

Council

25 October 2022

- Present:** Joe Docherty (Chair), Joanna Barker, Jonathan Bewes, Kay Boycott, Leslie Ferrar, James Grierson, Michael Hampel, Alison Hastings, Denise Lievesley, Antony Long, Joe McGarry, Amir Michael, Cheryl Millington, Liadi Mudashiru, Karen O'Brien, Ari, Sadanandom, Corinne Saunders, Terry Toney and Jun Jie Wu.
- In Attendance:** Amanda Wilcox, Stephen Willis and Kelly Knapp (Minutes)  
Shaid Mahmood (minute No 14)
- Apologies:** Rebecca Askew, Colin Macpherson, and Nigel Perry

Minutes of a Meeting of Council held in the  
Lindisfarne Centre, St Aidan's College and via Zoom

**01. Welcome**

**Noted:** the Chair welcomed the University Secretary to her first Council meeting since joining the University at the beginning of the month.

**02. Declarations of Interests in relation to Agenda Items**

**Noted:** there were no declarations of interest.

**03. Minutes of Meeting held on 12 July 2022 (C/22/07 Confidential)**

**Approved:** the minutes of the meeting held on 12 July 2023.

**04. Matters Arising**

**Noted:** there were no matters arising.

**05. Action Log and Schedule of Business (C/22/08 and C/22/09 Confidential)**

**Noted:** the status of the Action Log and Schedule of Business.

**06. Chair's Business**

**Noted:**

- a) **Council Membership** – Janette Brown, who had observed Council since January and had become a member in August, had resigned. The Governance & Nominations Committee (GNC) would review the collective skills of Council at its November meeting in preparation of determining recruitment plans for a replacement Council member;
- b) **Chancellor Appointment** – the Vice Chancellor and Chair had met the preferred candidate, which had been a positive / productive meeting. Administrative and logistical aspects were being addressed in preparation for the Chancellor Appointment Panel to reconvene and make a formal recommendation to a joint meeting of Council and Senate followed by a meeting of Convocation. A formal announcement was envisioned before the end of the calendar year;
- c) **Deputy Vice Chancellor / Provost Recruitment** – the recruitment process was underway whereby an executive recruitment firm had been appointed and the role would shortly be advertised. The University Secretary would contact Council Members to ascertain interest in being involved in the process – either on the interview panel or part of a stakeholder group. Richard Crisp, Deputy Provost, would serve as acting Deputy Vice Chancellor / Provost until an appointment was made;
- d) **Council Feedback Survey** – Council Members were thanked for completing the survey and for providing feedback, which was generally positive. A summary of the Council responses would be shared with Members following the meeting. Separately, the Chair

would meet Committee Chairs to review / discuss responses prior to their presentation to GNC at its November meeting.

#### 07. Vice-Chancellor's Report (C/22/10 Confidential)

**Received:** the Vice Chancellor provide a verbal update on matters not reflected in the Report;

- a) the University had been successful in an Office for Students (OfS) competitive bid that had resulted in a £5.8 million grant for science equipment to be received over the next three years;
- b) Convocation had recently met and had been considered a very successful event;
- c) the recent University and College Union (UCU) ballot vote had resulted in agreement for further strike action over issues related to pay and working conditions as well as cuts to pensions. The ballot impacted over 150 universities across the country. A meeting was scheduled for November 3<sup>rd</sup> to determine what action would be taken with the earliest day activity could occur being two weeks later. The University was preparing mitigation plans with the aim of minimising the impact on students.

**Noted:**

- a) the Recruitment and Admissions Update continued to indicate a shortfall of international Postgraduate students, especially those from China and India, which was consistent with what other universities were experiencing;
- b) there had been a successful collaboration with the Durham Students' Union to help alleviate some of the cost of living crisis on students by providing financial and non-financial support;
- c) the University had fallen in rankings, especially those driven by citations;
- d) there had been recent activity related to student accommodation within the City that had created an environment of high levels of stress and anxiety in the student population. Letting Agents and Landlords had placed students in a position to make decisions regarding next year's accommodation shortly after arriving onto Campus. Students were faced with limited choices, increased rents, and decreased quality levels. The University had been working with Durham County Council (DCC) and Letting Agents to help mitigate the adverse effects of this annual occurrence, but continued to struggle to change behaviour within the private marketplace;
- e) the Partnership Agreement with Ushaw College had been renewed for an additional four years. The Executive Dean (Arts & Humanities) was managing the relationship and in light of the current cost benefit analysis, planned to meet with the College's Trustees to discuss alternative options.

**Agreed:**

- a) the Pro Vice Chancellor Colleges & Student Experience to update Council on student accommodation and plans to help alleviate issues in the future; **KOB**
- b) Council to be provided an update on the Durham University Maths School gauged against the original proposal that had been presented to Council; **KOB**
- c) Council to receive an update on arrangements with Ushaw College following conversations between the Executive Dean (Arts & Humanities) and the College's Trustees. **KOB**

#### 08. Update on the Sands

**Received:** the Vice Chancellor provided a verbal update on the proposed acquisition of the Sands building from DCC;

- a) October 31<sup>st</sup> had been agreed as the completion date with a number of University colleagues diligently working towards this deadline;
- b) due diligence had identified a number of statutory compliance defects, especially related to fire safety, that were being addressed;
- c) car parking still needed to be addressed and would be covered via a separate agreement;
- d) the education covenant had been capped at 15 years.

#### 09. Strategy Refresh: Emerging Findings

**Received:** the Vice Chancellor provided a verbal update on the Strategy Refresh and tabled a presentation (C-22-28);

**Noted:**

- a) the Strategy Refresh was based on a reflection of what had been achieved in the first five years of the ten-year Strategy and a confirmation of the focus for the next five years;
  - i. no material growth in student numbers and a focus on Postgraduates and STEM;
  - ii. more focused Science Strategy and Strategic Research Fund;
  - iii. leverage The Sands as a catalyst for increasing the Business School's rankings;
  - iv. a more inclusive wider student experience and a greater focus on employability;
  - v. consolidation of the College model whilst fulfilling student accommodation needs;
  - vi. global strategy awareness;
  - vii. Durham culture and student support;
  - viii. academic recruitment and promotion;
- b) the timeline for consultations with stakeholders and the resulting deliverables had been shared with Council. Executives were spearheading a number of workstreams and working towards the key milestones;
- c) implementation planning was underway that included an integrated planning process with a three year horizon;
- d) the next phase of fundraising by the Campaign Board, which was in the process of being defined, would help in the delivery of the refreshed Strategy as well as general fundraising activities undertaken by the Development and Alumni Relations Office.

**10. Senate Report**

**Noted:** the Senate report from its meeting on 11 October 2022.

**11. Durham Students' Union (DSU) Report****Noted:**

- a) cost of living was an issue for students and mitigation options had been and continued to be explored in partnership between the DSU, student representatives and the University;
- b) the DSU continued its involvement in national conversations to help address antisemitism on campuses;
- c) concern over a debate and the invited speakers scheduled by the Durham Union Society that was anticipated to draw student protests. The DSU was not supportive of the debate and was working with students to organise a counter-event that offered an opportunity for a topical, constructive debate to better represent academic free speech.

**Agreed:** Council to be updated as to the University's current policies and procedures related to freedom of expression. **AW**

**12. Modern Slavery Statement**

**Noted:** the Statement had undergone an annual update that had included an assessment of how the University compared across the sector. Once approved, the Statement would be published on the University's website.

**Agreed:** the Modern Slavery Statement 2022-2023.

**13. People Committee Terms of Reference****Noted:**

- a) the proposed Committee would be a committee of Council with responsibilities focused on staffing matters. Consideration for students who were also members of staff (e.g., Common Room Presidents) would be within scope;
- b) the Committee had been recommended as part of the Council Effectiveness Review (CER) and supported by Council. Certain aspects of the proposed Committee had also been referenced within the Senate Effectiveness Review (SER);
- c) the Committee's responsibilities would not overlap those of the Remuneration Committee;
- d) communications from and about the Committee – once constituted and following its ongoing activities – needed to be carefully managed.

**Agreed:**

- a) the constitution of a People and Organisational Development Committee and its corresponding terms of reference and delegated authority;
- b) to request GNC to consider the approach and methodology for the identification and selection of the appointed members of the Committee and to oversee the appointment process for the appointed members of the Committee: (i) three Lay Members of Council – one of whom to be Chair, (ii) One Member of Academic Staff, (iii) One Head of College, (iv) One Head of Professional Services (not on University Executive Committee), and (v) One Executive Dean.

**14. Reappointment and Recruitment of Lay and staff members of Council**

**Agreed:**

- a) the reappointment of Corinne Saunders as a member of Council for a second term of three years, ending 31 July 2026;
- b) the reappointment of James Grierson, exceptionally, to a third term for two years ending 31 July 2025;
- c) the conclusion of service on Council of Joanna Barker on 31 July 2023 following the end of her third term.

**15. Council Register of Interests**

**Noted:**

- a) the results of the annual refresh of the Council Register of Interests and Council Trustee Declarations and that there were no areas of concern;
- b) that the Council Register of Interests had been published on the University website.

*Shaid Mahmood joined the meeting for the following item.*

**16. Equality, Diversity and Inclusion (EDI) Annual Report**

**Received:** the Pro Vice Chancellor, EDI, provided a verbal update on the Annual Report and tabled a presentation (C-22-18);

**Noted:**

- a) the Report format aligned with the Strategy and would be reviewed / updated as part of the Strategy Refresh;
- b) significant progress had been made and further work had been defined in action plans;
  - a. the number of Athena Swan awards were to be commended;
  - b. a number of the Respect Commission recommendations had been implemented;
  - c. the University had received a Race Equality Charter Bronze award;
- c) there had been increased transparency as data continued to become available and/or was refined, which helped identify challenges and opportunities;
- d) the new People & Organisational Development Committee should help to further progress efforts;
- e) EDI faculty leads had proved to be very successful and offered a foundation for further work across the University.

**Agreed:** there had been a great deal of progress with more to get done; the Report was approved.

*Shaid Mahmood left the meeting*

**17. Senate Effectiveness Review: Final Report**

**Noted:**

- a) Council had initiated the SER that had been overseen by a Steering Group comprised of both Council and Senate members;
- b) the SER had been undertaken by Halpin which offered an independent assessment that linked back to the CER that had also been undertaken by Halpin;
- c) the SER Report offered a series of recommendations / suggestions. The SER Steering Group had drafted a supplemental report that proposed workstreams aligned to the key

- themes identified in the SER Report be established to progress the recommendations / suggestions;
- d) the SER Report and that of the Steering Group had been positively received and endorsed by Senate;
  - e) Senate wanted to ensure action plans and timelines were agreed and regular updates provided in order to avoid a lack of action being taken which had been an unfortunate result from the SER previously undertaken;
  - f) at its November meeting, GNC were scheduled to review the SER output in alignment with outstanding actions from the CER and Statutes Review to assess the overlaps and how best to progress the three initiatives going forward.

**Agreed:**

- a) recognition to all those involved in the SER and the important service they had provided to the University;
- b) the proposed workstreams (as noted in Section 8 of the Report);
- c) to request GNC to take forward the workstreams, provide a timeline for consideration, engage appropriately with Senate, and provide regular reporting to both Council and Senate.

**18. Finance Committee Report: 5 October and 11 October 2022**

**Noted:** the Finance Committee report from its meetings on 5 and 12 October 2022 that included a Chair's Note that provided a financial history and context to assist Council members in their decision making.

**19. Increase to the University's Revolving Credit Facility (RCF)**

**Noted:** Barclay's Bank had requested further assurance from Council to ensure relevant documentation and approvals were in place and that Council had been provided the opportunity to review the updated RCF agreement.

**Agreed:**

- a) confirmed that the borrowing by the University of up to the full amount of the total commitments is in the interests of and for the benefit of the University and is most likely to promote the success of the University for the benefit of the members as a whole and that such terms of, and transactions contemplated by the Agreement be approved;
- b) to authorise the Vice Chancellor and Chief Financial Officer to execute the agreement and associated documentation on behalf of the University.

**20. Audit and Risk Committee: 10 October 2022**

**Noted:**

- a) the annual external audit was progressing well and that a number of the recommendations from the previous year's audit had been addressed. The Auditors had been invited to Council's December meeting;
- b) the University had been awarded the highest rating, five stars, in the Health and Safety Assessment undertaken by the British Safety Council;
- c) technology continued to be a very high risk, especially cybersecurity, and therefore was an area the Committee actively monitored;
- d) the Strategic Risk Report had been refreshed to better articulate the risks in a more dynamic manner.

**Agreed:**

- a) the adoption of two new Strategy Risks: (i) Student Wellbeing (SR8); and (ii) Health and Safety Management System (H&S01);
- b) closure of one Strategic Risk: Pensions (SR7), with residual actions assigned to Strategic Risks – Business Model and Financial Sustainability (SR2) or People and Culture (SR3).

**21. Remuneration Committee Report: 12 October 2022**

**Noted:** the Remuneration Committee report from its meeting on 12 October 2022.

**22. Governance and Nominations Committee: 5 October 2022**

**Noted:** the Governance & Nominations Committee report from its meeting on 5 October 2022.

**23. Ethics Committee Report: 22 September 2022**

**Noted:** the Ethics Committee report from its meeting on 22 October 2022.

**24. University Academic Promotion Committee: 22 June 2022**

**Noted:** the University Academic Promotion Committee report from its meeting on 22 June 2022.

**25. Register of Sealings**

**Noted:** the document that had been sealed since Council's last meeting

**26. Business Agreed by Circulation**

**Noted:**

- a) **Head of Department: Accounting (Chair's Action):** Professor Amir Michael with effect from 1 August 2022 for a period of three years to 31 July 2025
- b) **Increase to the University's Revolving Credit Facility (RCF):** to increase the RCF with Barclays Bank from £25m to £75m and consent to the Chief Financial Officer to draw upon the RCF in line with operational requirements.

**27. Dates of Future Meetings**

**Noted:**

- a) the dates of future Council meetings: 6 December 2022, 30 January 2023 (Joint Senate and Council Meeting, 31 January 2023, 14 March 2023, 16 May 2023 and 11 July 2023;
- b) the Gifts Acceptance Panel had been reconstituted and its inaugural meeting was scheduled for 27 October 2022.