. it supported the wider project to understand membership diversity of a range of key committees, and to seek to address these matters;
 - e. other means of considering membership diversity beyond specific targets for under-represented groups than specified in the EDI Statement, included the notion of Council member 'apprentices' (who were not necessarily members but who attended Council as a means of instilling understanding and confidence to aspire to a Council role), and existing independent members self-identifying to step down from Council prior to the end of their terms to make way for more diverse candidates. Candidates from under-represented socio-economic backgrounds groups should also be a diversity consideration. A proactive plan to

support Council diversity should be formed for consideration to underpin the EDI Statement.

Action: AD

The Chair of Council left the meeting when her own term of office was discussed and decided upon.

21-22/053 The Secretary **reported** that:

- a. the prospect of granting an extension to the term of office of the Chair had been discussed, noting that her current 10-year term as an independent member, came to an end in July 2022, having held a range of posts, including latterly as Chair and Pro-Chancellor;
- b. the main rationale for the extension was to facilitate the transition to a new Chancellor and the role of the Chair of Council and Pro-Chancellor, with the Vice-Chancellor and President, along with maintaining continuity given the large-scale lay/independent member recruitment in the last two years.

21-22/054 Council **observed** that:

- a. the use of executive search was not always the most effective use of resources in drawing a shortlist and longlist, but it supported the commitment set out in the paper to an open process via a range of means, noting that there may also be interest in applying from amongst existing lay/independent Council members;
- b. a role that any Chancellor might play in the Chair selection process, given that the Chair was *de facto*, one of the Pro-Chancellors, and wider questions of the link between Council and Court, which could be addressed through a review of the Court which would take place in 2022/23 academic year.

21-22/055 **Resolved:**

To approve:

- a. **delegation to the Chair and Vice-Chancellor and President and University to agree a shortlist to fill the current Council vacancy based on a closed call for nominations, particularly candidates from Black, Asian or other ethnic minorities and women;**

Action: DJ/CJ/AD

- b. **the Council Equality Diversity and Inclusion (EDI) Statement on its own composition and business for publication on the endorsement of Constitution and Nominations Committee, noting the need to develop and underlying EDI plan;**

Action: AD

- c. **the granting to Denise Jagger a one-year extension as Chair of Council (and as a Pro-Chancellor) to her final term of office, from 01 August 2022 to 31 July 2023;**

To endorse the approach and indicative timing for Chair recruitment as set out in the paper.

Vice-Chancellor and President's Report (C.21-22/29)

21-22/056 Council **considered** the Vice-Chancellor and President's Report.

21-22/057 The Vice-Chancellor **reported** that:

- a. the University had wished to announce its condemnation of Russia's military attack on Ukraine and the practical steps the University could take to support refugees fleeing Ukraine, academics at risk, scholarship and sponsorship provision as well as supporting both staff and students with current links to Ukraine and Russia who needed support. The University did not have institutional level partnerships with Russia, and it was understood there had been no transactions with Russian companies, or investments. However, the University was alert to potential supply chain issues and the potential for cybersecurity breaches. Local level projects links with colleagues in Russia, or Russian colleagues based

- elsewhere did exist, and the University would offer guidance on how best to continue with these or temporarily halt communications if that was considered appropriate;
- b. the impact of the current local UCU industrial action had been variable. UCU's HE Committee had met last week, with Branch Meetings next week. There was known future industrial action later in March 2022, with less certainty about the impact of Action Short of a Strike (ASOS) and how this might disrupt assessment of student work in the Summer Term. Pensions and pay and conditions remained central to the industrial dispute and Council members would note the University's response to the consultation on the UCU alternative proposal to the USS 2020 valuation, as recorded in the UDG minutes on this meeting's agenda;
 - c. whilst the University had adopted several initiatives in support of fair pay, he had been involved in discussions with UCEA which sought to bring the various parties together to seek a national resolution on matters of pay and conditions;
 - d. the government's response to the 'Post-18 review of education and funding: independent panel report' (2018) (Augar Review) was published on 24 February 2022. The freezing of UGH tuition fees to 2024/25 represented a fee cut in real terms, and reducing the repayment threshold for student loans to £25k from 2023 until 2026-27 will disproportionately affect female and lower paid graduates. The wider implications reflecting government prioritization of STEM subjects delivering economic benefits and a damaging narrative that non-STEM subjects do not provide economic and other wider societal benefits. The briefing notes from Russell Group and UUK initial responses would be shared with Council, and further internal analyses of the impact of the tuition fee freeze was being undertaken, accelerating an imperative to reduce the current reliance on UGH students.

21-22/058 Council **observed** that:

- a. it recognised that the University senior management was seeking to arrive at local solutions in relation to pay and conditions as well as influencing national negotiations and their future direction, and Real Living Wage accreditation had been a positive action. The inaccurate notion that universities were cash-rich and that positive balance sheet outcomes in one year (often as an outcome of accounting treatments) did not represent free cash to invest in the University. There needed to be a way to convey this message clearly and accurately;
- b. the open debate and conversation the Vice-Chancellor and President and colleagues had forged with the York branch trades unions was commended. Supporting this, it would appreciate clarity on what could be done locally and how York might influence nationally, (recognising that universities are part of national bargaining frameworks) to resolve the industrial disputes constructively, such as exploring a multi-year deal on pay and conditions;
- c. workload - for academic and professional support staff - was recognised by many as a key concern, including the impact of change and transformational initiatives alongside business as usual demands compounded by Covid-19, which may have influenced decisions to take industrial action amongst some staff. Thinking about further ways to support staff, including one-off rewards and incentives, and how the Staff-Student Ratio (SSR) was being addressed, and the potential for increasing the number of Teaching and Scholarship (T&S) academic staff;
- d. sensitivity analyses and assumptions in relation to five-year forecasting of finances for future staff recruitment relative to student recruitment would be useful for future Council consideration;
- e. whilst the UGH income figure had been modelled on remaining at the same level, the five-year forecast would reflect the potential risks in relation to the impact of the government response to Augar on University income, based on modelling undertaken in response to the illustrations and scenarios.

Section 2: Strategic Development, Planning, Performance Monitoring and Resourcing items for consideration and/or decision

Transformational Initiatives Progress Report (C.21-22/30), Student Centre (C21-22/31)

- 21-22/059 Council **considered** the progress report on the eight transformational initiatives (Tis), including a specific proposal for the Student Centre.
- 21-22/060 The Pro-Vice-Chancellor (Learning, Teaching and Students) **reported** that:
- a. the potential for this transformational initiative was first discussed with Council in 2019 based on work by a former YUSU President and the University, which had led to the establishment of a Project Board to progress this work. Work had sufficiently progressed to present Council with proposals for the Vision, maximum budgetary envelope required, and key next steps in project development, governance and reporting;
 - b. the Student Centre would be conceived as a gateway between the University Campus and the City, and as physical one-stop shop and hub for a full range of student-facing support, activities, entertainment and performance, with an integrated digital presence and dimension which would virtually engage all students, including those registered online, or at City College Thessaloniki and Maastricht;
 - c. the Design Competition was current underway, with further interviews with prospect architecture and design practices later today;
 - d. the incoming Director of Technology, Estates and Facilities (DTEF) and other key colleagues would go and visit landmark and innovative physical and digitally immersive spaces such as the offices of Google;
 - e. as set out in the paper, the █████ expenditure request over the four-to-six-year timeframe comprised █████ on building construction and design and associated fees; █████ on demolition work, including the old Environment Building, IT Services and Student Administration; █████ on bridge and Grade II listed ramp restoration; █████ on the Market Square Building and █████ on Public Realm works;
 - f. a further update on progress for this landmark TI would be brought to Council at its July 2022 meeting.
- 21-22/061 Council **observed** that:
- a. it continued to fully support this specific TI which was a much-needed resource for the student community;
 - b. consideration of the relationship with the School of Architecture TI and the innovative construction and digital vision for the Student Centre. The timing for the establishment of the new School, and even the appointment of the School's Foundation Chair, would mean that the School TI would not directly inform the core design and construction elements of the Student Centre. However, the potential for student and staff from the new School being involved in aspects of interior and public realm development would be an excellent opportunity to grasp;
 - c. links to the EDI Hub TI might also be a consideration in a range of ways;
 - d. careful assessment of the technological features and infrastructure would be key to ensure integration from the outset, to facilitate hybrid working and link into the York Smart City initiative, and the adaptability and future-proofing of the building to accommodate new technologies;
 - e. the Student Centre might empower education and co-creation as an ambition;
 - f. University expertise could be levered to visualise the Centre ahead of its construction through colleagues in XR Stories and digital building recreation in the Department of Archaeology;
 - g. the maximum capital expenditure envelope which would be built into five-year forecasts, by definition, excluded forecast revenue expenditure, which would be key in a project combining virtual and digital space. UEB recognised that the maximum envelope was based on informed guestimates at this stage, which would be factored into the five-year forecasts,

as well as the need to bring down costs without compromising the project ambitions, such as the secondary costs associated with demolition;

- h. how the project would fit into previous Estates Masterplan work, noting that a revised Masterplan would be developed comprising the top 10 major projects for both Estates and Digital for presentation to Council at its July 2022 meeting;
- i. philanthropic funding possibilities and sponsorship and naming of the Centre.

21-22/062 **Resolved:**

To approve:

- a. **the Vision for the Student Centre and its alignment to the University Strategy 2030;**
- b. **the maximum capital and related expenditure envelope of ██████ for the project, including all design fees, construction, demolition and associated infrastructure costs;**
- c. **delegation of all cost allocations and financial and project monitoring to UEB, including any reasonable expenditure variations and cost increase tolerances;**
- d. **delegation of its own authority to Finance Committee for financial, and capital monitoring on, subject to Council receiving periodic headline updates on the initiative.**

Sustainability Plan 2021-30 Update (C.21-22/32)

21-22/063 Council **considered** an update on the University's Sustainability Plan 2021-30.

21-22/064 The PVC (Research) and Interim Assistant Director of Campus Services **reported** that:

- a. the paper set out UEB's sense of ambition and appetite in relation to the decarbonisation approach to achieve to deliver the stated carbon targets and offer its perspective on the ambition, and views (and likely need for future approval of expenditure required to deliver the confirmed decarbonisation option central to realising the Plan);
- b. the reputational impact of not progressing the sustainability plan at pace and with the necessary investment were significant, and Plan delivery should be a strategic imperative;
- c. the Sustainable Development Goals (SDGs) were a key reference point in the Plan, with Quality Education, Sustainable Research, Climate Action, Sustainable Cities and Communities, Responsible Consumption and Production and Good Health and Wellbeing at its heart;
- d. ██████ had been invested in the Environment Sustainability Academy at York (ESAY) to boost environmental sustainability across teaching, research, policy and operations;
- e. the University was working with Siemens on their decarbonisation programme as a five-step decarbonization model, based on (1) reducing consumption (2) producing clean energy on-site (3) transitioning from gas to electrification (4) producing clean energy off-site (5) off-setting. The output of the ██████ study and feedback from a recent UEB Think Tank would be taken forward to develop projects and initiatives to drive forward decarbonisation and create a Carbon Management Plan.

21-22/065 Council **observed** that:

- a. reduction in Scope 1 and 2 carbon emissions was of itself challenging, but Scope 3 reduction would require a new operating model and major behavioural change as echoed by UEB, work for which should not be under-estimated;
- b. members would have examples of high-impact sustainability initiatives in their own organisations and were encouraged to share them with the University;
- c. the embedding of sustainability into the University curriculum was evident through course development in Environment and Sustainability, straddling areas including Geography and Archaeology and the MSc Sustainable Business with Maastricht University. Consideration around a suite of micro-credentials, and the implementation of modularisation would further facilitate this;
- d. the new Student Centre would be the University's most sustainable building to date.

21-22/066 **Resolved:**
To endorse the continued work on the Sustainability Plan 2021-30.

Undergraduate and Postgraduate Admissions/Recruitment and Student Accommodation Update (C.21-22/33)

21-22/067 Council **considered** the current performance against targets for UGH/O, PGTH/O and PGRH/O student recruitment, next steps for the five-year forecast and the student accommodation pipeline.

Section 3: Policy and Regulatory Matters

Strategic KPIs Implication and Existing KPIs Final Report (C.21-22/34)

21-22/068 Council **considered** the revised reporting framework for the new strategic and contextual KPIs, a case study for how a framework for measuring the social value partnerships might be developed, and the final routine report for the existing KPIs.

21-22/069 The Director of Planning and Risk and Head of Strategic Insight and Analysis **reported** that:

- the final routine report of the 'old' KPIs was provided for this Council meeting, noted that the old KPIs comprised the new contextual indicators;
- the reporting framework and evidential base for measuring performance against the new Strategic KPIs as previously approved by Council was provided, with division into two tranches: tranche 1 – teaching and learning, community and enabling strategic change) and tranche 2 – research, partnerships and enabling strategic change, and exception reporting;
- the case study on a social value framework for partnership activities and a framework of Themes, Outcomes and Measures (National TOMs), using procurement as one lens on social value.

21-22/070 Council **observed** that:

- the reporting framework for the Strategic KPIs seemed proportionate and appropriate, and for Council the KPIs would be one measure to signal aspects of performance, as part of a wider suite of information from UEB, Council committees and other stakeholders. Strategic KPIs having latitude to change and flex as operating conditions and targets were adjusted was key;
- it was important to not have a narrow or overly prescriptive or complex criteria for the measurement of social value, with the ability to capture the benefits accrued from partnerships over time.

21-22/071 **Resolved:**
To approve the revised reporting framework for strategic and contextual KPIs as endorsed by UEB, confirming that tranche 2 of the new strategic KPIs will be reported on for the first time via UEB and up to Council for its July 2022 meeting.

Charter and Statutes Amendments (C.21-22/35)

21-22/072 Council **considered** proposed amendments to the University's Charter and Statutes.

21-22/073 The Secretary **reported** that:

- since consideration by Council on 29 November 2021, he made further amendments in consultation with the Academic Registrar and external legal advice, including that the Students' Unions were now included in a new Statute 9, Statute 4 has been subject to minor amendment to enable flexibility should we wish to reduce the size and configuration of Council in the future, in common with many other HEI governing bodies, plus minor phraseological changes;
- Senate had received a context paper and copy of the amendments at its 01 February 2022 meeting.

21-22/074 **Resolved:**
To approve: the proposed amendments to the University Charter and Statutes and authorise the University Secretary to submit these for initial approval and feedback from the Privy Council. *The tracked amendments and a clean copy of both documents were provided on the Category 2 Agenda.*

Halpin Council-Governance Effectiveness Review (C.21-22/36)

21-22/075 Council **noted** the Halpin Effectiveness Review Progress Report on the Category 2 Agenda.

Academic Assurance Annual Report 2021 (C.21-22/37)

21-22/076 Council **considered** the academic assurance report 2021 from the Pro Vice-Chancellor for Teaching, Learning and Students.

Degree Outcomes Statement 2020/21 (C.21-22/38)

21-22/077 Council **considered** the Degree Outcomes Statement 2020/21 presented by Pro-Vice-Chancellor for Teaching, Learning and Students.

21-22/078 Council **observed** that:

- a. the stability in the number of First-Class Honours degrees awarded since 2014 to 2020 counters a general trend seen, including in the Russell Group which has been regarded by some as 'grade inflation'. Whilst the stable position did have an adverse influence on league table rankings against the 'Good Degrees' measure, it pointed to the maintenance of academic standards. However, the impact of this on graduate outcomes in a competitive PGT and employment market, and whether we should expect to see improvements in educational system outcomes in line with primary and secondary sectors were other considerations around degree classification stability. It would be useful to see comparative data from the Russell Group;

Action: AD/TL

- b. the impact of Covid-19 had been offset by supportive changes to the award and progression rules;
- c. the BAME attainment gap remained and the interventions to narrow and eliminate this relative to White students were noted from the Access and Participation Plan discussions;
- d. noting the nature of this Statement as one of many regulatory requirements, and potentially disjointed and competing priorities for HE as set out by government and the regulatory bodies, it would appreciate further insights into common or contradicting themes in UK HE regulation as a future development session.

Action: AD

21-22/079 **Resolved:**
To approve the updated Degree Outcomes Statement be approved for publication on the University website in line with UKSCQA requirements, on the recommendation of Senate.

Section 4: Sub-committee Summaries and Meeting-related information

21-22/080 Council **noted** the executive summaries of key activities from:

- a. YUSU and GSA (C.21-22/39/39i)
- b. Audit and Risk Committee: 17 February 2022 (C.21-22/40)
- c. Finance Committee: 16 December 2021 (C.21-22/41)
- d. Senate: 01 February 2022 (C.21-22/42)
- e. Constitution and Nominations Committee: 25 November 2021, 01 March 2022 (C.21-22/43)
- f. Urgent Decisions Group (UDG): 17 February 2022 (C.21-22/44).

21-22/081 The various Committee Chairs **reported** that:

- a. Chair of Audit and Risk Committee: good progress had been made in terms of risk management and horizon scanning, with further work to be undertaken by UEB for Council review on risk appetite. The external audit contract was also being reviewed, with the possibility of a tender exercise to be undertaken for auditing of the 2022/23 cycle;
- b. Treasurer: the five-year forecasts and potential costs of inflation was an ongoing consideration of Finance Committee;
- c. Deputy Vice-Chancellor and Provost: the Senate Effectiveness Review was progressing well, and the review would consider aspects of the relationship between Senate and Council.

Council Schedule of Business 2021/22 (C.21-22/45)

21-22/082 Council **noted** its schedule of business for the remainder of the 2021/22 academic year.

Section 5: Any Other Business

21-22/083 *At 1315 hrs the Chair of Council will hold an informal session with the independent Council members until 1330hrs.*

Dr Adam Dawkins
Secretary to Council
March 2022