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LIVERPOOL HOPE UNIVERSITY

UNIVERSITY COUNCIL ANNUAL GENERAL MEETING: TUESDAY 26th November 2019

PRESENT: Revd Canon Peter Winn (in the Chair), Revd Dr Sheryl Anderson, Mrs Jane Beever, Sr Dr Mary Charles-Murray SND, Revd Canon Chris Fallon, Dr P Haughan, Dr Simon Hulme, Very Revd Dr S Jones, Dr Joan McClelland, Fr Chris McCoy, Sr Maureen McKnight SND, Dr Arthur Naylor, Revd Canon Professor Kenneth Newport, Mr John Norbury, Fr Michael O'Dowd, Professor Gerald Pillay, Mr H Rashid, Mr Ultan Russell, Dr C Wakefield, HH Judge Graham Wood QC (20 members)

By invitation:

Ms Laura Gittins (Clerk to Council)
Mr Derrick Dykins (Company Secretary)

No Conflicts of Interest were reported.

The Chair welcomed the Very Revd Dr Sue Jones to Council.

1. **Apologies for absence** were received from Rt Revd Paul Bayes, Dr John Bennett, Cllr Jane Corbett, Mr Charles Mills and Mrs Maggie Swinson.

2. **Minutes of previous meeting**

The minutes of the meeting held on 9th July 2019 and 3rd October 2019 (Reflective Meeting) were **APPROVED** as a correct record. Members agreed that the Reflective Meeting had been valuable, particularly with the major item from Dr Haughan on the Student Experience and Ms Gittins' presentation on Freedom of Expression.

3. **Matter Arising from those minutes**

There were no matters arising that were not included elsewhere on the agenda.

4. **Vice Chancellor's Notes to Council**

Members had received the Vice Chancellor's Notes to Council, which included a paper from the Deputy Vice Chancellor on ways the University is seeking greater flexibility from its academic staff in light of demographic changes and an update on the Project 2020 Action Plan which is part of the University's 10-point plan to improve recruitment, retention and attainment. The Vice Chancellor noted that numbers are predicted to continue to decline nationally until 2021; predictions for the increase after 2021 suggest that there will be increases mainly in the London area. Financial pressures remain, with inflation not being offset by an increase in fees or student numbers.

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The Vice Chancellor noted the outreach work being done via colleges in the Network of Hope, and gave an update on St Mary's College Blackburn. Discussions are ongoing to bring additional colleges into the Network, including St John Rigby (a previous partner), St Mary's University College Belfast and Spurgeon's in London. The latter would align with the predicted increase in students in the London area after 2021.

Certain academics within the University will also be taking strike action following the recent ballot by UCU. Dr Haughan will be monitoring the situation on a daily basis and will be managing responses to student concerns.

5. Key Performance Indicators (KPIs)

Members had received the KPIs which compared statistics over the last five years. The Vice Chancellor noted that there was no serious decline, though Initial Teacher Education and the run-out of the four-year BA QTS had affected certain areas. The University's record on numbers from low participation neighbourhoods remained high, with the University coming top of the table for the North West region. Dr McClelland asked whether performance statistics were available for students living at home rather than in Halls and was advised that this was not a KPI, but that the University has support mechanisms in place to ensure that they have access to all aspects of University life that other students have.

6. Secretary's Business

- (i) Members had received the Terms of Reference for Committees of Council for reference. It was noted that there was a vacancy on the Finance & General Purposes Committee.
- (ii) Members had received the Modern Slavery Statement for the last financial year. Sr McKnight advised that she had an article from the Tablet which reported on recent developments at Bristol and Glasgow Universities to make reparations for their involvement in the slave trade. Members requested that this be circulated to Council.

Members **APPROVED** the Modern Slavery Statement.

Action: Mr Dykins to circulate the article on university reparations for involvement in the slave trade

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7. Office for Students (OfS)

- (i) Members had received the Ongoing Registration Assurance Document for the OfS which was submitted to Council as a first draft as evidence of the University's compliance and monitoring of OfS conditions. It included information on how the University is managing its academic governance. Dr Haughan explained that in order for the University to remain on the OfS Register, it had to submit numerous outturns and reports throughout the year, all of which drew information from very diverse sources. She asked members whether the document gave Council the necessary information they needed to make an informed decision as to whether the University was compliant with OfS Regulations. Members agreed that the document was fit for purpose.

The Chair drew members' attention to Appendix 3, "Major Communications with the OfS outside of Ordinary Business" which comprised a letter from the OfS to the Chair to note that the University had not complied with one of the regulatory deadlines. He explained that the University was one of 250 HEIs which did not pay their annual fee to the QAA on time. The Executive Director of Finance had explained to the Chair that, in common with most HEIs, the University has standard payment terms which mean that fees are paid at 28 days from the date of the invoice, and that the fee had been paid on 20th August 2019, having been approved for payment on 22nd July 2019. The Chair said that he was reassured that the Finance Team had now put any OfS fees such as this on immediate payment terms.

Members **APPROVED** the Ongoing Registration Assurance Document for the OfS.

- (ii) Members had received the updated Student Protection Plan. Dr Haughan said that the University would always teach out a course that is being withdrawn, and this included provision at the Network of Hope.

Members **APPROVED** the updated Student Protection Plan.

- (iii) Members had received the Prevent Annual Report. Ms Gittins noted that the University's Prevent mechanisms were randomly audited by the OfS in September and received positive feedback, including recognition of good practice which the OfS wished to disseminate. Ms Gittins also highlighted the University's first referral under Prevent Duty, which had served to test University process and demonstrated during the OfS audit that the University was being proactive and responsible in its compliance with the Duty.

Members **APPROVED** the Prevent Annual Report.

8. University Council Effectiveness Review Group (CERG)

The Council Induction Handbook is one of the recommendations that arose from the Review. It is the first time a handbook has been introduced and any suggestions for improvements to the next edition should be sent directly to the Secretary. It was suggested that the role of the Board of Regents be included in the next edition.

9. Senate

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- (i) Members had received the minutes of the meeting held on 13th November 2019, which were presented by Professor Pillay in his capacity as Chair of Senate.
- (ii) Members had received for information the Confirmation of Approval for the REF2021 Code of Practice and the Annual Report on Student Complaints, Appeals and Discipline.

10. Audit and Risk Management

- (i) Minutes of the meeting of Audit Committee 7th November 2019

Members had received the minutes of the meeting held on 7th November 2019 which were presented by the Chair of Council, with points of clarification provided by Ms Gittins.

- (ii) External Auditor's Management Letter on the Accounts

Members had received the Management Letter from the University's external auditors. Ms Gittins highlighted the summary of findings which assessed that there were no issues identified with the University's management of significant risks. This included allowances for an increase in the GMPF following the McCloud Court of Appeal outcome.

The External Auditors' Management Letter on the Financial Statements for the year ended 31st July 2018 was **APPROVED**.

- (iii) Letter of Representation

The Letter to the External Auditors confirmed that Council has fulfilled its responsibilities.

It was unanimously **APPROVED** by Council subject to a minor correction to the appendix.

- (iv) Annual Report of the Internal Audit Service 2018-19

Mr Gittins noted the Head of Internal Audit Opinion was as follows: "The organisation has an adequate and effective framework for risk management, governance, internal control and economy, efficiency and effectiveness."

The Annual Report of the Internal Audit Service was unanimously **APPROVED** by Council.

- (v) Annual Report of the Audit Committee 2018-19

Members had received the Annual Report of the Audit Committee which summarised the work over the academic year 2018/19. Ms Gittins highlighted the overall opinion that the Committee was "satisfied with the adequacy and effectiveness of the University's arrangements for risk management, control and governance; for economy, efficiency and effectiveness (value for money) and for the management and quality assurance of data submitted to funding bodies.

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The Annual Report was unanimously **APPROVED** by Council.

(vi) Items related to risk discussed at Management Meetings

Members had received for information extracts from recent meetings of Rectorate Team, Senior Management Team and Heads of Department.

11. Finance & General Purposes Committee

(i) Minutes of Finance & General Purposes Committee 5th November 2019

Members had received the minutes of the meeting held on 5th November 2019 which were presented by Mr Norbury as Chair. He noted that amendments to membership in the terms of reference had been approved by the Committee.

(ii) Financial Report and Accounts for the Year Ended 31st July 2019

Members had received the Report and Accounts for the year ended 31st July 2019. Mr Norbury highlighted the OfS' suggestion that net operating cashflow be used as a better indicator of a provider's underlying financial performance, and noted that the cash generated during the year was 16% of income, which is well above average for the sector and demonstrated the strength of the University's underlying financial position.

Mr Norbury noted the impact the McCloud judgement had had on the accounts, reducing the surplus to 3.2%; the surplus for the current academic year was approximately 3% which was a prudent estimate.

The Report and Accounts were **FORMALLY ADOPTED** by Council.

(iii) Tuition Fees 2020

Members had received the comprehensive list of proposed tuition fees which would take effect from September 2020.

Members **APPROVED** the Tuition Fees 2020 list.

(iv) Finance Forecast

Members had received the Financial Forecast for the next five years with a separate commentary. Mr Norbury said that the Forecast was realistic and advised that he had convened a meeting earlier this week with the Vice Chancellor and the Deputy Vice Chancellor to review Project 2020. He was reassured that a range of initiatives were in development that should help to increase student numbers over the coming years.

Members unanimously **APPROVED** the Financial Forecast and Commentary.

12. Staffing Committee

Minutes of the meeting of Staffing Committee held on 29th October 2019

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Members had received the minutes of the meeting held on 29th October 2019 which were presented by Fr Fallon. He noted that the REF Code of Practice had now been submitted to the regulatory body and was approved with no changes, reflecting the careful work which had gone into the preparation of the document. With reference to the outcome of the recent promotions process, the Committee had requested further information regarding the gender balance of applicants for promotion; the information was provided and Council can be assured that issues of balance will continue to be reviewed. Fr Fallon also noted discussion around industrial action, which has already been covered in the Vice Chancellor's Notes to Council.

13. Council Standing Committee on Health and Safety

(i) Minutes of the meeting of Council Standing Committee on Health and Safety 31st October 2019

Members had received the minutes of the meeting held on 31st October 2019 which were presented by the Chair, Sr Charles-Murray. She highlighted the *Health & Safety at Caerdeon* presentation by the new Head of Centre, Mr Owen, and noted that Mr Owen was keen to forge further direct links with the University. Although the Centre by its nature has greater risks than other University accommodation, Council should be reassured that these are well managed. It was suggested that Council should consider visiting the Centre at some point to view the range of facilities available.

(ii) Health & Safety Policy

Members had received the updated Health & Safety policy.

Members unanimously **APPROVED** the Health & Safety policy.

14. Students' Union (SU) President's Report

(i) President's Report

Members had received the President's Report which was presented by Mr Rashid. He highlighted a range of campaigns and student activities which had taken place since the start of the academic year. In addition to an increase in societies, Mr Rashid noted the preparation and launch of the night time listening service available for students who were feeling vulnerable and needed urgently to speak to someone. He acknowledged that social spaces at Creative Campus needed further consideration. He noted that one of the two Vice Presidents had left their post.

(ii) Financial Statements for year ended 31st July 2019

Members had received the financial statements for the last academic year. Mr Rashid advised that the SU had made a small surplus but had had to suspend the advice service. Dr Haughan said that the service was now being offered by the University. It was noted that figures comparing the previous year's finances appeared to have been wrongly inputted.

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Action: Mr Rashid to review the draft of the accounts to ensure the correct figures are submitted

15. Senior Remuneration Committee Report

Members of the Rectorate Team who were present (Professor Pillay, Professor Newport and Dr Haughan) left the meeting for this item.

Members had received the Senior Remuneration Report, which was presented by the Chair in the absence of Mr Charles Mills who had chaired the Committees. He noted the 1.8% increase to all senior managers, including the Vice Chancellor, in line with the increase for all staff within the University. The exception was a higher rate of increase spread over three years for Professor Nagar who had been promoted to Pro Vice Chancellor Research. Judge Wood acknowledged that there was a perception of high salaries, so equity with general staff at this time was fair. Mr Norbury noted that Professor Vandewalle's post had not been replaced, saving money for the University.

Members queried the issue of succession planning and the Chair assured members that he was in conversation with senior leadership on the matter.