

Minutes of Council

18 March 2010

Present: Mr Denis Burn (Chair), Professor Tim Bond, Mr John Bramhall, Professor David Clarke, Mr Roy Cowap, Councillor Chris Davies, Ms Emma Di'Orio, Mr Colin Green, Professor Len Hall, Dr Sally Heslop, Ms Ruth Jackson, Ms Pru Lawrence-Archer, Mr Robert Massie, Mrs Dinah Moore, Mr Bob Morton, Mr George Morton, Dr David Newbold, Mr David Ord, Mr Owen Peachey, Mrs Cindy Peck, Mr Bill Ray, Ms Anne Stephenson, Professor Eric Thomas, Mr James Wadsworth, Professor Avril Waterman-Pearson and Mr James Wetz.

In Attendance: Mr Derek Pretty, Sir James Tidmarsh, Mr Patrick Finch, Mr Andy Nield, Ms Kelly Archer, Mr Guy Gregory, Professor Guy Orpen, Ms Sue Paterson, Ms Lynn Robinson, Ms Helen Galbraith

Apologies: Professor Paula Booth, Mr Chris Curling, Mr Ron Kerr, Mrs Cindy Peck, Mrs Cathy Waithe

1. Apologies for Absence / Announcements

1.1 The Chair welcomed colleagues to the meeting and noted the apologies received.

2. Minutes of the Last Meeting

2.1 CONFIRMED: The minutes of the meeting held on 5 February 2010.

3. Matters Arising and Actions Register

Matters Arising

(i) Students' Union – Membership of Council (CN 8.4 – 8.9 refer)

3.1 NOTED: That the final wording of Statute 15 had not yet been agreed. The Director of Legal Services was liaising with the President of the Union in relation to this matter and Council would be informed of the agreed wording in due course.

Action Register

3.2 Members had previously received a copy of the Action Register which had been updated to incorporate actions agreed at the Council meeting on 5 February 2010.

3.3 NOTED: That the Action Register items marked with an asterisk had either already been completed or were being dealt with accordingly.

4. Chairman's Report, Council Matters and Correspondence

Chair's Business

Nominations Committee of Council

4.1 RECIEVED: A report from the Clerk setting out the Nominations Committee of Council's recommendation that Mr Roy Cowap be appointed to the Chair of the Estates Committee in place of Mr Tim Stevenson, reference **CN/10/016** (previously circulated, copy in the minute book).

- 4.2 APPROVED: Mr Roy Cowap's appointment to the Chair of the Estates Committee with immediate effect to 31 December 2012.
- 4.3 NOTED: That the Head of Department vacancy left on the Personnel and Staff Development Committee following Mr Roger Deeks' departure, had been advertised to all Heads of Department. Two expressions of interest had been sent to the Chair of the Committee. Given the significant structural changes that the University would be dealing with over the coming years, and their likely significant impact upon personnel and personnel-related matters, the Chair felt that it would be helpful to the Personnel Committee's debates, for both applicants to join the Committee.
- 4.4 There had not been sufficient time between receiving the applications and the Council meeting to consult the Nominations Committee of Council on this matter, although the Chair of Council noted that all members of the Nominations Committee of Council were also members of Council and he, therefore, asked them to approve the appointments on behalf of both the Nominations Committee and Council.
- 4.5 APPROVED: (i) Professor Bridget Lumb's appointment to the Personnel and Staff Development Committee with immediate effect until 31 July 2012; and (ii) Professor Roger Middleton's co-option onto the Committee, also with immediate effect until 31 July 2012.
- 4.6 NOTED: That, due to increased time commitments resulting from the major reviews that were being undertaken across the University, Mr Derek Pretty would be resigning as Governor of the Board of the Merchants' Academy.
- 4.7 APPROVED: Ms Lynn Robinson's appointment to the Board of the Merchants' Academy as the University of Bristol's nominee in Mr Pretty's place.

5. Vice-Chancellor's Report

- 5.1 NOTED: The Vice-Chancellor's Report, reference **CN/10/017** (previously circulated, copy in the minute book).

Support Process Review (SPR) Update

- 5.2 The Registrar reported that during the past few weeks, he, supported by the SPR team had consulted widely with staff, the unions and faculties about changes proposed in the way that support processes were delivered across the University. All staff had been invited to attend one of a number of open meetings at which the Registrar had presented the proposed changes and delivered a question and answer session. Detailed information about the programme had also been posted onto the University website and staff and students had been invited to send feedback/ask questions. This feedback was being considered by the SPR team and would be used to inform and adjust the detail of the SPR plans where appropriate.
- 5.3 It was anticipated that the majority of re-organisation would take place during 2010-11 with new structures being fully in place by the target date of July 2011.

Employee Relations

- 5.4 NOTED: That the University was currently in negotiations with the Joint Consultative & Negotiating Committee (JCNC) in relation to the restructure and potential consequential redundancies within the University's Halls of Residence. In parallel, negotiations with the JCNC concerning proposed changes to the University's pension structures were ongoing.
- 5.5 The Chair thanked the senior team for their updates and confirmed that based upon the information Council had received, he was confident that the University was adopting a sufficiently rigorous and robust approach to managing costs and also to the various change programmes that were taking place throughout the institution.

Special Meeting of Senate

- 5.6 NOTED: That, following a request by 20 members of Senate, in accordance with Statute 20, a special meeting of Senate had been held on 8 March 2010. The key questions debated at the meeting had been:
- (i) Were the proposed funding cuts really unavoidable or were there realistic alternative approaches to finances which would better protect the academic mission and longer term sustainability of the University?;
 - (ii) What would be the likely impact on the University's academic mission of the decision to cut £9m (the equivalent of 120 academic posts) from Faculty budgets by July 2011?; and
 - (iii) If such cuts did proceed, could the University meet the assurance given to current students (in a letter from the Vice-Chancellor) that there would be no adverse impact on their education experience?.
- 5.7 Senate appreciated that the University was facing difficult times and that cuts in costs would need to be made. Concern was expressed that the extent of the proposed cuts could make it difficult to maintain the student experience and also that it might result in additional workload and stress for staff. The students had also expressed anxiety about the potential negative effects on the student experience and on the attractiveness of Bristol to future applicants.
- 5.8 The Vice-Chancellor reassured Senate that wherever possible the use of Voluntary rather than Compulsory Redundancy was the policy of Council and the senior management team, although he explained that he could not rule out the use of Compulsory Redundancy if all other options had been explored.
- 5.9 A number of suggestions were made about measures which might decrease the need for posts to be cut, for example: salary freezes; salary cuts; part-time working; and unpaid leave. The Vice-Chancellor reported that discussions about these possibilities were already occurring with the JCNC.

National Composites Centre (NCC)

- 5.10 The formal launch event for the NCC had taken place on 17 March 2010. The event had been well attended and the Steering Board had received a great deal of positive feedback about and support for the programme from attendees.
- 5.11 COMMERCIAL IN CONFIDENCE

5.12 COMMERCIAL IN CONFIDENCE

5.13 COMMERCIAL IN CONFIDENCE

Health & Safety Matters

5.14 A fire had occurred within an office in the HH Wills Physics Laboratory building. The Fire Brigade had extinguished the fire and concluded that it had been accidental and would not require any further action. The room was re-opened the following day.

Recent Grants/Awards

5.15 NOTED: Details of significant new research grants and awards secured by the University since the Council's last meeting in February 2010.

6. Financial Report

6.1 RECEIVED: A report by the Finance Director outlining the University's progress against its financial strategy, reference **CN/10/018** (previously circulated, copy in the minute book). The report set out the financial results for the period to January 2010 and full year forecast for 2009/10.

6.2 For the six months to January 2010, the operating surplus was £8.2m against a budget of £4.1m). For the full year, an operating surplus of £6.8m was forecast (pre voluntary severance/early retirement (vs/er) costs), against a budget of £8.2m. Further vs/er costs of £4m had been assumed for the year, which would give an operating surplus (post vs/er costs) of approximately £3m. Capital expenditure to the end of December 2009 was £15m with a full year forecast of £48m.

6.3 The University was continuing to examine options to increase investment returns on surplus cash (whilst maintaining an appropriate level of security). Finance Committee had approved the investment of up to £50m through EPIC Asset Management in a segregated portfolio of cash/certificates of deposit, government gilts and financial institution corporate bonds.

6.4 Finance Committee had also approved proposed changes to the investments currently managed by Sarasin, including the move from a segregated University of Bristol fund to a wider Sarasin pooled investment fund; and a change to the investment portfolio strategy which Sarasin believed would deliver improved returns.

6.5 The University of Bristol Pension Assurance Scheme (UBPAS) Trustee Board had considered the preliminary triennial actuarial valuation for the Scheme and had concluded that, based upon its review of the University's financial covenant, a recovery period of 20 years was appropriate and that it should seek additional deficit-related contributions from the University of approximately £5.6m pa. Finance Committee had instructed the Finance Director to seek to reach agreement with the Trustees on the basis of:

(i) accepting the basis of calculation of the funding deficit;

(ii) accepting the 20 year recovery period;

(iii) seeking a reduction in the level of proposed additional deficit-related cash contributions to reflect a slightly more optimistic view of the prospects for future investment returns; and

(iv) a flexible payment profile which would allow the University to advance the timing of additional cash payments, if it chose to do so.

6.6 The University had met with Union representatives and tabled its proposals to: (i) close UBPAS to both new employees and those who had to date declined to join UBPAS, and for such employees to provide pensions through a contracted in defined contribution pension arrangement; and (ii) to reduce the benefit structure of UBPAS to contain future service accrual costs at 14%. The Unions were considering the proposals and would respond in due course.

6.7 The University had now received the letter from HEFCE setting out its provisional grant for 2010/11. Initial analysis had indicated a shortfall of £800-900k against the level of funding that had been predicted. The funding levels would be confirmed by HEFCE in June 2010.

7. Matters for Discussion/Approval

Student Residences

7.1 RECEIVED: A report from the Registrar outlining progress made with the Student Residences programme, reference **CN/10/019** (previously circulated, copy in the minute book).

7.2 NOTED: That consultations had begun with staff and the trade unions about proposals to restructure the administration, catering and facilities management of the Student Residences. The proposed changes complemented proposals to provide consistent pastoral care across all residences and to clarify and strengthen the role of Wardens as the bridge between residences and the academic community. In parallel, discussions were proceeding with student representatives, as part of normal annual consultations about rent structures and levels. Students had been assured that any cost savings and additional income generated as a result of the changes would be reinvested in refurbishments and improvements to the residential estate.

7.3 The Chair of the Student Affairs Committee (SAC), Ms Cindy Peck, confirmed that SAC had been very supportive of the proposals, particularly for the provision of more consistent pastoral care.

Capital Investment Programme Board (CIPB)

7.4 RECEIVED: A report outlining discussions at the CIPB meeting on 14 December 2009, and the decisions that had, based on recommendations made by CIPB, been taken by the Vice-Chancellor, following advice from UPARC, and Finance Committee, since the meeting, reference **CN/10/020** (previously circulated, copy in the minute book).

7.5 NOTED: That Finance Committee had, in principle, approved the following funding:

(i) £3.2m to be spent over three years on the Secure Data Network project. This approval would allow the project to proceed into Stage 3 (tender).

(ii) £2.2m for the refurbishment of 1-9 Old Park Hill over three years.

(iii) £2.4m for the essential upgrade and refurbishment of the Hawthorns.

7.6 NOTED: That the Vice-Chancellor, on the advice of UPARC, had approved the following funding:

(i) £500k for improvements to student space within the existing Maths building with an intention for works to take place during the summer of 2010. This would be an interim solution whilst the future of the location of the Maths department was further considered.

(ii) £620k (+ VAT) for the purchase of a dual-beam microscope system and a three-year warranty. The purchase of this piece of equipment, which would be managed by the Interface Analysis Centre, had been endorsed by the Deans of Science, Medical and Veterinary Sciences and Medicine and Dentistry as a priority for equipment purchase in the current academic year.

(iii) £700k for the initial phases of refurbishment for Earth Sciences. Whilst the total costs of the various works requested were estimated at £2.85m, CIPB had agreed that a phased approach would be best. The £700k would fund the refurbishment of the Palaeontology laboratory and the expansion of a server-room, elements of the project deemed as the top priority by the Department.

7.7 NOTED: That CIPB had invited a Stage 1 case to be developed for the refurbishment of the top floor of 1 Priory Road to provide dedicated learning resource base for postgraduate students to underpin the bid to the ESRC for a Doctoral Training Centre. (Initial funding has been approved for scoping works).

Senate Report

7.8 RECEIVED: The report of the meeting of Senate on 22 February 2010, reference **CN/10/021** (previously circulated, copy in the minute book).

7.9 APPROVED: (i) Amendment to the General Regulations for First Degree Programmes in Modular Form with respect to maximum periods of study for undergraduate programmes as outlined in Annex A.

(ii) Minor revisions to the Regulations & Code of Practice for Research Degree Programmes to address 'desirable' recommendations made the Institutional Audit report as follows:

(a) Addition to the Regulations at Section 5.1: "A supervisory team, under the main supervisor, should be appointed. This will typically consist of the main supervisor and a second point of academic contact e.g. second supervisor or graduate tutor or equivalent. Each member of the supervisory team, and the student, should be aware of their respective responsibilities."

[Text replaces: "If a supervisory team is appointed, each supervisor, and the student must be aware of their respective responsibilities."]

(b) The integration of section 10 (Student complaints and appeals) and annex 7 (Academic appeal procedure for postgraduate research students).

- 7.10 APPROVED: The award of the title Emeritus Professor to the following Professors on their retirement:
- (i) Professor H E Kempson, School of Geographical Sciences.
 - (ii) Professor L M Ward, Norah Fry Research Centre.
- 7.11 APPROVED: The appointment of the following Visiting Professors:
- (i) Professor L E Lanyon, Professor Emeritus of the University of London, and Professorial Research Fellow at the RVC, as a Visiting Professor in the Faculty of Medical & Veterinary Sciences.
 - (ii) Dr D C Lathbury, Director of Process Chemistry at AstraZeneca, as a Visiting Professor in the School of Chemistry.
 - (iii) Professor E D Stern, Professor of Evaluation Research at Lancaster University, as a Visiting Professor in the School for Policy Studies.
 - (iv) Professor P Reason, retired Director of the Centre for Action Research in Professional Practice, University of Bath, as a Visiting Professor in the School of Economics, Management & Finance.
 - (v) Dr M J Cresswell, Chief Executive of the Assessment and Qualifications Alliance, as a Visiting Professor in the Graduate School of Education.
- 7.12 APPROVED: Adoption of the following titles for schools within the Faculty of Medicine & Dentistry with effect from 2010/11, arising from restructuring within the Faculty:
- (i) School of Clinical Sciences.
 - (ii) School of Social & Community Medicine.
 - (iii) School of Oral & Dental Sciences.
- 7.13 ADOPTED: (i) the Library Strategy 2009-16 as outlined in Annex B.
- (ii) The Research Governance & Integrity Policy as outlined in Annex C.
- (iii) The Policy on Dealing with Allegations of Bullying and/or Harassment of or by Students, as outlined at Annex D.
- 7.14 NOTED: The information outlined within parts B and C of the Senate Report:
- (i) Degree Congregation Timetable July 2010.
 - (ii) Timetabling of Teaching and Structure of the Teaching Year.
 - (iii) Supplementary Year to Support Students Taking Units/Programme Examinations at Later Attempts.
 - (iv) Annual and Dean's Reports.
 - (v) Carbon Management Plan.
 - (vi) Special Meeting of Senate.
- Strategic Performance Indicators
- 7.15 RECEIVED: A report on progress made against the objectives contained within the University Vision & Strategy 2009-16, through presentation of the relevant Strategic Performance Indicators, reference **CN/10/22** (previously circulated, copy in the minute book).

- 7.16 The paper built upon the SPI reports that had been presented to Council over the past three years but with some changes in approach. The format of the paper now accorded with the structure of the University's Vision & Strategy (rather than the balanced scorecard approach used in previous years). Reporting on the SPIs had now been combined with reporting more generally on progress against the priorities set out in the Vision & Strategy.
- 7.17 The Registrar reminded Council that SPIs were one of many tools that the University used to monitor and measure its progress and that the outcomes should be considered holistically alongside the University's other management information.
- 7.18 Council indicated that it was content with the revised format of the report and with the general direction in which the University was progressing in terms of its Vision & Strategy and associated key objectives.

Report from the Nominations Committee of Court

- 7.19 The Chair of Council gave an oral update on the discussions that had taken place at a Nominations Committee of Court meeting earlier that day. The Committee had confirmed that it would be looking to fill between three and four lay member vacancies on Council from 1 January 2010. It had identified a need to seek to appoint candidates with expertise in the areas of IT Strategy/Information Architecture, and/or communications and marketing. Furthermore, the Committee was very keen to appoint members who were from groups currently under-represented on Council, in particular, women and black and minority ethnic groups. The Committee had considered a number of recruitment channels and would be conducting more research into possible candidates before deciding to place any external advertisement. A further report would be made to Council at its meeting in May 2010.

Progress Report on UBU Documentation

- 7.20 RECIEVED a report from the Director of Legal Services and Deputy Secretary outlining progress with the preparation of documentation following the incorporation of the University of Bristol Students' Union as a company limited by guarantee, reference **CN/10/23** (previously circulated, copy in the minute book).
- 7.21 A draft tenancy for the Union's occupation of space in the Queen's Road Building had been prepared and was currently under discussion. The Working Relationship Group had been meeting monthly since October 2009 to identity issues and to draw up a Memorandum of Understanding for the future relationship between the University and the Union and this had proved to be a useful and positive exercise. The Conflict of Interest Policy for the Union Trustees had been completed and approved by the Unions Trustees on 17 December 2009.
- 7.22 Members noted that on 1 June 2010, the Union would lose its exempt status and would be required to register as a charity with the Charity Commission.
- 7.23 APPROVED: The new Education Act 1994 Code of Practice which had been drafted by the Secretary's Office in consultation with the Working Relationship Group (as set out in Annex A). It had been re-written to take into account the

incorporated status of the Union and the fact that its constitution was now set out in the Memorandum & Articles.

8. Matters for Formal Decision and Approval

Student Appeals, Complaints and Disciplinary Matters*

8.1 *See Reserved Business

8.2 *See Reserved Business

8.3 *See Reserved Business

Staff Grievances and Appeals against Dismissal

8.4 *See Reserved Business

9. Reports for Information

Chair Appointments Update Report*

9.1 *See Reserved Business

HEFCE Financial Memorandum (FM)

9.2 RECEIVED: A paper (**CN/10/27**) from the Finance Director outlining changes that HEFCE is proposing to make to its FM. The report had been issued as a consultation document and a copy of the University of Bristol's response was appended to the report. There were a large number of proposed changes, the most significant of which were: (i) replacement of the term 'designated officer' with 'accountable officer', and more significantly assigning HEFCE the right, in certain circumstances, to effectively require the removal of an institutions' Vice-Chancellor; (ii) fuller specification of the responsibilities and duties of the governing bodies and their members; (iii) introduction into the FM of requirements related to academic standards; and (iv) significant changes to the processes for approval/consent to long term borrowing by institutions – this was felt to be particularly relevant to Bristol given its Barclays borrowing facilities.

9.3 Bristol's response would be formally submitted to HEFCE and the outcomes of the consultation would be reported to Council in due course.

Annual Report of the Student Complaints Officer (SCO) 2008/09

9.4 RECIEVED: The Annual Report of the SCO, reference **CN/10/028** (previously circulated, copy in the minute book).

9.5 2008/09 was the ninth year of operation of the SCO role in the University and of the Student Mediation Service. The report presented a general overview of the year's caseload, including general recommendations from the SCO, together with statistical information drawn from the cases. There had been a large increase in the total number of cases compared to the previous year. The number of academic-related cases had doubled and the non-academic case numbers had remained constant.

9.6 2008/09 had been the first year of the review panel system. This had proved to be very effective in that of the 13 cases referred to the review panels, 11 had been dismissed/resolved at that point and only two cases had been put forward for Council's involvement/consideration.

- 9.7 Concern was expressed that the proportion of appellants from black and minority ethnic groups appeared to have risen quite sharply since the previous year, and that the University had not had sufficient resources to investigate the reasons for this increase to date. Council noted that although proportionally, the increase was significant, the actual numbers were very small and represented a very small proportion of the entire student body. It was, however, agreed that Mr James Wetz, who had initially raised this concern, would meet with the Director of Legal Services outside of the meeting to discuss this matter in greater detail. Council was assured that the University would continue to monitor these statistics closely and to flag up any areas of concern to the relevant committees and/or Council, and to take necessary follow-up action, as appropriate.

10. Committee Reports

Report of the Personnel and Staff Development Committee (P&SDC)

- 10.1 RECIEVED: An oral report from Mr Bob Morton, Chair, P&SDC, outlining key business items considered at the P&SDC meeting on 5 March 2010. The Committee had concluded partnership working and collaboration would be critical to the University's success in the longer term. It also noted that effective performance management systems were currently hindered by patchy and poor quality performance data and that this element would need to be addressed if the University was to achieve a sustainable pay and benefits situation. Overall, the Committee endorsed and supported the work that the University was undertaking in terms of change management.

Report of the Information Services and Systems Committee (ISSC)

- 10.2 RECIEVED: A report outlining key business items considered at the ISSC meeting on 25 February 2010, reference **CN/10/030** (previously circulated, copy in the minute book).

Report of the Student Affairs Committee (SAC)

- 10.3 RECIEVED: A report outlining key business items considered at the SAC meeting on 1 March 2010, reference **CN/10/031** (previously circulated, copy in the minute book).

Report of the Equality & Diversity Committee (E&DC)

- 10.4 RECIEVED: An oral report outlining key business items considered at the E&DC meeting on 11 February 2010, reference **CN/10/032** (previously circulated, copy in the minute book).

Report of the Ethics of Research Committee (EoRC)

- 10.5 RECIEVED: A report outlining key business items considered at the EoRC meeting on 3 March 2010, reference **CN/10/033** (previously circulated, copy in the minute book).

11. Any Other Business

- 11.1 Members were reminded of the importance of completing Equality Risk Assessments for new policies and/or activities. Anyone responsible for drafting new University policy/activities with equality and diversity implications should contact Tracy Brunnock, Equality and Diversity Manager, at an early stage in the drafting process for assistance and advice.

- 12. Dates of Next Meetings:** Friday, 7 May 2010; Friday, 2 July 2010

* Reserved Business