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LIVERPOOL HOPE UNIVERSITY

UNIVERSITY COUNCIL MEETING: 23rd November 2021

PRESENT: Revd Canon Peter Winn (in the Chair), Mrs Jane Beever (Vice-Chair), Mr Tim Alderman, Ms Ann Marie Costello, Dr Edwin Djabatey, Revd Canon Chris Fallon, Dr Penny Haughan, Very Revd Dr Sue Jones, Fr Chris McCoy, Dr Arthur Naylor, Revd Canon Professor Kenneth Newport, Mr John Norbury, Ms Clara Priestley, Professor Gerald Pillay, Ms Paula Raper, Mrs Maggie Swinson, Professor Caroline Wakefield (17 members)

By invitation: Ms Laura Gittins (Clerk to Council), Mr Derrick Dykins (Company Secretary)

No Conflicts of Interest were reported.

1. **Apologies for absence** were received from Rt Revd Paul Bayes, Cllr Jane Corbett, Ms Jean Ellis, Ms Lesley Martin-Wright, Fr Michael O'Dowd, Mr Ultan Russell and HH Judge Graham Wood QC. The Chair welcomed Dr Djabatey to his first meeting of Council.

2. Minutes of previous meetings

The minutes of the meetings held on 6th July 2021 and 21st September 2021 (Reflective Meeting) were **APPROVED** as a correct record.

3. Matters Arising

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 were presented by Professor Pillay. He noted that the University had made a good start in rebuilding the community after the prolonged period of online teaching and that student socialising had not so far caused any spike in Covid infections; the recent "live" graduations also do not appear to have created a problem with infections. In terms of student recruitment, the University had done better than anticipated.

Despite senior management's best efforts, the Vice Chancellor reported that the move by UCU to take industrial action was marginally pushed through meaning that at the beginning of December there will be three days of strike action. The Students' Union, whilst sympathetic to the feelings of those wanting to strike, could not support the action due to the adverse effect it will have on students who have already suffered from restrictions to their learning brought about by the pandemic and the previous strike action.

5. KPIs

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Members had received the KPIs for information. Members queried why overall satisfaction had decreased; the Vice Chancellor said that this was possibly the most unreliable of indicators and, as the collection of this data is outsourced the University is not clear what data sets are being referred to. This is also the case with employability, though it was noted that there had been a general increase across the sector.

6. Clerk's Business:

(i) Committee Terms of Reference (ToR) and Composition:

Members had received the ToR for information. Mr Dykins noted that there are vacancies on the Audit and Finance & General Purposes Committees. Mr Norbury noted that the proposed Endowment fund would need to be added to the list.

Action: Mr Dykins to discuss a suitable replacement for both committees; and to add the Investment Committee to the ToR

(ii) Prevent Annual Report

Members had received the Report. Ms Gittins noted that there had been only one incident that had required formal reporting. There has been refresher training for staff, and there are plans for a dedicated part of the University website for information relating to Prevent. Ms Gittins noted that there had been support for anyone affected by the recent incident at the Liverpool Women's Hospital.

Members **APPROVED** the Prevent Annual Report.

(iii) Sexual Harassment: overview

Members had received the overview of work to date.

(iv) Code of Practice on Freedom of Speech and Management of Events on Campus

Members had received the revised Code of Practice which is a requirement from the OfS. Ms Gittins explained that the previous Code had been updated to cover online/virtual events. The updates also take into account the latest advice from the Equality and Human Rights Commission. Further changes in the law are currently being considered and the policy will be reviewed next year in light of any new legislation.

(v) OfS Reportable Events

Members were provided with documents covering the withdrawal of the PGDE at Hope Park; the BSc Physical Activity, Nutrition & Health; the BSc Physical Education Sports Sciences at Carmel College; and updates on Council membership. Dr Haughan advised that the BA Applied Childhood & Youth and BA Applied Social Sciences have also been withdrawn and will be notified to the OfS.

7. Reserved Items from Audit Committee

Members were provided with the confidential addendum to the Audit Committee Meeting held on 4th November 2021 which focussed on Cybersecurity and the Ofsted Recovery Plan. The Ofsted Report was also provided for information. Dr Naylor said that the matters

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concerning cybersecurity had been resolved though this will remain a risk for the University and will be continually monitored.

Dr Naylor noted that Ofsted judgements were *Requires Improvement* across all areas. He said that the Ofsted report had been entirely unexpected; six months ago, it did not appear on the University's Risk Register, but now it was the number one risk. It was important to understand how this happened and what can be done to remedy the Report. He said that he had been in constant communication with Professor Newport as the Audit Committee is taking an overview of the Ofsted Recovery Plan, with responsibility in two areas: oversight of the implementation of agreed actions arising from external audit; and the effectiveness of risk management.

There appeared to be a political agenda to move away from university involvement in initial teacher training (ITT), and the newly introduced framework has caused problems for many institutions. That said, it was important that the University did all it could to attain a *Good* rating in all areas when Ofsted return for the follow-up inspection, which could be any time from January 2022 onwards. However, this will be a challenge as certain actions are out of the control of the University.

Dr Naylor referenced a recent DfE report on Market Review which will require all providers to go through an accreditation process, though it is not clear whether this will be during the current academic year or next year. This could have far reaching implications to the supply of teachers. Added to this, the Institute of Teaching is currently being set up to reflect best practice across the sector.

Professor Newport said that it is the scale of what is required that is the biggest challenge, given that the University works with some 550 schools and has several hundred students, where a large number of mentors will need to be retrained in preparation for the next Ofsted visit. Previously, mentors had been referencing the Teaching Standards, but their training now involves a major shift to referencing the curriculum; this will not be refresher training. That said, Professor Newport is confident that the University understands what is required and has made a good start in tackling this particular issue, though progress has been hampered due to unusually high staff absences. So far, attendance at mentor training on the University curriculum had been well attended.

Revd Jones queried the amount of resource being put into the recovery plan and Professor Newport confirmed that this has been costly to address. The sector view is that the government would like to relocate ITT to schools but that on a practical level this will not work as they do not have the appropriate structure to, amongst other things, conduct research. He acknowledged that this was having a detrimental effect on staff morale. Mr Alderman noted that the new framework was less daunting in schools themselves.

Dr Naylor said that the reputational risk had been minimised. He noted that the Audit Committee had also queried the financial risk with the Executive Director of Finance, Services and Resources, who confirmed that if the University were to lose its QTS courses it would create a problem for University finances but the University would remain a going concern.

Professor Newport said that he received daily updates and was reporting progress with the Recovery Plan on a weekly basis to USET. Members thanked Professor Newport and Dr Naylor for their work in this area.

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8. Senate

- (i) Members had received the minutes of the meeting held on 10th November 2021, which were presented by Professor Pillay in his capacity as Chair of Senate.
- (ii) Members had received for information the Annual Report on Student Complaints, Appeals and Discipline. Mr Dykins noted that this encompassed Academic Appeals and highlighted the amount of work that went into ensuring that all such student matters were taken seriously.
- (iii) Members had received for information the Student Protection Plan. This was similar to the one received last year and is a requirement so students are aware of what measures are in place to protect them should a risk to the continuation of their studies arise.

9. Finance and General Purposes Committee

- (i) Minutes of the meeting held on 2nd November 2021

Members had received the minutes of the meeting held on 2nd November 2021 which were presented by Mr Norbury as Chair.

- (ii) Financial Report and Accounts for the Year Ended 31st July 2021

Members had received the Report and Accounts for the year ended 31st July 2021. Mr Norbury noted that the environment the sector had been operating in during this period had been of concern, but in the end the concern was not warranted, with an excellent surplus of 11%. This was aided by a prudent budget with contingencies to cope with the pandemic. The impact from pensions this year had not been a major issue. Overall, these conditions created a comfortable set of accounts.

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

- (iii) Endowment Fund: Terms of Reference (ToR) and Statement of Investment Principles (SIP)

Members had received the proposed ToR and SIP. Mr Norbury explained that the Committee was seeking support for committing to an endowment fund. If approved, Council members would be trustees and would have delegated oversight to the Investment Committee through the Finance and General Purposes (FGP) Committee; the Investment Committee would therefore be a sub-committee of the FGP Committee and would report directly to it. Mr Neil Ashbridge (a Fellow of the University Business School) would be an external member of the Committee. Mr Norbury said that a number of investment companies had been approached and submitted their bids, but that, based on competitive cost and other criteria (including ethical considerations), the proposal was to appoint Rathbone Investment Management. He explained that the FGP Committee had reviewed the approach of the Roman Catholic Archdiocese and had used their statement of principles in respect of the ethical guidelines. The fund would start with a conservative £5m initially, which could be increased as and when appropriate. The policy will remain under review and will be responded to accordingly.

The Vice Chancellor spoke in favour of the Fund, noting that universities were faced

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with an effective reduction of the student fee (worth only an estimated £7,933 given the erosion of inflation) and it was necessary to have monies to fall back on should the HE landscape change. Not to have such a fund would not be good stewardship of University finances.

Members **APPROVED** the proposal for an endowment fund and the ToR and SIP. Members also **APPROVED** the appointment of Rathbone Investment Management as Investment Managers, and that Mr John Norbury and Ms Jean Ellis, be signatories to the agreement.

(iv) Student fees 2022/23

Members had received the Student Fees document. Although this largely repeats fee levels from last year there are a few exceptions. The Vice Chancellor noted that international fees had increased as the previously lower fees were seen as a sign that courses were of a lesser quality than those which charged higher fees.

Members **APPROVED** the Student Fees 2022/23 paper.

10. Audit and Risk Management

(i) Minutes of the meeting of Audit Committee held on 4th November 2021

Members had received the minutes of the meeting held on 4th November 2021 which were presented by the Chair, Dr Naylor.

(ii) External Auditors' Management Letter on the Accounts

Members had received the Management Letter from the University's external auditors.

Members **APPROVED** the External Auditors' Management Letter on the Accounts.

(iii) Management Representation Letter

Members had received the Representation Letter to the External Auditors which confirmed that Council has fulfilled its responsibilities.

Members **APPROVED** the Representation Letter.

(iv) Annual Report of the Internal Audit Service 2020/21

Members had received the Annual Report of the Internal Audit Service. Dr Naylor noted that no significant issues had arisen and the University had generally done better than those who were benchmarked against us. The overall opinion is that the University 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 2020/21

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Members had received the Annual Report of the Audit Committee which summarised the work over the academic year 2020/21. Dr Naylor noted that the report was no longer required but it has been retained as good practice.

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

(vi) Modern Slavery Statement

Members had received the Modern Slavery Statement for the last financial year.

Members **APPROVED** the Modern Slavery Statement.

(vii) Research Ethics Policy

Members had received the Research Ethics policy which had recently been updated and recommended for approval by the Council Standing Committee on Research Ethics. Members were reassured by the approach the University is taking in this area.

Members **APPROVED** the Research Ethics Policy.

(viii) Information Security Policy

Members had received the Information Security Policy. It was noted that this had been amended in light of changes in working approaches and increased security threats, particularly during lockdown.

Members **APPROVED** the Information Security Policy.

11. Staffing Committee

Minutes of the meeting held on 26th October 2021

Members had received the minutes of the meeting held on 26th October 2021 and the Report from the Chair of Staffing Committee which were presented by the Chair of the Committee, Ms Swinson. She noted the outcome of the recent UCU ballot which has resulted in three days of industrial action from 1st December. This could have been avoided if staff had wished to move out of collective bargaining, but as this would cause other problems, staff have so far decided to keep the status quo.

12. Council Standing Committee on Health and Safety

(i) Minutes of the meeting held on 28th October 2021

Members had received the minutes of the meeting held on 28th October 2021 which were presented by Fr Fallon. He noted that Covid continues to dominate discussions, and certain Council members receive daily updates. He commended all staff involved in processes to managed the pandemic, particularly given the low infection rate within the University community. All other elements of health and safety continue to be well managed; there were only three accidents reported in the last year due to most staff working from home and with students generally studying remotely.

(ii) Infectious Diseases Policy

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Members had received the updated Policy. It was noted that neither Covid nor influenza are listed as a notifiable or reportable disease.

Action: Mr Dykins to confirm whether Covid and influenza should be added

Members **APPROVED** the policy, providing that a satisfactory answer on Covid and influenza is received.

13. Students' Union (SU)

(i) President's Report

Members had received the Report which was present by Ms Priestley. She noted that, since the Vice President for Sports and Activities had resigned in August, the SU had continued with only two officers, distributing the VP duties elsewhere within the SU team. There have been a number of staff changes in addition to this, to better support students within the new structure, and all staff and officers have attended a number of training and networking events. Staff in new positions have all now been fully trained, including the President, who won a place on a programme aimed at both prevention and raising awareness of sexual violence in university communities.

The Freshers' Fare was a major success, with almost 2,000 attending and involving special visitors. The Fare was carefully monitored with an appropriate risk assessment and attendance monitoring. A large number of volunteers are currently being trained for initiatives such as Nightline. The SU now has a high-profile Trans Officer who has been working on a city guide specifically for students who identify as trans.

The SU has also been involved in different projects. More recently, Ms Priestley contacted School/Department Heads to facilitate talks on violence against females and individuals to promote personal safety which was very well received. At the beginning of November, the SU joined the COP26 march in Glasgow. Last week they were involved in the North West Violence Awareness Week which included a remembrance of victims of sexual violence, and there is also a campaign with John Moores University to promote personal safety particularly in light of recent incidents of spiking drinks and injecting sedatives. Dr Haughan confirmed that there had been a significant number of students with drinks spiked/victims of injections. She noted the poor response of the Merseyside Police to these incidents.

(ii) Financial Statements for year ended 31st July 2021

Members had received the financial statements for information. It was noted that these suggested that the SU was in a good position financially.

14. Senior Remuneration Committee Report

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

Members had received the Report from the Senior Remuneration Committee for both the Vice Chancellor and the Senior Team. The report was presented by the Vice Chair of Council who chairs both Panels (for the Vice Chancellor and Senior Team) who said that the report ensured that there was accountability and governance in relation to this area. She noted the exemplary leadership over the past year in a period of extraordinary

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challenge faced. She sent her congratulations to the team. She noted the agreed increments in salary and the increase in the Vice Chancellor's salary. Ms Swinson said that it was useful to have the report to understand the process.

Members queried whether the performance management methodology had any external verification and it was agreed that the Committee would consider building in some form of external assessment. It was noted that some of the terminology in the report required updating (e.g. PVC, Deans etc).

15. Any Other Business

Dr Haughan showed members a special plaque which the University had just been presented with to celebrate its efforts in supplying a Covid-19 vaccination centre for the people of south Liverpool. The plaque was presented by the Liverpool-based public service design agency, Capacity, and the three local Primary Care Networks (PCNs) who instigated the hub.

Professor Newport announced that he will retire in April, though he will continue to work to the end of the next calendar year on an ad hoc basis. Ms Gittins announced that she would be moving to another university. Members thanked both Ms Gittins and Professor Newport for their hard work and commitment to the University.