NEWCASTLE UNIVERSITY

COUNCIL

2 March 2015

Present: Mr Mark I’Anson (in the Chair), the Vice-Chancellor, Dr John Appleby, Ms Claire Boothman (President, Students’ Union), Mr Neil Braithwaite, Mr Mike Davison, Mr Jonathan Glass, Mr Robert Hull, Mr Stephen Lightley, Professor Neill Marshall (Acting Pro-Vice-Chancellor HaSS), Mr David Morris (Education Officer, Students’ Union), Mrs Heidi Mottram, Dr Ole Pedersen, Mr Paul Walker and Ms Vicky Wright.

In attendance: Professor Suzanne Cholerton, Professor Richard Davies, Professor Chris Day, Professor Steve Homans, Professor Tony Stevenson and Professor Nick Wright (Pro-Vice-Chancellors), Dr John Hogan (Registrar), Mr Richard Dale (Executive Director of Finance), Mrs Veryan Johnston (Executive Director of Human Resources) and Mrs Lizzie Taylor (Executive Officer (Governance)).

Apologies: Professor Deborah Henderson, Mrs Jacqui Henderson, Professor Tom Joyce, Mr Jeff McIntosh and Mr Simon Pleydell.

Dr John Hogan was not present for Minute 73, Point 5. Professor Tony Stevenson was not present for Minute 89.

M I N U T E S

68. DECLARATIONS OF INTEREST

No declarations of interest were received.

69. MINUTES

The minutes of the meeting of Council held on 8 December 2014 were approved as a correct record and signed.

70. MATTERS ARISING FROM THE MINUTES

There were no matters arising or outstanding actions from the previous minutes.

71. HEALTH AND SAFETY

Received an oral report from Mrs Veryan Johnston, Executive Director of Human Resources, on the current health and safety issues affecting the University.

Noted that at its previous meeting Council had been informed of an increase in the number of accidents and RIDDOR incidents during Quarter 1 of 2014-15 which ran counter to the downward trend witnessed in previous quarters.

It was reported that the results for Quarter 2 were more in line with the downward trend previously witnessed and were also lower than the results from the same period in the previous year which was to be welcomed. The process of close monitoring would be continued.

72. CHAIR’S BUSINESS

1. CUC Higher Education Code of Governance
The Chair drew members’ attention to the recently published CUC *Higher Education Code of Governance* which was tabled at the meeting.

2. **Council Briefing Sessions**

Council members were reminded of the forthcoming Council briefing sessions:

- 17 March 2015, 10-10.45am, room L5.18, King’s Gate, Reputation and Rankings delivered by the Pro-Vice-Chancellor Medical Sciences;

- 17 March 2015, 11-11.45am, room L5.18, King’s Gate, The Learning, Teaching and Student Experience Strategy: an overview of the key issues relating to this University delivered by the Pro-Vice-Chancellor Learning and Teaching.

Council members were asked to inform Lizzie Taylor if they planned to attend either of these sessions.

3. **Chair’s Cycle Challenge – Route des Grandes Alpes**

The Chair informed members that he had set himself the target of raising £60,000 to support the physical activity and exercise research carried out at the University’s Move Lab by cycling 700km across the Route des Grandes Alpes.

73. **VICE-CHANCELLOR’S BUSINESS**

Received the Vice-Chancellor’s report. Highlights of this report are discussed below.  
[Circulated with the agenda as Document B. Copy filed in the Minute Book.]

1. **Times Higher Education Insert**

A third insert detailing the University’s global research achievements was published in the *Times Higher Education* on 26 February 2015. Hard copies were tabled at the meeting.  
[Copied filed in the Minute Book]

2. **Mitochondrial Research**

On 3 February 2015 the House of Commons voted for a change in the law to permit the use of a pioneering IVF-based technique to reduce the risk of mitochondrial diseases. The House of Lords voted in favour of the introduction of new regulations on 24 February 2015. As a result of these decisions, it would now be possible to implement the research pioneered by Professor Doug Turnbull, Director of the Wellcome Trust Centre for Mitochondrial Research. Council recorded its congratulations to Professor Turnbull and his team on this achievement.

3. **Xiamen**

At the end of January Professor Richard Davies, Pro-Vice-Chancellor Engagement and Internationalisation, had met with the Chinese Ministry of Education (MoE) to clarify the requirements for the joint programmes to be offered in conjunction with Xiamen University (XMU). It had been established that the three joint educational programmes agreed and prepared by XMU and the University (NU) did not include enough NU delivery in China to be considered for ‘Joint Educational Institute’ (JEI) status, which had been the agreed objective. The three programmes also did not include enough NU delivery in China to be considered as ‘Joint Educational Programmes’ (JEP) in order to meet the requirements of the MoE. To increase the University’s level of delivery to meet MoE requirements would require changing the programmes, possibly having to identify new programmes and a
significant revision to the business plan and financial model. Discussions were ongoing but it was likely that the University's submission to the MoE would be delayed which would impact upon the start date for the programmes. The financial implications of the delay were considered to be minimal.

4. **FERA**

In the Vice-Chancellor’s Business Report on the 8 December 2014, Council was informed of a proposed joint bid to Defra in partnership with Capita, the UK’s leading provider of business process outsourcing and integrated professional support service solutions, who had approached the University to partner with it in a bid to win this business.

Capita’s bid was successful and prior to making the official ‘Preferred Bidder’ announcement (11 Feb 2015) the University was required to enter into Heads of Terms for a Joint Research Institute.

Part of the bid included a co-investment into the Institute whereby the University would provide an investment of £4.5m and the JV would match this. From the University, this investment would include appointments of academic posts in strategic areas that were of relevance to the Institute, Faculty PhD studentships and investment into farm infrastructure.

The Chair of Council, on behalf of Council, and Professor Stevenson as Acting Vice-Chancellor granted approval to the Executive Director of Finance to sign the Heads of Terms with Capita and also approved the commitment of a £4.5m investment over a five year period.

Executive Board would be considering the proposed establishment of a Research Institute at its meeting on 3 March 2015. As it would be necessary for the Research Institute to be established prior to the next meeting of Council, it was agreed that the Chair of Council would take Chair’s action to approve the establishment of the Research Institute at the appropriate time.

5. **Counter Terrorism and Security Bill**

The Government’s Counter-Terrorism and Security Act, has now been passed and places a duty on public bodies and universities, to have due regard to the need to prevent people from being drawn into terrorism.

UUK opposed the proposed terms from the statutory guidance which as drafted were felt to be unacceptable and unworkable. In particular they said that references to non-violent extremism must be excluded, and the guidance provisions must be risk-based and proportionate, and must not undermine institutional autonomy.

Debates continued in the House of Lords around the Bill and the proposed amendments to it. UUK briefed a number of peers and a range of helpful amendments were introduced including amending the Bill so it states that the statutory duty being placed upon Universities is subject to free speech provisions.

We await the guidance to be issued by the Secretary of State on the implementation of the Act.

74. **STRATEGIC RISK REGISTER SUMMARY**

Received:
(a) The full Strategic Risk Register Summary report from Dr John Hogan, Registrar, on behalf of Executive Board.

(b) As requested by Council at its meeting on 8 December 2014, a document detailing the University’s risk appetite was prepared which was endorsed by Audit Committee at its meeting on 28 January 2015. This document was submitted to Council for approval.

[Circulated with the agenda as Documents C & D. Copies filed in the Minute Book.]

Noted that:

1. The likelihood rating of strategic risk SR5A – Failure to maintain a financially robust pensions provision – had reduced from 4 to 3 due to the fact that the UCU had agreed to the proposed reforms of the Universities Superannuation Scheme (USS). This increased the likelihood of a reform package being agreed.

2. It was possible that strategic risk SR2C – Failure to achieve widening participation (WP) benchmarks and Access Agreement milestones – would need to be revised following the publication of the Office for Fair Access’ Strategic Plan for 2015-2020 which introduced tougher WP targets for institutions.

3. The paper on the University’s risk appetite noted that every risk which fell into the red or critical area of the risk matrix should be reviewed by Audit Committee on a regular basis to assess whether controls or treatments in place were adequate. Council was reassured however, that risks which fell into the green or low impact area of the matrix would not be ignored and would be kept under regular review by Executive Board.

Resolved that the Risk Appetite document (Document D) be approved.

75. INSTITUTIONAL KPI SUMMARY REPORT

Received the summary KPI report from Professor Tony Stevenson, Pro-Vice-Chancellor Planning and Resources, on behalf of Executive Board.

[Circulated with the agenda as Document E. Copy filed in the Minute Book.]

76. REPORT ON THE REF 2014 RESULTS

Received:

(a) A paper setting out the results from the REF 2014 from Professor Nick Wright, Pro-Vice-Chancellor Research and Innovation, on behalf of Executive Board.

[Circulated with the agenda as Document F. Copy filed in the Minute Book.]

(b) A presentation from Professor Nick Wright, Pro-Vice-Chancellor Research and Innovation, on behalf of Executive Board.

[Copy of the slides filed in the Minute Book]

Noted that:

1. HEFCE used the data from the Research Excellence Framework (REF) to determine annual ‘QR’ allocations. The amount of money each institution received was based on a ‘power-type’ calculation for each Unit of Assessment (UoA). A power calculation was determined by multiplying the Grade Point Average (GPA) achieved by a UoA by the number of staff submitted.
2. In the most recent REF some institutions were able to boost their performance by carefully selecting the staff who were submitted. It is thought that HEFCE would require all staff to be submitted in future rounds to prevent manipulation of the system.

3. Newcastle’s position in the rankings improved slightly but it was acknowledged that a greater improvement had been hoped for. In general, the position of northern universities had declined in the rankings, with the exception of Newcastle.

4. A number of the University’s UoAs had achieved a top 10 position in the rankings.

5. There had been strong performances across all three faculties and the good impact scores were particularly pleasing since the REF 2014 represented the first occasion when this factor had been measured.

Resolved that Professor Wright be thanked for an informative presentation.

77. UPDATE ON THE WORK OF THE ‘RAISING THE BAR’ STEERING GROUP

Received:

(a) An oral report from Professor Chris Day, Pro-Vice-Chancellor Medical Sciences, on behalf of Executive Board.

(b) The Terms of Reference for the Raising the Bar Steering Group.

[Tabled at the meeting. Copy filed in the Minute Book]

Noted that:

1. It was proposed to present a progress report from the Raising the Bar Steering Group to the joint meeting of Senate and Council on 27 April 2015.

2. The University’s position in the league tables had remained largely static and in order to bring about a significant improvement a change in culture was required.

3. A meeting had taken place with the three Faculty Research Deans and the Executive Director of Human Resources was to attend a future meeting to advise on the HR implications of the ideas being considered.

4. The need to increase the focus on the quality of the University’s research was acknowledged but, whilst doing this, it would be important to maintain the University’s reputation for high quality teaching.

5. The need to recruit star researchers was important but it was equally important for senior staff to be provided with sufficient support to allow them to fulfil their duties.

6. Any member of Council who wished to make representations to the Raising the Bar Steering Group was invited to contact Professor Day.
78. **FACULTY STRATEGIC PROGRESS REPORTS**

[Minute classified as ‘strictly confidential’. Copy filed in the Minute Book.]

79. **HUMAN RESOURCES STRATEGY: DRAFT ACTION PLAN**

Received the draft action plan to support the Human Resources Strategy from Mrs Veryan Johnston, Executive Director of Human Resources, on behalf of Executive Board.

[Circulated with the agenda as Document K. Copy filed in the Minute Book.]

Noted that the final version of the Human Resources Strategy Action Plan, which would include specific timescales, would be presented to Council in due course.

80. **CONFERENCE AND LEARNING CENTRE BUSINESS CASE**

[Minute classified as ‘commercial in confidence’. Copy filed in the Minute Book.]

81. **ARMSTRONG BUILDING PHASE 5 BUSINESS CASE**

[Minute classified as ‘commercial in confidence’. Copy filed in the Minute Book.]

82. **REPORT FROM AUDIT COMMITTEE**

Received a report from the meeting of Audit Committee held on 28 January 2015.

[Circulated with the Agenda as Document N. Copy filed in the Minute Book.]

Noted that:

1. It was noted that Audit Committee had considered a report on student complaints at its most recent meeting. The new CUC Higher Education Code of Governance recommended that Governing Bodies should consider ‘requiring that summary reports are produced and considered (at least annually) on student complaints and appeals, taking into account – where appropriate – the requirements of the Office of the Independent Adjudicator.’ Student complaints was an area which, in the past, had been delegated to Senate but it was suggested that, in future, Council should also receive an annual update. As a minimum, this could be included in the annual update report on the Learning, Teaching and Student Experience strategy but consideration should also be given to submitting an annual report to Council.

2. The Internal Audit report on student complaints had identified that there was insufficient separation of duties when handling complaints and that under current procedures there was no requirement for decisions (including compensation) to be reviewed and agreed by a second casework officer before being communicated to the complainant/appellant. Audit Committee had resolved that it would follow-up on the recommendations from the Internal Audit report in 12 months’ time.

83. **REPORT FROM UNIVERSITY/STUDENTS’ UNION PARTNERSHIP COMMITTEE**

Received a report from the meeting of the University/Students’ Union Partnership Committee held on 9 December 2014.

[Circulated with the agenda as Document O. Copy filed in the Minute Book.]

84. **REPORTED BUSINESS**
Received a report of action taken in accordance with agreed procedures, approved where necessary by the Vice-Chancellor on behalf of Senate and/or the Chair of Council on behalf of Council, and by other University bodies and Chairs.

[Circulated with the agenda as Document P. Copy filed in the Minute Book.]

85. **TRAC RESULTS 2013-14**

Received a report from Mr Richard Dale, Executive Director of Finance, on behalf of Executive Board.

[Circulated with the agenda as Document Q. Copy filed in the Minute Book.]

86. **ANNUAL REPORT FROM ETHICS COMMITTEE**

Received the Annual Report from Ethics Committee from Professor Tony Stevenson, Pro-Vice-Chancellor Planning & Resources and Chair of Ethics Committee.

[Circulated with the agenda as Document R. Copy filed in the Minute Book.]

87. **UNIVERSITY OF NEWCASTLE UPON TYNE DEVELOPMENT TRUST**

Received the Annual Report of the University of Newcastle upon Tyne Development Trust.

[Circulated with the agenda as Document S. Copy filed in the Minute Book.]

Noted that although not formally part of the University, the Trust’s function was to raise, receive and administer funds for the benefit of the University. The Trustees had requested that their Annual Report (an extract from the audited accounts recently filed with Charities Commission) be made available to members of Council. Further information could be obtained from the Development Trust Manager, Mrs J Catterall (email: jill.catterall@ncl.ac.uk).

88. **CHAIR’S CIRCULAR**

The Chair’s circular of routine business was sent to members on 19 January 2015.

**Approved business:**

(i) Governance Review 2015 Terms of Reference

**Items for information:**

(ii) Annual Monitoring Statement
(iii) Reported Business

89. **DEPUTY VICE-CHANCELLOR**

Reported that the University Statutes permitted the appointment of a Deputy Vice-Chancellor following the recommendation of the Vice-Chancellor and the establishment of a joint committee of Senate and Council.

Considered a report from the joint committee of Senate and Council regarding the appointment to a Deputy Vice-Chancellor post.

[Circulated with the agenda as Document T. Copy filed in the Minute Book.]

*Resolved that Professor Tony Stevenson be appointed to the role of Deputy Vice-Chancellor from 1 April 2015 until 31 July 2020.*