

Council

6 December 2022

- Present:** Joanna Barker (Chair), Rebecca Askew, Jonathan Bewes, Kay Boycott, Joe Docherty, Leslie Ferrar, James Grierson, Michael Hampel, Alison Hastings, Denise Lievesley, Antony Long, Joe McGarry, Amir Michael, Cheryl Millington, Liadi Mudashiru, Karen O'Brien, Nigel Perry, Ari, Sadanandom, Corinne Saunders, Terry Toney and Jun Jie Wu.
- In Attendance:** Richard Crisp, Laura Curran, Amanda Wilcox, Stephen Willis and Kelly Knapp (Minutes)
Tony Fawcett (Minutes 36 and 37); Debbie Watson and Katy Doherty from Grant Thornton (Minute 41); and Colin Bain, David Loudon and John Pritchard (Minute No 48)
- Apologies:** Colin Macpherson

Minutes of a Meeting of Council held in the
Lindisfarne Centre, St Aidan's College and Zoom**28. Welcome and Thanks****Noted:**

- a) the Chair had joined the meeting via Zoom and the Vice Chair would serve as Chair for the meeting;
- b) the Chair welcomed Richard Crisp, incoming Interim Deputy Vice-Chancellor and Provost, and Laura Curran, DSU Welfare and Liberation Officer, to their first meeting of Council;
- c) the Chair thanked Antony Long for his many years of service to the University and Council and wished him a long and happy retirement.

29. Declarations of Interests in relation to Agenda Items

Noted: the University Secretary declared an interest with regard to Minute 44.

30. Minutes of Meeting held on 25 October 2022 (C/22/30 Confidential)

Approved: the minutes of the meeting held on 25 October 2022, subject to amendment to reflect that Kay Boycott and Terry Toney were in attendance.

31. Matters Arising

Noted: there were no matters arising.

32. Action Log and Schedule of Business (C/22/31 and C/22/32 Confidential)

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

33. Chair's Business

Noted: there was no Chair's business.

34. Vice Chancellor Report**Noted:**

- a) the University had appointed Glen Whitehead as the new Director of Development and Alumni Engagement. He had 20 years' experience leading development teams, most recently at the University of Cambridge;
- b) the University had appointed James Crooks as the new Chief Information Officer who would join from University of Central Lancashire and report to the Chief Financial Officer;
- c) recruitment efforts were concluding for three new Heads of Colleges who would join the University at the beginning of the 2023/24 academic year;
- d) discussions with the University and College Union (UCU) regarding the next pay round would begin in December, which was earlier than planned, and should help minimise

- further industrial action in the short term. There had been immaterial impact to students as a result of last week's industrial action activity;
- e) a financial sustainability action plan had been initiated looking for efficiencies across the organisation. Department heads – academic and professional – had been asked to identify savings to non-staff operating costs and staff hiring has been restricted to essential posts;
 - f) the Pro-Vice Chancellor (Equality, Diversity and Inclusion) was scheduled to provide an update on the Race Equality Charter Action Plan to Senate at its next meeting in February 2023.

35. Senate Report

Noted: the matters discussed by Senate at its meeting on 22 November 2022.

Tony Fawcett joined the meeting for the next two agenda items.

36. Teaching Excellence Framework (TEF) Update

Noted:

- a) the OfS had updated the TEF requirements in October 2022 and the University was preparing its submission – based on quantitative and qualitative data – ahead of the 24 January 2023 deadline. The draft submission would be provided to the Vice Chancellor early in the New Year and then to University Executive Committee for review / approval prior to submission;
- b) the University was optimistic that its submission would result in positive outcomes.

37. National Student Survey (NSS) Analysis

Noted:

- a) the quality of teaching was consistently strong, but certain administrative aspects of academic study had been identified as areas for improvement;
- b) the University was assessing feedback from the Survey and developing an action plan for areas of improvement;
- c) student voice / engagement – especially related to policy making – was an area of focus and lessons learned from other institutions were being considered whilst maintaining academic integrity.

Tony Fawcett left the meeting.

38. Durham Students' Union (DSU) Report

Noted:

- a) student accommodation remained a concern that focused on the (i) quality of stock with a number of students residing in unacceptable living conditions; (ii) affordability of private accommodation; and (iii) limited availability that influenced quality and affordability;
- b) students assumed the University continued to over recruit and whilst the University committed to accommodate one-third of the student population, students were unclear if the University understood capacity within the private sector to accommodate the remaining student population;
- c) in response, it was noted that the University had not recklessly over recruited but had experienced an increase in student numbers in recent years as a result of unusual circumstances within the sector;
 - i. certain student groups had been granted a delayed start date that resulted in a wave of students arriving later in the academic year that had been misperceived by other students that the University continued to make offers after the start of the academic year and thereby was over recruiting;
 - ii. other institutions within the sector had also experienced an increase in student numbers which further strained supplies as students from neighbouring institutions also competed for local private accommodation;
- d) the University had not been prepared for the private sector's approach to release accommodation so early in the academic year nor had anticipated the increased rents. However, the University had reacted swiftly with increased funding sources / options for students;

- e) the University advocated nationally for additional student loans and grants as well as locally for Durham County Council (DCC) to collaborate with the University to help address the issues of quality and affordability;
 - i. available information on private rental accommodation in Durham was flawed in that certain smaller properties were not registered as student accommodation and thereby distorted supply figures;
 - ii. the pandemic saw a decrease in availability of these non-registered properties as landlords shifted them from long-term student lets to short-term lets;
- f) forthcoming changes to the Strategy would see the University committed to accommodate 45% of the student population in the City. Other modes of study (e.g., online) were also being explored to help alleviate the strain on student accommodation;
- g) the *Palatinate* Board had voted for the student newspaper to become independent, and a trademark application had been submitted. The newspaper had also been approached by a third-party offering funding for the newspaper to become independent. The DSU had countered seeking to retain the newspaper's trademark, history and archives. Alternative arrangements for the structure and oversight of the newspaper had also been proposed and were under discussion;
 - i. the DSU funded the student newspaper – funding had reduced in recent years for the print edition;
 - ii. student journalists perceive they had been censored / restricted by the University and DSU and sought more journalistic freedom;
 - iii. journalistic standards appeared to have fallen that resulted in a considerable amount of DSU and University staff time consumed to correct inaccuracies and respond to Freedom of Information requests;
- h) a recent referendum revealed student support for UCU industrial action, including marking boycotts, however, the number of students that responded to the referendum was low, around 1400, a small proportion to the wider student population.

39. Audit & Risk Committee Report

Noted:

- a) the matters discussed at the Committee's meetings on 17 and 28 November 2022 had included the Committee's scrutiny of certain regulatory reporting and assurances prior to submission to Council;
- b) the University was operating in a period of heightened risk that had resulted in an increased volume of business presented to the Committee which currently functioned with a limited membership. Efforts had been initiated to recruit additional Co-opted members with relevant subject matter expertise and conversations were ongoing between the Committee Chair, Council Chair and University Secretary to assess the Committee's membership, terms of reference, and ongoing support.

Approved: the Occupational Health and Safety Policy Statements and Arrangements.

40. Annual Assurance Reports

Noted: the assurance reports presented to Council that related to the general health of the University.

Approved:

- a) Prevent Accountability and Data Return;
- b) Research Integrity Statement

Debbie Watson and Katy Doherty from Grant Thornton joined the meeting for the next item.

41. Annual Financial Return

Noted:

- a) historically, documentation included in the Annual Financial Return had been reviewed by both Audit & Risk Committee and Finance Committee prior to submission to Council. This year Audit & Risk Committee had reviewed the (i) draft Annual Report and Financial Statements, (ii) draft Auditor's Findings Report, and (iii) draft Letter of Representation to

- Grant Thornton from Council; and Finance Committee had reviewed the OfS Financial Return Workbook (five year forecast) and Commentary;
- b) the audit had been appropriately planned and had progressed well but was running two weeks behind schedule. As a result, documentation remained in “draft” pending conclusion of Grant Thornton’s audit work related to (i) agreement on the valuation of certain assets on the Stockton campus, (ii) valuation confirmations from the Durham University Pension Scheme’s investment advisors, and (iii) finalisation of its technical review;
 - c) good progress had been made to address control weaknesses highlighted in Grant Thornton’s Audit Findings letter from the prior reporting period. Reaching agreement on management judgements and valuations had resulted in increased “back and forth” time consuming administration for this period, which was an area for future improvement.

Agreed: to delegate approval of the updated / finalised documentation comprising the Annual Financial Return to the Chair of Council, Audit & Risk Committee, and Vice Chancellor on behalf of Council, save that any material changes would require Council approval.

Debbie Watson and Katy Doherty left the meeting.

42. Update on In Year Financial Position

Noted:

- a) the projected summary financial position for 2022/2023 had materially changed from the three-year plan previously reviewed by Council in July 2022, and now projected an operating deficit for the Reporting period;

Closed Minute

43. Finance Committee Report

Noted: the matters discussed at the Committee’s meeting on 16 November 2022.

Approved:

- a) the Outline Business Case for refurbishment of Boldon House for a maximum project cost of £21.4 million;
- b) the release of £14.9 million to complete the Chemistry Refurbishment project;
- c) the release of £13.7 million to deliver the next phase of recommended projects within the Non-Residential Refurbishment Programme;
- d) the Residential Refurbishment Programme Phase 2 and the overall spend for the first year of the Phase Two programme up to £10 million;
- e) the re-packaged Financial Regulations and Financial Plan Owners map.

44. Governance and Nominations Committee Report

Noted: the matters discussed at the Committee’s meeting on 18 November 2022

Approved:

- a) a change to the membership of University Executive Committee to include the University Secretary as an Ex Officio member;
- b) a change to the membership of Estates & Infrastructure Sub-Committee (EISC) by expanding its constitution “to three members of Council, two of whom should be Lay members”;
- c) the appointment of Rebecca Askew to EISC;
- d) the recruitment of up to two Co-opted Members to Audit & Risk Committee and authorise the University Secretary to appoint an external recruitment agency, if necessary, for their recruitment.

45. Remuneration Committee Report

Noted: the Committee’s Annual Report

46. University Strategy Implementation Committee Report

Noted: the matters discussed at the Committee’s meeting on 17 November 2022

47. Campaign Board

Noted: the matters discussed at the Board's meeting on 19 October 2022

Colin Bain, David Loudon, and John Pritchard joined the meeting for the next item.

48. Strategy Refresh

Noted:

- a) the document provided was a "Green Paper" for feedback and discussion prior to a "White Paper" submission in the Spring;

Closed Minute

Agreed:

- a) the direction of travel reflected within the Strategy Refresh Green Paper;

Closed Minute

Colin Bain, David Loudon, and John Pritchard left the meeting.

49. Human Resources & Organisational Development Report on Key Staffing Matters

Noted: the report of key staffing matters.

50. Register of Sealings

Noted: the documents that were sealed since the last meeting of Council.

51. BiGGAR Economic Impact Assessment

Noted: the findings of the BiGGAR Economic Impact Assessment as commissioned by the University in 2020.

52. Dates of Future Meetings

Noted: the dates of future Council meetings: 30 January 2023 (Joint Senate and Council Meeting), 31 January 2023, 14 March 2023, 16 May 2023 and 11 July 2023.