

- Present:** Joe Docherty (Chair), Rebecca Askew, Navreet Badwal, Jonathan Bewes, Kay Boycott, Leslie Ferrar, James Grierson, Alison Hastings, Denise Lievesley, Dan Lonsdale, Amir Michael, Karen O'Brien, Nigel Perry, Philip Plyming, Ari Sadanandom, Corinne Saunders, Rob Senior, Mike Shipman, Terry Toney, and Junjie Wu
- In Attendance:** Freddy Fossey-Warren, Amanda Wilcox, Stephen Willis, and James Walsh (Minutes)
- Apologies:** Oliver Foster, Col Macpherson, Cheryl Millington, Liadi Mudashiru, and JJ Thakkar.

### Minutes of a Meeting of Council held in The Lindisfarne Centre, St Aidan's College

- 05. Declarations of Interests in relation to Agenda Items**  
**Noted:** there were no declarations of interest.
- 06. Minutes of Meetings held on 7 July 2023 and 12 September 2023 (C/23/03 and C/23/04 Confidential)**  
**Approved:** the minutes of the meetings held on 7 July and 11 September 2023.
- 07. Matters Arising**  
**Noted:** in relation to Minute 137, although there had been a delay to the signing of the final contract everything was proceeding with confidence.
- 08. Action Log and Schedule of Business (C/23/05 and C/23/06 Confidential)**  
**Noted:** in relation to the Action Log the following:  
a) in relation to 22/23-10: to approach the Chair of the Campaign Board about attending Council earlier than the last meeting in July 2024; **AW**  
b) in relation to 22/23-3: Council were keen to receive an update on progress of the arrangements with Ushaw College. Noting the University was currently helping St Leonard's School, by allowing them to use space in the College for students affected by the closure of the school due to the prevalence of RAAC concrete in school buildings.
- 09. Chair's Business**  
**Noted:** Omar Ahmed had resigned as a Council apprentice, citing work commitments. This was disappointing, as the commitment of the role had been highlighted during the recruitment process.
- 10. Vice-Chancellor's Report (C/23/07 Confidential)**  
**Noted:**  
a) the Pro-Vice-Chancellor (PVC) (Global) was overseeing the University's response to the situation in Gaza, with affected staff and students being offered appropriate support, with no issues of note arising on campus;  
b) in relation to admissions the following:  
i) although it was too early to provide precise admissions outturn data, the University was very close to its overall target;  
ii) at a granular level, there was a slight shortfall in home Postgraduate Taught (PGT) student numbers, although the Dean's Scholarship in the Faculties of Arts & Humanities and Social Sciences & Health, had helped improve PGT take-up;  
iii) overall the University had reduced the in-take of students, based on the same period 3-years ago, in order to bring student numbers closer to agreed targets.  
c) in relation to the marking and assessment boycott the following:

- i) the University expected that students would received confirmation of their final grades in November, following additional Exam Boards being held, with the Executive committed in providing a lessons learnt reflection to Senate;
- ii) in protecting students, the University had ensured that all continuing international students had met the criteria to remain in the UK for ongoing study, as regulated by the UK Visas & Immigration (UKVI) division;
- iii) nationally the UCU was about to ballot members in relation to further industrial action.
- d) during the current repair work to Castle, unforeseen additional strengthening work had been identified. Finance Committee would be advised of how the University proposed to maintain the Castle as a heritage asset;
- e) in relation to the Teaching Excellence Framework (TEF) Results 2023 the following:
  - i) the outcome was based on two judgements and although student outcome was gold, the student experience reduced the overall judgement to silver. This followed a similar pattern for several Russell Group institutions;
  - ii) the TEF judgement relating to student experience had been greatly influenced by the outcome to the National Student Survey, with Senate having a lengthy discussion about how this metric might be improved.
- f) in relation to Clearing the following:
  - i) although this was the first time in 10-years the University had gone through clearing, the stigma attached to the process had changed in recent years. Clearing was now seen as a valuable tool in managing enrolment targets, whilst balancing student numbers across all disciplines;
  - ii) analysis of student entry confirmed that Clearing had limited impact in widening participation, with the application of near-misses having a greater contributory factor.

**Agreed:** to schedule consideration of the response to the TEF outcome at a future Council meeting. **KO'B/MS**

#### 11. Senate Report (C/23/08 Internal)

**Noted:**

- a) in addition to a TEF discussion, Senate received a presentation on the increased focus on Postgraduate Research (PGR) students from the recently approved Strategy Refresh;
- b) UEC was continuing to review the situation regarding doctoral scholarships, recognising the continued economic challenges and the recent announcement to reduce the externally funded HRC fellowships.

#### 12. Students' Union Report (C/23/09 Confidential)

**Noted:**

- a) the Durham Students' Union (DSU) had re-engaged with the Durham Union Society (DUS), having been satisfied they would address criticisms of inclusivity. Although the DSU had placed the DUS on a 'one-strike' policy;
- b) in relation to student accommodation, the following:
  - i) the role of Council was not to direct the Executive;
  - ii) although queues for accommodation had been shorter than the previous year, greater concerns had arisen over the affordability of student accommodation;
  - iii) although the Student Lettings Code of Practice had been introduced, it was disappointing to note that several letting agents had not adhered to the Code. The University was committed to work with the DSU in improving the situation for students accessing housing from the private rental market;
  - iv) the five North East university Vice-Chancellor's had met with the Secretary of State for Education, raising concerns over the impact of the cost-of-living crisis on students, encouraging government assistance with student hardship funding.

**Action:** Council to be kept informed of strategic conversations relating to student accommodation rents. **KO'B/DL**

### 13. Modern Slavery Statement (C/23/10 Internal)

**Noted:**

- a) the University was required to produce a Modern Slavery Statement every year;
- b) following an internal audit, which confirmed the University were meeting minimum requirements, the University had undertaken a review to assess how it might go beyond the minimum;
- c) in relation to procurement processes, the University was working with Durham County Council under an initiative titled 'Durham Pound', which looked to support local businesses;
- d) in supporting small and medium enterprises, the University was working alongside businesses in helping them to meet the requirements of the Modern Slavery Statement;
- e) if the University found a contractor was in breach of the Statement, it would work them to highlight concerns and what was needed to meet the standards.

**Agreed:** to approve the Modern Slavery Statement for publication on the University website.

### 14. Audit and Risk Committee Report: 5 October 2023 (C/23/13 Confidential)

**Noted:**

- a) Audit and Risk Committee (ARC) carry out due diligence on the University's Risk Register and Risk Management Policy, but it was Council's responsibility to approve any changes and implementation of the new Policy;
- b) Council was keen to understand the University's risk appetite and whether there was a prevalence of Strategic Risks (SRs) where the target risk was greater than the residual risk;
- c) an overly cautious approach to risks, may impact on innovation. Although the success of a Wellcome Trust grant by the Deputy PVC (Research) was part of the work responding to improvements in research culture, an element of which was risk appetite;
- d) ARC were supportive of the tender to outsource the internal audit provision, with the process being led by the University Secretary;
- e) in relation to revised Strategic Risks the following:
  - i) following improvements to the University's position in the QS World University Rankings, ARC was recommending that the SR relating to brand and value be reduced in relation to the likelihood and residual risk score;
  - ii) SRs relating to IT and Governance, were recommended to be replaced with new SRs, which better reflected the changing risks in the two operational areas.
- f) in relation to the External Audit the following:
  - i) it was disappointing that there had been delays to the external audit, which had been caused by:
    - I) changes to the finance reporting system, which was deemed necessary to avoid a greater risk of system failure;
    - II) a historical decision taken in 2012 in relation to the University's Fixed Asset Register.
  - ii) the External Auditors were supportive of the University's approach. Although the consequence of the delay may require additional meetings of ARC and Council to sign-off submission to the OfS;
  - iii) any delay to reporting would need to be communicated to the OfS, although the University was unlikely to be the only institution looking to defer submission, with the OfS more likely to be favourable if consulted earlier and once;
  - iv) in relation to the University's Fixed Asset Register the following:
    - I) the decision was taken by a different Executive and subsequent audits had not identified a problem with the decision;
    - II) identifying the problem could be interpreted as positive to the processes which were now in place;
    - III) in strengthening Council confidence, it was recommended that the planned review of issues raised through the audit be independent of current and previous auditors.

**Agreed:**

- a) changes to the residual scores and archiving / introduction of Strategic Risks as recommended by ARC;

- b) the implementation of the Risk Management Policy;
- c) Council to be kept informed of the review into the issues identified through the External Audit.

**SW**

**15. Finance Committee Report: 4 and 24 October 2023 (C/23/11 and C/23/21 Confidential)**

**Noted:**

- a) in relation to Hild Bede the following:
  - i) Council were not yet being asked to make a decision on plans for Hild Bede, although a preferred partner for the development had been identified;
  - ii) currently development of the site remained challenging and the University was assessing if cash or land options would make the development more financially attractive;
  - iii) the current economic situation meant the funding model for the development had not been agreed, with a bond funded model unlikely to be viable therefore leaving the option of income strip funding as the current preferred model;
  - iv) Council would appreciate a detailed discussion on the Hild Bede development at a future or additional meeting, closer to the realisation of the launch of Gateway 4.
- b) in relation to the Summary 5-Year Financial Forecast 2023/24 to 2027/28 (C/23/12 Confidential), the following:
  - i) the document provided early sight of the submission due to the OfS in December 2023;
  - ii) noting discussion on the possible delay to submission to the OfS, the Chief Financial Officer confirmed that a late submission did not affect any borrowings the University had;
  - iii) there had been some improvement in the original Forecast submitted to the OfS, although the Executive continued to closely manage expenditure.

**Agreed:** to endorse the 5-Year Financial Forecast.

**16. Remuneration Committee Report: 19 July 2023 (C/23/17 Confidential)**

**Noted:** the report of items discussed at the Remuneration Committee meeting held on 19 July

**17. Governance and Nominations Committee Report: 3 October 2023 (C/23/14 Internal)**

**Noted:**

- a) in relation to Committee Memberships (C/23/15 Internal) the following:
  - i) there were several Council Members due to conclude terms of office and it would be helpful to consider succession planning for a number of key committee positions;
  - ii) the Chair of Ethics Committee had received a resignation from the Professional NHS Medical Practitioner. Noting the value the role added to the committee, a process had begun to find a suitable replacement;
  - iii) the University Academic Promotion Committee required updating as it included the former Executive Dean for the Faculty of Science.
- b) in relation to Council Register of Interests (C/23/16 Confidential), Members were asked to let the University Secretary know of any amendments.

**Approved:**

- a) changes to Committee Memberships as detailed in the report;
- b) subject to final amendments, the Council Register of Interests for publication on the University website.

**18. HR Report on Key Staffing Matters (C/23/18 Confidential)**

**Received:** the HR Report on Key Staffing Matters for information

**Agreed:** to clarify reference to the dismissal of the Vice-Provost Education Division.

**AW**

**19. Register of Sealings (C/23/19 Internal)**

**Received:** the Register of Sealings for information

## 20. Business Agreed by Circulation since Last Meeting

### **Noted:**

- a) 12 October 2023 - Covenant Release for land at Mount Oswald (C/23/20 Confidential): the outcome of which was subject to the developers being able to purchase the land from the current owners.