



## COUNCIL

### Minutes of the Meeting held on 6 October 2020

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**Present:** Sir Keith O’Nions (in the Chair), Vicky Bailey, Professor Dame Jessica Corner, Rebecca Craven, Madeleine Fox, Professor Rachel Gomes, Ian Kenyon, Professor Kevin Lee, Sonya Leydecker, Professor Andy Long, Professor Jo Lymn, Sherry Madera, Trevor Moss, Dr Gabriele Neher, Richard Newsome, Professor Clive Roberts, Nora Senior, Professor Sarah Speight, David Tilly, Professor Shearer West

**Apologies:** Lynette Eastman

**In attendance:** Dr Paul Greatrix, Rowena Hall, Margaret Monckton, Tim Watkinson, Jason Carter (for minute 3721), Professor Sarah Sharples (for minute 3722), Haf Merrifield (for minute 3723), Daryl Ormerod (for minute 3728), Professor John Atherton (for minute 3730)

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## STANDING ITEMS

### 3716 Welcome and Quoracy

- .1 Apologies were received from Lynette Eastman. Sherry Madera would have to step out of the meeting for a short period. Dr Neher would be late to join the meeting.
- .2 The Chair reported that Council was not quorate at its last meeting as the number of external members in attendance did not exceed the number of internal members. The quoracy position was the same for the current meeting. From Minute 3273 onward, a number of the internal members present at the meeting, the Vice-Chancellor, Deputy Vice-Chancellor, the Pro-Vice-Chancellor for Research and Knowledge Exchange and the Pro-Vice-Chancellor for Education and Student Experience would become observers and would not contribute to or vote on items where Council quoracy was required. This corresponded to Minutes 3724, 3725, 3726, 3727, 3728, 3729, 3733 and 3735. The meeting would therefore remain quorate. The items considered at meeting in October that required approval had been included on the agenda for current meeting.

### 3717 Declarations of Interest

There were no interests declared.

### 3718 Minutes

Council AGREED the minutes of the meeting held on 7 September 2020 as a true and accurate record of the meeting and NOTED the Action Log.

### 3719 Chair’s Business

The Chair thanked Council Members for all their efforts in participating in the review of Council’s effectiveness, particularly during the challenging circumstances.

**3720 Vice-Chancellor's Report**

- .1 Council NOTED the Vice-Chancellor's Report (paper C/20/88).
- .2 The Vice-Chancellor reported that much of the content of her report had been overtaken by the significant outbreak of COVID-19 infections amongst the University's students.
- .3 Data on the reported infection rates had been published the day before and would be updated at the end of the week. There were currently 302 active cases in halls of residence, 212 in third party accommodation and 441 in private accommodation. 13 staff had reported positive tests, but only two of these had attended campus in recent weeks.
- .4 The outbreak had accelerated very quickly and, despite having a well-developed outbreak response plan, the University had not been totally prepared for the volume and scale of the impact. Action had been taken to address issues, which included permitting outdoor exercise for students in self-isolation, more responsive delivery of meals, the implementation of a central helpline for students and their families and in person reception facilities within halls of residence. Members of the Executive Board and other senior leaders had visited halls over the weekend to talk to students who were not in isolation.
- .5 A Council Member highlighted that whilst the University must continue to do everything that it can to remind and encourage students of the importance of adhering to the rules designed to slow the spread of the infection, to support students whilst in isolation and ensure that both they and their parents receive good levels of communication, it was unable to control the spread of the virus or the way that students chose to socialise and behave. Other Council Members were supportive of the view and affirmed that the only thing that the University could fully control was its response to the outbreak. Local Council Members were keen to offer personal help and support where possible.
- .6 It was reported that face to face teaching continued, but there was reduced student attendance as result of the number of students in self-isolation. The Students' Union Officer reported that there was a level of anxiety amongst some students about face to face teaching and a confusion about in which circumstances they should be isolating. It was noted that student briefing sessions were being organised to provide further information and guidance.

***Dr Neher joined the meeting.***

**3721 Update on Health and Safety**

- .1 Council RECEIVED and NOTED paper C/20/92 from Professor Sarah Sharples, Pro-Vice-Chancellor for Equality, Diversity and Inclusion and People and Chair of the Health and Safety Committee.
- .2 Professor Sharples highlighted that in the last few months, the Health and Safety team had been required to focus solely on COVID-19 response and recovery. Activities associated with the broader remediation plan had to be largely suspended, although progress had been made in connection with some business critical activities, which included the procurement of a new health and safety IT system due to be implemented in phases over the next few months.

- .3 The details of a fire safety inspection conducted by Nottinghamshire Fire and Rescue Service were reported. The inspection was carried out at Newark Hall as part of the fire risks assessment programme. An enforcement notice had been issued and contractors were due on site imminently to carry out required remediation work. Until the resident students could be moved to alternative accommodation, additional fire safety mitigations agreed with Nottingham Fire and Rescue Service had been put in place. It was possible that the same remedial work might be required on a further two halls of residence. The appropriate fire safety mitigations were already in place whilst detailed surveys were undertaken.
- .4 The health and safety remediation plan would be reviewed and activities reprioritised and a new format for reporting would be used in future.
- .5 Council also NOTED paper C/20/101, including minutes of the meeting of Health and Safety Committee held on 1 September 2020.

### **3722 COVID-19 Update**

Council RECEIVED and NOTED paper C/20/100 which was presented by the Deputy Vice-Chancellor and the Director of Planning, Performance and Strategic Change. The paper focussed on the preparations for the resumption of activity on campus as distinct from outbreak planning

## **FINANCE MATTERS**

### **3723 2019/20 Year End Management Accounts Update**

- .1 Council RECEIVED paper C/20/91, which provided a provisional view of the University's financial position at the end of the financial year. The position was better than originally predicted at the start of lockdown, largely as a result of the success of the financial controls that had been introduced, but significantly worse than had been forecast at the start of the financial year.
- .2 There were a number of variables which would impact on the financial position for the forthcoming year and those included the costs of moving students out of halls of residence that required remedial works, student withdrawal numbers, the uncertain position regarding international student recruitment and in particular the number of students that would register for programmes with January start dates.
- .3 The University financial position was strong compared to its peers due to its low debt position and consequent ability to borrow, and due to the speed with which it implemented and completed its voluntary redundancy scheme.

***Sherry Madera left the meeting***

### **3724 COVID-19 Credit Facility Planning - RESERVED**

### **3725 Council Effectiveness Review Recommendations - Ratification**

- .1 Paper C/20/93 was RECEIVED. Council NOTED that the paper had been tabled and considered and approved at the last meeting of Council. The meeting had not been quorate, therefore the same paper was tabled at the current meeting to ratify the approval given at the last meeting.
- .2 Council AGREED and ratified the approval of the 37 recommendations contained in the paper and the comments made at the last meeting.

**3726 Council Effectiveness Review Recommendations – Action Plan**

- .1 Council RECEIVED paper C/20/94
- .2 A series of actions had been developed to implement the recommendations made a part of the Council Effectiveness Review. Each action listed an owner and implementation date. Council members were asked to provide feedback and comment on plans.
- .3 The paper proposed that an oversight group be established to monitor and report on the implementation of the recommendations. Progress would be reported to each meeting of Council. Council were reminded of the importance of ensuring that the implementation of the changes were translated into improvements in the effectiveness of Council.
- .4 The Vice–Chair of Council reported that a group including members of Council and the Pro-Vice-Chancellor for Equality, Diversity and Inclusion and People and the Director of Human Resources, had convened to consider how to increase diversity in the membership of Council. A report on its activity with recommendations for action would be presented to Council for consideration at its next meeting.
- .5 Council was keen to ensure that the timescales for completing the implementation of the recommendations were not too ambitious. The Registrar agreed that another look would be taken at the proposed the timescales.
- .6 The action plan and the establishment of the oversight group to monitor progress of the implementation of the recommendations was AGREED.

<b>ACTION</b>	<b>Owner</b>	<b>Due</b>
.7 Review the proposed timescales for implementation of the Council Effectiveness Review Recommendations	Registrar	13 November

**3727 Council Agenda – Forward Plan**

- .1 Council RECEIVED paper C/20/95 which set out a living agenda for the Council meetings during the remainder of the 20/21 session. The document would be hosted on the Council SharePoint site and where members would be able to access the latest version and make suggestions for future agenda items. It would also be tabled at each Council meeting.
- .2 Council were keen that the Forward Plan indicated which meetings would be full day and which would be short and online and that it ensured space on the agenda for items which would ensure that Council remained live to the business of the Heads of School and student experience issues as this continued to be a challenge whilst Council met online.
- .3 The Registrar confirmed that work would be ongoing to develop the plan further. Council AGREED the Forward Plan

<b>ACTION</b>	<b>Owner</b>	<b>Due</b>
.4 To continue to develop the Forward Plan and include the feedback received from Council members	Secretary	13 November

**3728 University of Nottingham Students' Union: Articles of Association**

- .1 Council RECEIVED paper C/20/87 and an update from the Students' Union members of Council.
- .2 The Students' Union Development Officer confirmed that the Students' Union was focused on COVID-19 recovery and ensuring that activities were accessible and inclusive for all. The individual objectives of the Students' Union Officers, which would remain flexible to ensure that the developments of the pandemic could be responded to, were grouped together in a document that would be shared with Council. The focus for the Students' Union Development Officer would be embedding the Students' Union's new strategy and ensuring transition for the new teams created following its organisational review.
- .3 The focus for the Education Officer would to be work with the University to ensure that timetabling systems were more robust.
- .4 The Students' Union had felt involved in University planning and decision making in the lead up to the start of session and considered that the start of term had progressed as well as it could have given the current circumstances. There was an initial disregard for social distancing by students in outdoor spaces on campuses and in the Portland building, but this had changed as more patrols from security staff and student ambassadors were introduced. It had also been possible to run in person events during welcome week.
- .5 A Council member queried whether a different approach would be required for employability activity in light of the different employment landscape facing graduates. The Registrar confirmed that the Director of Careers and Employability would be able to attend Council and provide an update on the ongoing activity.
- .6 The Chief Executive of the Students' Union introduced the paper which set out revised Articles of Association which had been prepared following a regular review as required by the Education Act 1994. The proposed Articles of Association, which were based on the latest National Union of Student model document, had been approved by the University of Nottingham, Students' Union Trustee Board and at a general meeting of the student membership. Council approval of the Articles of Association was required before their submission to the Charity Commission for registration.
- .7 Council NOTED that a review of the Memorandum of Understanding between the University and the Students' Union was due.
- .8 The proposed Articles of Association of the Students' Union at set out in the paper were APPROVED.

<b>ACTION</b>		<b>Owner</b>	<b>Due</b>
.9	To share the Students' Union Officers objectives with Council	Students' Union Development Officer, Secretary	15 November
.10	To arrange an opportunity for the Director of Careers and Employability to attend Council and provide an update on the change in the approach to the support for students.	Secretary	15 November

**3729 Modern Slavery Act Annual Statement 2020**

- .1 Council RECEIVED paper C/20/89 which the Chief Financial Officer confirmed contained the University's annual statement on modern slavery. The Rights Lab was a University beacon of research, therefore it was important that the University was an exemplar in its own approach to modern slavery.
- .2 Council requested the Chief Financial Officer provide a report to Council by circulation on progress with planned activity in six months' time.
- .3 The Registrar confirmed that the annual statement was a UK legal requirement so the approach at UNM and UNNC was not the same, but an update on the position at the overseas campuses would be included in their reports due to be tabled at the next meeting of Council. Council APPROVED the Modern Slavery Annual Statement for publication.

ACTION		Owner	Due
.4	To include information on the approach to Modern Slavery in the reports to Council from UNM and UNNC.	Provosts of UNM and UNNC	15 November

**3730 Faculty Update: Medicine and Health Sciences**

- .1 Council RECEIVED a presentation (paper C/20/90) from Professor John Atherton, Faculty Pro-Vice-Chancellor for Medicine and Health Sciences. The presentation included an overview of the Faculty structure including its staff and student demographic and its research activity.
- .2 Council NOTED that whilst research awards in the Faculty constituted a third of all University awards, the Faculty was not performing as well as some other Russell Group universities. It was NOTED that the Research Advisory Group had identified that the research performance of the Faculty should be improved. NSS performance of the Faculty was mixed with the very strong performance of the Vet School, the good performance of the School of Life Sciences, the poor but improving performance of the Medical School and the continued poor performance of the School of Health Sciences.
- .3 The Faculty had provided extensive and varied support to the NHS and the national testing programmes during the COVID-19 crisis from clinical academics working in the NHS to the release of space and infrastructure. The Faculty had contributed to nearly all the major COVID-19 trials and had also led the return to teaching at the University through the Vet School.
4. Priorities for education and student experience in the next year included improving the student experience on nursing courses and developing online provision for the Nottingham Online.
- .5 There had been two significant infrastructure projects in the last year; the opening of the University of Nottingham Lincoln Medical School and the expansion of the Vet School to accommodate a dual intake.
- .6 Council were reminded that 2020 was the 50th anniversary of Medicine and the 30<sup>th</sup> anniversary of Nursing at the University.
- .7 Professor Atherton was thanked for his presentation.

***Sherry Madera joined the meeting.*****3731 Finance Committee**

- .1 The Chair of Finance Committee confirmed that the minutes and report from the meeting held on 16 September 2020 would be provided to the next meeting of Council.

**3732 Audit and Risk Committee**

- .1 The Chair of Audit and Risk Committee confirmed that the minutes and report from the meeting held on 16 September 2020 would be provided to the next meeting of Council.

**3733 Nominations Committee**

- .1 Council received and NOTED the minutes from the meeting of Nominations Committee held on 9 September 2020, as set out in paper C/20/97.
- .2 The Chair reported that Lynette Eastman and Nora Senior were due to come to the end of their first term of office as Council Members in the next few weeks. They had both indicated their interest in continuing for a further term.

***Nora Senior left the meeting.***

- .3 The Chair NOTED that there was an intention to change the length of the terms of office of Council Members following the completion of the Council Effectiveness Review, but that until that change was brought into effect, he would recommended the reappointment of Nora Senior and Lynette Eastman for a terms of four years. On the recommendation of the Chair, Council AGREED the reappointment of Nora Senior and Lynette Eastman as Council members for a period of four years.

***Nora Senior rejoined the meeting.***

- .4 The Chair REPORTED that Nominations Committee in accordance with Council's instruction was seeking the appointment of a new Council member with strategic finance experience. There was further vacancy to fill and Nominations Committee was keen to receive more guidance on the skills sought in that new Council Member.
- .5 The Vice-Chancellor advised that following a request from the Chair, UEB had considered the skills required and was of the opinion that finance skills were well served by the Chair of Finance Committee and would be adequately strengthened by the additional of one further Council Member with specialist finance skills and where appropriate, and in accordance with the Council Effectiveness Recommendations, via the appointment of an external advisor to Finance Committee. UEB was also of the opinion that sufficient digital expertise was provided through the great support of Richard Newsome and there were already a number of Council Members who were prominent in the local community. There was a consensus that someone with an industrial background or history of leadership in an international organisation would have a range of relevant experience.

- .6 Overall, UEB was keen that the recruitment process resulted in a pool of diverse candidates with a breadth of experience rather than a specific focus on particular skill or experience.
- .7 The Chair thanked the Vice-Chancellor for providing the view of UEB and Council Members for their input. Feedback would be provided to the Nominations Committee. Any further views were requested to be provided directly to the Chair and Registrar.

ACTION		Owner	Due
.8	Provide feedback to Nominations Committee on the views of UEB in connection with the skills and experience sought in the appointment of a new Council Member.	Chair	15 November

### 3734 Suspensions/Discipline Cases

There had been two student suspensions since the last meeting of Council. The first related to a pending police investigation which would be managed via the Student Discipline Procedure. The second case related to a medical student who had been suspending from their course and excluded from the Medical School pending investigation under the Fitness to Practice Procedure.

### 3735 Council Instruments for Annual Approval

- .1 Council NOTED paper C/20/98 and the APPROVED the following documents:
- .1 Standing Orders of Council (paper C/20/73)
  - .2 Role, Powers & Responsibilities of Council: Delivery and Scheme of Delegation (paper C/20/74)
  - .3 Delegated Financial Authorities (paper C/20/75)
  - .4 Council Members: Requirements and Expectations (C/20/76)

### 3736 Membership Information and Guidance to Note

- .1 Council NOTED the Council Committees Terms of Reference and Membership 2020/21 (paper C/20/99).
- .2 The Chair of Audit and Risk Committee NOTED that amendments were required to the Finance and Audit and Risk Committee to ensure that there was clarity that Audit and Risk Committee would formally approve the annual report and accounts.

### 3737 Any Other Business

#### USS Update

A response to the latest USS consultation was due by 30 October. The Chief Financial Officer would prepare the response setting out the unaffordability of the options presented and circulate to Council members for feedback prior to its submission.

Date of Next Meeting: 24 November 2020, 10.30-16.30