Minutes of the meeting held on 10 July 2018

Present:
The Vice-Chancellor (Chair)
The Deputy Vice-Chancellor
Pro-Vice-Chancellor (Research), Professor D Smith
Pro-Vice-Chancellor (Teaching, Learning & Students), Professor J Robinson
Pro-Vice Chancellor (Partnerships & Knowledge Exchange), Professor J Timmis
Associate Pro-Vice-Chancellor (Teaching, Learning & Students), Professor T Lightfoot
Dean (Sciences), Professor B Fulton
Dean (Social Sciences), Professor S Bell
Dean (Graduate Research School), Professor T Stoneham
The Director of the International Pathway College, Dr M Perry
The Director of Information Services, Mrs H Fraser-Krauss

Dr K Attwood
Professor N Audsley
Professor Y Birks
Professor L Black
Professor D Brown
Dr E Brown
Professor D Bruce
Dr T Cantrell
Ms C Chamberlain (GSA President)
Mr J Durcan (SU President)
Professor A Field
Professor M Freeman
Professor M Goddard
Professor K Gibson
Dr J Hardman
Mr J Hare (SU Academic Officer)
Professor C Hunter

Professor J Hudson
Professor P Johnson
Dr S King
Dr O Lisagor
Professor N Mackay
Dr S O’Keefe
Professor D Petrie
Dr M Roodhouse
Professor G Richardson,
Professor H Smith
Professor M Smith
Professor L Stewart
Professor J Swaffield
Dr J Wardman
Professor M White
Professor P Wakeling
Ms Hanna Weiers (GSA)

In attendance:
Registrar & Secretary, Ms J Horsburgh (Secretary)
University Governance Officer, Dr P Evans (Assistant Secretary)
Director of Student Services, Mrs V Cotter
Planning & Governance Administrator, Ms B Carter Ellis
Acting Vice-Chancellor’s Executive Officer, Ms B Christou
Director of External Relations, Ms J Concannon
Planning Officers, Dr G Harrison & Ms S Kirkup (for M17-18/64)
Business Intelligence Analyst, Ms K Payne (for M17-18/66)
Assistant Registrar (Student Progress), Dr J Wotherspoon (for M17-18/67)
Director of E-Learning Development, Dr R Walker (for M17-18/68)

Apologies for absence were received from the Dean (Arts & Humanities), Professor K Atkin, Professor M Burton, Ms Z Disley (student faculty rep), Professor M Hodson, Ms R Khalil (student faculty rep), Professor U

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Macleod, Ms L Marrazzo (student faculty rep), Professor M Nazarov, Professor J Potts, Professor S Velani and Ms H Weatherly.

17-18/59  Membership

On behalf of Senate, the Vice-Chancellor thanked those members who were attending their last meeting.

17-18/60  Minutes

The minutes of the meeting held on 8 May 2018 (S.17-18/54) were approved, subject to the following minor clarification to M17-18/48(c):

Substitute “… and those where the application cycle might involve students applying to or at the International Pathway College” for “… (e.g. the International Pathway College)”. 

17-18/61  Student Admissions

[FOI exempt/commercially confidential]

17-18/62  Policy for Handling Lost Credit

Further to M17-18/45 (Policy for Handling Lost Credit), Senate considered a further paper from the Pro-Vice-Chancellor (Teaching, Learning & Students) regarding policy solutions that might be applied in a range of circumstances where students had incomplete results at the end of an academic year (S.17-18/56).

Presenting the proposed policy, the Pro-Vice-Chancellor reminded Senate that it would only be applicable in the award (not progression) years and sought to achieve a number of aims, including maintenance of academic standards, delivering equitable outcomes for all students and providing mitigation against complaints. It was noted that the italicised sections of the draft policy indicated where, in response to Senate’s previous discussion, different options might be available.

The following points were noted in discussion:

(a) As with the existing policy, the credit requirements of any professional, statutory and regulatory bodies (PSRBs) would still pertain to accredited programmes.

(b) A concern was expressed that the proposed policy did not demonstrate sufficient flexibility to allow students to graduate and that the option of returning in future years to complete the accumulation of credits was potentially inequitable/divisive as well as having a detrimental effect on employment opportunities. It was however acknowledged that the contrary risk if greater mitigation was applied would be the challenge (in the form of appeals) from students who believed they might otherwise have achieved a higher grade, a likely outcome that had been strongly emphasised in recent legal advice received
by the University. This would be particularly relevant in the context of the “cliff edge” between 2.i and 2.ii classifications.

(c) As regards the financial implications for students wishing to return to achieve their full credit load, it was assumed that fees would be waived and that all such cases would have to be assessed individually. It was however acknowledged that fee waivers did not provide for living expenses during the period of extended study and there could also be visa issues for some categories of overseas student.

(d) Recent legal advice had focussed on issues relating to breach of contract which, if proven, would require the University to at least offer the opportunity to return to study. However, if mitigation had been applied that meant the University was not in breach of contract, return to study would not be offered as in strictly legal terms the University would have met its obligations.

(e) Although it was not fully clear what similar policies might be in place across the Russell Group, the upper threshold of 60 credits proposed in the paper would set a precedent in the sector where currently credit waivers did not appear to extend beyond 20-30 credits. It was suggested that setting an upper threshold greater than 60 credits would render the University vulnerable to criticism under the requirements of the new Office for Students and the UK Quality Code, as well as potentially opening up the institutional pedagogy to challenge.

(f) Given the application of Competition and Markets Authority (CMA) requirements to HE courses, it would be important to ensure that any policy in this area was appropriately communicated to prospective students as part of the University’s contractual offer. It was suggested in this context that it might be possible to produce a high-level outline policy statement that broadly indicated how the University would respond in general terms to issues of lost credits while at the same time maintaining a degree of flexibility that could be applied as circumstances dictated. It was however noted that, from the perspective of the Office of the Independent Adjudicator (OIA), clear and explicit policies tended to provide better institutional protection against potential claims/complaints than more generic statements. Although it was generally thought to be the case that most students would prefer to graduate than return to study, it was agreed that it was nevertheless important to protect the legal rights of all students.

Following the above discussion, and acknowledging the ongoing uncertainty and potential risks around adopting a very specific policy in a largely untested legal area while also recognising the risk of not having sufficient mitigation policies in place in a timely manner, Senate approved the Vice-Chancellor’s proposal that the Pro-Vice-Chancellor (TLS) establish a small working group to seek and consider further advice from relevant authorities on the matter, with, if necessary, reporting back to Senate over the summer via correspondence.
Vice-Chancellor’s Report

Senate received a report from the Vice-Chancellor (S.17-18/57) covering the following topics:

- TEF Gold Award
- Guardian University Guide 2019
- HEPI annual conference
- launch of Horizon Europe
- USS pension update
- interim review of University research themes
- campus masterplan
- new SU/GSA sabbatical officers

With reference to his recent announcement that he would be leaving the University on 31 October 2018 to take up another position, the Vice-Chancellor reported that Professor Saul Tendler would assume the role of Acting Vice-Chancellor from 1 November 2018 until such time as the next Vice-Chancellor took up the post (M17-18/69 below also refers). It was reported that the University Executive Board (UEB) was currently considering which activities Professor Lamberts could continue to deliver without there being a potential conflict of interest with his new role (Vice-Chancellor of the University of Sheffield).

The Vice-Chancellor noted that the TEF Gold Award was a great credit to all those involved in teaching and learning at the University and congratulations were offered to the Pro-Vice-Chancellor (TLS) and his team for drafting the successful submission.

As regards the details provided in the report regarding the USS pension scheme, it was reported that, in the absence of any other approved arrangements, the scheme’s Trustee had implemented the cost-sharing process under §76.4-8 of the scheme, which would raise the employer contribution from 21% to 25%. It was noted that this would have a negative impact of ca. £8-10m on the University’s income and expenditure account, and that this would have to be addressed in the usual manner (i.e. through further cost savings and initiatives to generate additional income). Senate also noted that implementation of §76.4-8 would result in an increase in member contributions from 8% to 11.7% and that the changes, which would be subject to consultation, would be introduced in three phases (April 2019, October 2019 and April 2020).

University Strategy

[FOI exempt/commercially confidential]

Partnership and Enterprise Committee

Senate considered a proposal that it establish a new Partnerships and Enterprise Committee (S.17-18/59).
Presenting the proposal, the Pro-Vice-Chancellor (Partnerships and Knowledge Exchange) drew attention to the specific elements of his portfolio where a current lack of strategic oversight raised the risk of inefficient and disconnected decision-making. It was noted that the proposed creation of a new sub-committee reporting to Senate sought to address this risk.

During discussion the following points were noted:

(a) Noting the specific term of reference relating to employment opportunities for York graduates, it was suggested that the Committee’s constituency might be enhanced by the addition of student representation, in line with certain other Senate sub-committees. Given the breadth of the rest of the proposed terms of reference, the Pro-Vice-Chancellor and Registrar & Secretary undertook to give this matter consideration.

(b) As regards potential linkage to partnerships related to teaching and student-centred activities, it was noted that a key role of the Committee would be to provide a holistic overview of all partnerships so that these could be managed in a more strategic manner.

Subject to consideration of these points, Senate approved the establishment of a new Partnerships and Enterprise Committee, noting that it would also create four sub-groups with responsibility for HEIF allocations, business development, partnership agreements and industrial strategy.

17-18/66 Undergraduate/Postgraduate Taught Degree Outcomes 2016/17

Senate considered the annual statistical reports on undergraduate and taught postgraduate outcomes (S.17-18/60).

Attending the meeting to present the report, Karen Payne (Business Intelligence Unit) highlighted the following aspects:

- 0.6% decrease in the percentage of good (i.e. first and upper second) undergraduate degrees awarded (from 81.2% to 80.6%);
- continuation of the general upward trend among Russell Group institutions (from 83.3% to 85%);
- considerable variation (32.4%) across different departments;
- 2.7% decrease in proportion of PGT students ‘qualifying with award at intended level’.

Senate noted the following points in discussion:

(a) Noting that the University’s profile differed to that of the 1994 and Russell Group (Chart 1.1 refers), the Pro-Vice-Chancellor (TLS) encouraged departments to verify that they were making full use of the available marking scale in order not to disadvantage York graduates. It was however also noted that some caution
needed to be exercised in the context of the grade inflation metric that was used in the Teaching Excellence Framework (TEF), a quality assessment that was likely to be introduced at subject level in due course, and that there was evidence that the University was not subject to such inflation.

(b) It was observed that, although there might not be direct causality, the University’s profile appeared to have flattened out since the introduction of modularisation and further student number expansion.

(c) In terms of data for forecasting outcomes for individual students (as a measure of value added), it was noted that a more detailed analysis had been considered by Teaching Committee that related outcomes to entry characteristics, an exercise that had revealed significant associations for a number of independent variables (e.g. overseas domicile, male gender and low socio-economic classification). In addition, further analysis had been undertaken as part of the development of the University's Access and Participation Plan, which had been required as a condition of registration with the new Office for Students. This work had confirmed that in most cases the percentage of York students from under-represented groups achieving good honours degrees was better than the sector average.

(d) The rising grade profile across the sector related in part to the influence of league tables, but any attempts at monitoring/control through mission groups could lead to accusations of collusion or cartelisation.

(e) The data raised the broader question of whether the UK degree classification system remained fit for purpose in the context of alternatives such as grade point averages (GPA). Similar concerns might also be raised about the effectiveness and genuine independence of the external examiner system.

(f) It was generally agreed that the correct approach was to adhere to strict criteria/outcome-based assessment and to guard against a gradual upwards drift in grades. This point was also linked to reputational aspects of graduate employability and current media interest in questions relating to value of money. Analysis of the impact of the York institutional pedagogy would in due course play an important role in this aspect of quality assurance and maintenance of academic standards.

17-18/67 Fitness to Study/Attend Policy

Senate considered an updated Fitness to Study/Attend Policy (S.17-18/61).

Presenting the policy, the Director of Student Services reported that it had been broadened to include a new fitness to attend element and reviewed by the relevant committees in collaboration with the student organisations in order to address a number of issues that had arisen since it was first implemented in 2014. It was noted that this included a lack of clarity, guidance and authority in cases where a student...
was unable to engage with the process or where a student was academically able but unable to live safely or peacefully in a community setting.

During discussion the following points were noted:

(a) The proposed policy would apply to all students, including those based off campus (e.g. on placements or working at external research facilities). In such cases it would be necessary to involve all relevant parties, a process that would be enhanced by the proposed introduction of an independent facilitator and a case conference approach.

(b) The intention was that for reasons of consistency and continuity the same facilitator would remain responsible for each case throughout the process where possible. In the event of complaints from the student about the chosen facilitator, this would be assessed and managed on a case-by-case basis.

(c) The associated statute changes that were required to underpin the updated policy (S.17-18/62) sought to bring the University in line with sector best practice by allowing for the termination of a student’s registration without requiring recourse to the governing body. It was noted that the proposed change provided for a broader power for the governing body on which underpinning regulations and policies could then be based and which would provide the delegated authority for the Vice-Chancellor to take action as necessary. It was noted that such circumstances were rare and usually seen as a last resort when all other options had been explored.

Following discussion Senate approved the updated Fitness to Study/Attend Policy and the associated amendments to University Statutes 6.5 and 11.4(q).

17-18/68 Policy on Lecture Capture

Senate considered a proposed Policy on Lecture Capture (S.17-18/63).

Presenting the policy, the Pro-Vice-Chancellor (TLS) reported that it had been refined in response to comments from UEB, University Teaching Committee and Faculty Learning and Teaching Groups. It was also reported that the Heads of the Departments of Economics and Sociology (Professors Swaffield and Johnson) had subsequently raised some concerns and wished to propose three further amendments to the policy as circulated (tabled at the meeting).

During discussion the following points were noted:

(a) In response to a suggestion that the policy did not accommodate teaching programmes delivered to mature professionals in which confidential material might be discussed and where non-disclosure had been agreed, it was noted that this was addressed in §10(c) of the policy which outlined that such activities might
be considered out of its scope. There was also flexibility which allowed recordings to be paused if sensitive or confidential material was being presented.

(b) A risk was identified that some departments might simply re-designate smaller lectures as seminars in order to take them out of the scope of the policy, which reinforced the proposed amendment from Professors Swaffield and Johnson that an agreed set of institutional definitions on pedagogic suitability needed to be formally defined. It was suggested that the leeway given in the policy to individual Boards of Studies as regards definition of pedagogic suitability might lead to a wide divergence of practices and thereby an inequitable student experience.

(c) Given the tight and intensive timescales for the delivery of certain programmes (e.g. delivery of a module over two weeks), it was noted that as regards the limited time required for reviewing and editing recordings, the policy did allow for provision of an equitable alternative in such exceptional circumstances (e.g. pre-recordings, podcasts etc). The student representatives emphasised that the key element here was clear communication with students to explain the rationale and extent of the editing process.

(d) While in some departments lecture recordings were never edited (especially as in some cases the students were anyway making their own recordings), it was suggested that different considerations might apply in other disciplines in order to protect more vulnerable colleagues.

(e) It was noted that equitable practice in this area would be particularly important in combined programmes delivered collaboratively by more than one department.

(f) It was suggested that the recent industrial action had sensitised some academic colleagues to issues around lecture recording that had not previously been considered.

Following the above discussion and in response to the concerns raised by some members, Senate approved the proposed policy for implementation from 2018/19, subject to the following:

i. incorporation of the amendments tabled by Professors Swaffield and Johnson;
ii. ongoing review and report back to Senate after one year (to include data on student usage of recordings and impact on lecture attendance).

17-18/69 Additional Pro-Vice-Chancellor Post

In light of the transition arrangements following Professor Lamberts’ departure from the University (M17-18/70 below also refers), and specifically the appointment of Professor Tendler as Acting Vice-Chancellor from 1 November 2018, Senate approved the proposal (tabled) that an additional temporary Pro-Vice-Chancellor...
role be created to assume responsibility for certain aspects of Professor Tendler’s current portfolio (especially with regard to the international agenda). It was noted that the interim Pro-Vice-Chancellor (International) role would take effect from 1 November 2018 until such time as the new Vice-Chancellor took office and the interim arrangements.

17-18/70 Recruitment of Next Vice-Chancellor
[FOI exempt/commercially confidential]

17-18/71 Business from Committees

Senate noted and approved business from the following committee meetings (S.17-18/64):

- Teaching Committee: 17 May and 21 June 2018
- Research Committee: 14 March, 2 May and 20 June 2018
- Planning Committee: 7 February, 28 March, 12 April, 18 April, 25 April, 2 May and 6 June
- International Committee: 14 June 2018
- HYMS Joint Senate Committee: 26 October 2017 and 24 January 2018
- Arts and Humanities Faculty Board: 23 May 2018

17-18/72 Appointments to Committees

Further to M17-18/50 (Forthcoming Committee Vacancies), Senate approved the following appointments to committees (S.17-18/65):

**University Council**
Professor Neil Audsley (Computer Science)
Professor Duncan Petrie (TFTV)

**Research Committee**
Dr Jonathan Finch (Archaeology, Autumn Term 2018 only)
Professor Stuart Carroll (History)

**Special Cases Committee**
Dr Jeremy Jacob (Computer Science)
Dr Lynne Baxter (Management)
Dr Martin Cockett (Chemistry)
Dr Jeremy Goldberg (History)
Dr Barry Lee (Philosophy)
Dr Jeanne Nuechterlein (History of Art)
Professor Christine Skinner (SPSW)
Dr Sarah Olive (Education)
Professor Tom Stoneham (Philosophy)
University Teaching Committee
Ms Sinead McCotter (Management)
Dr Claire Hughes (Environment)
Dr Michael Bate (Mathematics)
Dr Matthew Perry (IPC, co-opted)

[All appointments for a period of three years from 1 August 2018 until 31 July 2021]

Senate also noted that forthcoming vacancies remained on the following committees:

- **University Court** (five members of Senate, appointments co-terminous with Senate membership)
- **HYMS Joint Senate Committee** (one academic member, but excluding members of the HYMS Board of Studies)
- **Health, Safety and Welfare Committee** (one academic member)
- **Nominations Committee** (one academic member)
- **Student Life Committee** (two academic members)
- **Research Committee** (two academic members, one from Social Sciences [but not Law or CHE], and one from Sciences [but not Chemistry or Environment])

  *Note: Two nominations have been received for the Sciences vacancy above (Professor Mike Burton/Psychology and Professor Stephen Smith/Electronic Engineering), so a ballot among Senate members will be held over the summer.*

Senate decided to delegate authority to the Vice-Chancellor to make appointments to these remaining vacancies.

17-18/73 Amendments to University Regulations

Senate approved proposed amendments to University Regulations 1, 2 and 6-8 (S.17-18/66).

17-18/74 Policy on Research Degrees

Senate approved proposed amendments to the Policy on Research Degrees (S.17-18/67).

17-18/75 Revalidation Visit

Senate received for information the report of a revalidation visit in respect of the University Certificate in Science Education and Leadership delivered by STEM Learning Ltd (S.17-18/68).
17-18/76 Periodic Review: Theatre, Film and Television

Senate received for information a periodic review report in respect of Theatre, Film and Television (S.17-18/69).

17-18/77 Research Integrity

Senate received for information the annual statement on research integrity required by the Universities UK Concordat to Support Research Integrity (S.17-18/70).

17-18/78 GSA Election

Senate received for information a report from the Graduate Students’ Association in respect of its recent sabbatical officer election (S.17-18/71).

17-18/79 Dates of Meetings in 2018/19

The dates of Senate meetings in 2018/19 were noted as follows:

- Tuesday 16 October 2018
- Tuesday 29 January 2019
- Tuesday 7 May 2019
- Tuesday 9 July 2019
  
  *(all 2.15pm, Bowland Auditorium, Berrick Saul Building)*

*Senate: 10 July 2018*