



COUNCIL

Minutes of the Meeting held on 21 November 2023

Present: Sir Keith O’Nions (Chair), Pearl Agyakwa, Vicky Bailey, Anh Do, Lynette Eastman, Michelle Haslem, Sonya Leydecker, Piyali Mitra, Jane Norman, Jessica Nuttall, Stephen Odell, Stuart Reeves, Nora Senior, Rakesh Sharma, Shearer West, Giles Willits

Apologies: Jo Lymn, Sherry Madera

In attendance: Alison Dubas (minutes), Paul Greatrix (Registrar), Rowena Hall (Associate Director of Governance and Executive Services), Ruwan Kodikara (Governance Apprentice), Helen McNamara (Director of Organisational and People Development, observing, for minutes 4125-4130 and 4132 onwards), Rosemary Madagwa (Governance Apprentice), Margaret Monckton (Chief Financial Officer), Jason Phoenix (Castle Meadow Campus Programme Director for minute 4130), Sally Blackamore (Finance Director for minutes 4132-4134), Helen Pennack (Chief Marketing and Communications Officer for minute 4142), Gary Moss (Director of Estates and Facilities for minute 4143), Debbie Smith (Capital Projects Manager for minute 4143), Sarah Speight (Pro-Vice-Chancellor Education and Student Experience for minutes 4150-4152)

4125 Welcome and Apologies

- .1 The Chair welcomed members to the meeting and the Secretary CONFIRMED the meeting was quorate.
- .2 Apologies were NOTED from Professor Jo Lymn and Sherry Madera.
- .3 A vote of thanks was NOTED to Ruwan Kodikara and Rosemary Madagwa, who would step down as Governance Apprentices at the end of 2023.

4126 Declarations of Interest

There were no declarations of interest.

4127 Minutes of the Meetings Held on 14 September and 10 October 2023 and Action Log

The minutes of the meetings held 14 September and 10 October 2023 (paper C/23/100) were APPROVED as an accurate record.

4128 Chair’s Business

The Chair of Council offered thanks to all participants who had been involved in the delivery of the sessions the previous day. The visit to the Biodiscovery Institute had been well received by Council.

4129 Vice-Chancellor’s Report

- .1 Council RECEIVED paper C/23/107 and NOTED the following key points:
 - .1 The Vice-Chancellor had recently returned from a successful visit to UNNC. Council members were strongly encouraged to visit the overseas campuses if they had not yet had the opportunity to do so;
 - .2 An independent review of UK university spin out companies would be published imminently, which would contain a series of recommendations to improve the creation and growth of spin out companies;
 - .3 The University had been awarded the title of Sports University of the Year by the Times and Sunday Times Good University Guide 2024 and by the Daily Mail University Guide 2024.

ACTION		Owner	Due
.2	The University of Nottingham’s spin out strategy would be added to a future Council agenda.	Secretary	May 2024

4130 Castle Meadow Campus Programme Update

- .1 Council RECEIVED and NOTED paper C/23/108.
- .2 The audit report from the external assurance partner for the Castle Meadow Campus programme was expected imminently and no major issues were anticipated. Three ‘amber’ areas for improvement had been identified and members were assured that appropriate actions would be taken to address each area.
- .3 The phase three business case continued to be developed and would be submitted to Council for approval in 2024.
- .4 Council members DISCUSSED the plans to use the campus for the delivery of programmes for international postgraduate taught students and whether consideration had been given to enhancing the student support at the campus. A greater level of support for students was required across each of the University’s campuses and this would be addressed holistically.

ACTION		Owner	Due
.5	Council members would be invited to re-visit the Castle Meadow Campus.	CMC Programme Director/ Secretary	March 2024

4131 RESERVED

4132 Financial Performance

- .1 Council RECEIVED and NOTED paper C/23/119.
- .2 Risks had been identified since the submission of the financial position to Council. A paper would be developed that would report on actions to be taken to mitigate the risks and improve the financial position.

- .3 A cost versus impact exercise was underway, which would inform revised financial plans for the University.

4133 Financial Statements and External Audit Completion Report 2022/23

- .1 Council RECEIVED paper C/23/125.
- .2 Finance Committee had agreed the key judgements that had been incorporated into the financial statements, which had then been considered and recommended to Council for approval by the Audit and Risk Committee.
- .3 The external auditors conducted a detailed review of the University's accounts, which would be completed by the end of November 2023. No points of concern had been identified.
- .4 Subject to finalisation of the external audit, Council APPROVED the financial statements to be signed by the Vice-Chancellor and Treasurer and further APPROVED the external audit completion report.

4134 Scheme of Delegated Financial Authority

- .1 Council RECEIVED and APPROVED paper C/23/115.
- .2 The most significant change for 2023/24 was the increase to the delegated financial authority of the Estates and Infrastructure Committee, from £2m to £5m. This change would improve the pace of delivery of estates capital projects.

4135 Chancellor

Council RECEIVED paper C/23/106 and APPROVED the renewal of Baroness Lola Young's term of office as Chancellor, for a further four year term.

4136 Senate: Appointment of Senate Members to Council

- .1 Council RECEIVED paper C/23/118.
- .2 The work of the Senate Effectiveness Review Implementation Group (SERIG) had not concluded. One of the recommendations that was yet to be finalised was the process to appoint Senate members to Council. The current process involved the Vice-Chancellor selecting a Senate member to be appointed.
- .3 Council reaffirmed that Senate was an integral element of the University's governance and it very much valued both Senate and the contributions of Senate members as part of Council membership. It was NOTED that SERIG remained divided in respect of the process that should be used to appoint Senate members to Council. Some of its members held a preference for an interview process and others an election mechanism. It was not envisaged that it would be possible for SERIG to present a unanimous implementation plan for Senate to consider.
- .4 There was a consensus that Council did not wish to continue to operate with a vacancy on its membership and that a solution must be found. Council DISCUSSED how this could be addressed and the options for an appointment process. Council AGREED the following:

- .1 Due to the continued vacancy and the potential impact this had upon the effectiveness of Council, Council could no longer await the determination of an appointment process by SERIG and Senate;
- .2 Nominations Committee would review the appointment options and make a recommendation to Council as to which process should be selected to appoint Senate members to Council. Council would then approve the process;
- .3 Following approval of an appointment process by Council, this would be reported to SERIG. A timetable for the appointment process would be devised and the aspiration should be for the Senate member on Council to be appointed in the first quarter of 2024.

ACTION		Owner	Due
.5	The recommendation from Nominations Committee on the process that should be used to appoint a Senate member to Council would be submitted to the February 2024 meeting of Council for approval.	Registrar	February 2024

Post meeting note: Following recommendation by Nominations Committee and its consideration by Council at its February meeting, the proposed appointment process would be submitted to Senate for discussion before Council made a final determination at its March meeting.

4137 Senate: Ordinance XV

- .1 Council RECEIVED and NOTED an oral update.
- .2 The Registrar CONFIRMED it had been reported to Senate that Council had acknowledged Senate's concerns regarding the amendments to Ordinance XV.
- .3 Members of Senate had suggested that Council and Senate should continue to build their relationship and it was NOTED that ways of achieving this were being considered by SERIG. A recommendation of the Senate Effectiveness Review had been to invite Council to an annual Senate away day.

4138 Vice-Chancellor's Objectives

- .1 Council RECEIVED and NOTED paper C/23/114, which presented the Vice-Chancellor's objectives for the 2023/24 academic year. Objectives had been devised in discussion with the Chair of Council and would be published on the University's website.
- .2 Council members provided feedback on the Vice-Chancellor's objectives and the following points were DISCUSSED:
 - .1 The University's key performance indicators should be easily accessible to readers, alongside the objectives, when published to the website;
 - .2 The wording in relation to the Research Excellence Framework (REF) objective could be strengthened to signal a desire to maximise the University's research performance generally, as well as maximising performance in the REF;

- .3 The people and culture strategy objective should clearly articulate an ambition to change and improve the University’s culture, in addition to improvements to policies;
- .4 The wording in relation to the medium term financial plan (MTFP) objective could be reviewed, to clearly articulate that there would be a review of University activity, including a cost versus impact exercise. Any necessary changes identified as a result of the review would be implemented to enable delivery of the MTFP;
- .5 Consideration could be given to including greater emphasis on improving the student experience throughout the objectives;
- .6 To ensure that the final objective was correctly titled to ‘external influence’.

ACTION		Owner	Due
.3	The University’s key performance indicators would be re-circulated to Council for information.	Secretary	February 2024

4139 People and Culture Survey 2023

- .1 Council RECEIVED paper C/23/117, and a supporting presentation, which provided a summary of the results and benchmarking data from within the higher education sector.
- .2 Council NOTED the following key points:
 - .1 Engagement scores averaged 76 percent, which was marginally higher than the sector average. An average of 60 percent of staff across the University had responded to the survey;
 - .2 Progress since the previous survey conducted in 2019. There had been a significant increase in the number of staff applying to leadership and management courses, reflective of an increased appetite to learn and develop;
 - .3 Action planning that had developed following the results of the survey. There were three common themes of action related to learning and development, communication and managing change;
 - .4 Six pulse surveys had been commissioned ahead of the next People and Culture survey in 2025. A pulse survey that focussed upon employee wellbeing was already underway within three Faculties;
 - .5 Targets for improvement would be agreed at the next People and Culture Committee.
- .4 Council DISCUSSED the significant amount of work that would be required to address the results of the survey. This included a series of workshops to triangulate the results of the People and Culture survey with the results of the pulse surveys and to identify actions that needed to be taken. Council would have the opportunity to receive a report on progression of actions at a future meeting.

4140 University Strategic Risk Update

- .1 Council RECEIVED paper C/23/109 and NOTED the following key points:
 - .1 Work had progressed to ensure compliance with the Trusted Research framework, which had resulted in a reduction of the risk score;
 - .2 At its recent meeting, Planning and Resources Committee had discussed a number of broader, emerging risks that were not currently on the University's strategic risk register. These included a cyber security risk, which was currently monitored by the Information Management and Security Steering Committee and a risk related to the use of artificial intelligence, overseen by the Digital Strategy Committee.
- .2 Members determined that timescales, and dates by which target risk scores would be achieved, should be defined.

ACTION		Owner	Due
.3	Work would be undertaken to determine timescales for achieving target risk scores and be implemented into future risk reports submitted to Council.	Deputy Vice-Chancellor	February 2024

4141 RESERVED

4142 Registrar's Department Report

- .1 Council RECEIVED paper C/23/110 and NOTED the following key points:
 - .1 Details of performance against the four University KPIs, owned operationally within the Registrar's Department. The graduate outcomes indicator continued to perform exceptionally well and 89% of students were in graduate level employment. Average tariff also performed well, but continued work was required to meet future targets;
 - .2 An overview of the Department's financial position and the areas of significant spend;
 - .3 Departmental risks and mitigating actions;
 - .4 Priorities for each division of the Registrar's Department. Delivering a positive student experience was fundamental and the processes and systems that would support this continued to be developed;
 - .5 The work and activities of the Department, in respect of library resources and mental wellbeing, contributed towards the National Student Survey results. The University had performed ahead of the sector benchmark in mental wellbeing;
 - .6 The Department's strengths, weaknesses, opportunities and threats analysis.
- .2 The Registrar's Department contributed to the Access and Participation Plan (APP) through initiatives and processes, which included financial support, widening participation and mature student support provision. The greatest area of challenge was the Black and White awarding gap and a priority had been set to identify University level interventions that would address the gap. Members DISCUSSED the detail of actions that would be taken, which would be overseen by the APP Steering Group.

4143 Law and Social Sciences and Hallward Energy Centre Business Case

- .1 Council RECEIVED paper C/23/111. Finance Committee had considered the business case and had recommended approval to Council.
- .2 The case was the first stage to decouple buildings at University Park from the district heating network, which was unreliable. It was proposed to implement a ground source heat pump to service the Law and Social Sciences (LaSS) building and Hallward library. This would also support the University to deliver against its carbon reduction targets. Windows within LaSS would be replaced, which would enable a stable, ambient temperature and improve staff and student experience.
- .3 A total of £14.6m was requested for the project and it was NOTED that there was a potential opportunity to offset some of the cost with a £4.2m Salix grant funding. The paper CONFIRMED that, should the Salix bid be successful, the project was affordable within the MTFP. Should the bid be unsuccessful, it was considered that additional capital could be sought through prioritisation and rephasing of other activities.
- .4 Council NOTED the intention to remove all buildings from the district heating network and that this would be completed in phases. The preference would have been to first upgrade the building fabric, to reduce the building's energy consumption, ahead of installing the ground source heat pump. However, the University was not in a position to progress this, due to constraints on available capital funding. Building fabric upgrades could be completed retrospectively once the ground source heating pump had been installed. It was anticipated that it would cost approximately £50m to decouple all buildings from the district heating network.
- .5 Council APPROVED £14.6m for the full scheme of work as presented in paper C/23/111.

4144 Audit and Risk Committee Report and Annual Report

- .1 Council RECEIVED and NOTED the following, as presented in paper C/23/102:
 - .1 The minutes and report from the meetings of Audit and Risk Committee dated 19 September and 13 November 2023;
 - .2 The Internal Audit Annual Opinion, which provided reasonable assurance.
- .2 Council APPROVED the Audit and Risk Committee Annual Report.

4145 Finance Committee Report

Council RECEIVED and NOTED paper C/23/123.

4146 Senate Report

Council RECEIVED and NOTED paper C/23/124.

4147 Nominations Committee

Council RECEIVED and NOTED paper C/23/112.

4148 Free Speech and Academic Freedom at the University of Nottingham

- .1 Council RECEIVED and NOTED paper C/23/103, which informed members of the University's response to the updated legislation and the work underway to support its implementation.
- .2 All University policies related to free speech and academic freedom continued to be reviewed to ensure compliance with Office for Students (OfS) legislation. A Working Group, chaired by the Registrar, had been convened to consider the legislation and how it could be implemented.

4149 Prevent Return 2023

- .1 Council RECEIVED and NOTED paper C/23/120.
- .2 There had not been any Prevent related serious incidents reported during the year. However, the number of reports concerning safeguarding issues that were submitted through the Report and Support platform had increased. Council was assured that there were no immediate concerns as a result of increased reports and that appropriate interventions and actions had been taken to address each report. It was thought that active promotion of the reporting platform had contributed towards the increased number of reports.

4150 Access and Participation Plan Update

- .1 Council RECEIVED paper C/12/113 and accompanying presentation, which outlined the recent regulatory changes to APPs, planned activity for 2023/24, current progress against targets and highlighted key risks. Council NOTED the following key points:
 - .1 The process to develop the new APP, which the University would be required to submit in 2024;
 - .2 That the OfS had identified numerous risks commonly associated with certain demographics of students in accessing higher education, risks during their studies and risks as they progressed from higher education. The equality of opportunity risk register had been developed to identify areas where the University needed to take further action to meet the levels of access and success expected by the OfS;
 - .3 A series of objectives to address each risk had been developed and agreed by the APP Steering Group.
 - .4 The University had a larger Black and White awarding gap in comparison to some other peer universities, and the gap in award varied across different Schools. A significant level of work was ongoing to address the gap.

4151 Degree Outcomes Statement

Council RECEIVED and NOTED paper C/23/104.

4152 Degree Apprenticeship Self Assessment Report and Quality Improvement Plan

Council RECEIVED and NOTED paper C/23/105.

4153 Council Agenda Forward Plan

Council RECEIVED and NOTED paper C/23/116.