NEWCASTLE UNIVERSITY

COUNCIL

1 April 2019

Present: Mr Paul Walker (Chair of Council), Vice-Chancellor and President, Professor Caroline Austin, Mr David Bird, Mr Neil Braithwaite, Mrs Linda Conlon, Professor Nicola Curtin, Mr Mike Davison, Dr Stacy Gillis, Mr Jonathan Glass, Mrs Teresa Graham, Mr Jonathan Hall (Education Officer, Students' Union), Mr Stephen Lightley, Mr Jeff McIntosh, Dr Sara Maioli, Mr Raffaello Marioni (President, Students' Union), Ms Claire Morgan, Mrs Heidi Mottram (Vice-Chair of Council), Ms Dianne Nelmes, Professor Sir Michael Rawlins, Professor Julie Sanders (Deputy Vice-Chancellor), Ms Angela Woodburn and Ms Vicky Wright.

In attendance: Mr Richard Dale (Executive Director of Finance), Dr John Hogan (Registrar), Ms Abi Kelly (Executive Director of Corporate Affairs), Ms Adrienne McFarland (Executive Director of Human Resources), and Dr Simon Meacher (Governance Manager).

Mr Chris Walton (Assistant Director of HR, Health and Safety) attended for Item 1.3
Professor Richard Davies (PVC Global) attended for Item 2.1, 2.4 and 3.2
Mrs Jo Geary (NU London Project and Change Manager) attended for Item 2.1
Professor David Burn (PVC Faculty of Medical Sciences) and Mrs Jane Richards (Programme and Change Manager) attended for Item 2.2
Dr Mark Ferrar (Chief Information Officer) attended for Item 2.3
Dr Colin Campbell (Director of Strategic Planning) attended for Item 2.4
Professor Suzanne Cholerton (PVC Education) attended for Items 3.5 and 3.6

M I N U T E S

69. DECLARATIONS OF INTEREST

No declarations of interest were received.

70. MINUTES

Received the draft minutes of the meeting of Council held on 11 February 2019. [Circulated with the agenda as Document A. Copy filed in the Minute Book.]

Noted that: paragraph 1 on Widening Participation (Minute 58) was incomplete and should have read “The context for widening participation had changed significantly with the introduction of the Office for Students as the new sector regulator. Higher education institutions were required to compile Access and Participation plans at the point of registration with the Office for Students and at five-yearly intervals thereafter, as well as annual monitoring returns. The plans were required to detail a thorough and disaggregated self-assessment of access and participation for all under-represented groups across the whole student lifecycle.”

Resolved that, subject to the above amendment, the minutes of the meeting of Council held on 11 February 2019 be approved as a correct record and signed.

71. HEALTH AND SAFETY

a) Annual Health and Safety Report 2017-18

Noted that:
1. The University had a robust Health and Safety management system in place. An external HASMAP audit carried out in November 2017 had provided assurance of this. It had not yet been possible to compare the University’s performance other Russell Group universities as the data had not yet been published by the Universities Health and Safety Association.

2. Significant progress had been against the University Health and Safety Strategic Plan, however the possibility of reporting to Council on progress against strategic objectives earlier, within three months of the year end, would be investigated. Earlier sight of historical data would enhance the University’s ability to address emerging issues.

b) First Aid Provision (Minute 57, 11.2.19 refers)

Noted that:

1. Information was provided in response to a request by Council on the number of first aiders at the University. Numbers of first aiders required for a building was based on first aid needs assessments in line with Health and Safety Executive guidance. Staff leave, changes to roles and location moves posed challenges to the tracking and maintenance of coverage. A new health and safety management standard for first aid would be submitted to Health and Safety Committee for approval in June 2019.

72. MATTERS ARISING FROM THE MINUTES

There were no matters arising.

73. CHAIR’S BUSINESS

Noted that:

1. The recommendations from the External Review of Governance carried out by Advance HE had been considered in detail by a small working party. Council had received a document summarising the proposed actions which would be taken forward by the Registrar. These included an agreement in principle to work towards reducing the overall size of Council. Recommendations for how this might be done, subject to legal advice concerning the making of changes to the Statutes, would be brought forward to Council.

2. A new, more transparent approach to inviting interest in lay participation on university’s bodies including Council had been proposed. This would retain and broaden the current funnel approach to recruitment, encompassing an advertorial to be used in the regional press and launch of the University’s Engagement and Place Strategy.

74. VICE-CHANCELLOR AND PRESIDENT’S BUSINESS

Received the Vice-Chancellor and President’s report. Highlights of this report are discussed below.

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

Noted that:

1. Brexit

The University’s European Project Monitoring Group was continuing to direct activity to ensure the University was in the best possible position to adapt to implications of the post-Brexit environment. Approaches were being developed to protect student recruitment, student and staff mobility, research partnerships, funding and grants. University staff had also been
working through the Russell Group, Universities UK, local MPs and other international and national groups to highlight the impact of Brexit on our staff, students and research.

The University had secured 60 reciprocal arrangements with European partner institutions for student exchanges beyond 2020 should Erasmus+ cease to be available after the UK had left the European Union.

2. Student Recruitment

The Vice-Chancellor and President was chairing a fortnightly Task and Finish Group to address the University’s current student recruitment challenges. All developments to increase student recruitment for 2019, 2020 and beyond, focused on both increasing the volume of leads (prospective students) and the conversion of leads through the various stages of recruitment e.g. enquiry, offer, application, to registration.

3. QS Subject Rankings 2019

The QS Subject 2019 rankings, published on 27 February 2019, showing that the University’s rankings had improved in 9 subjects (Chemical Engineering, Mechanical Engineering, Electrical Engineering, Medicine, Modern Languages, Psychology, Dentistry, Business & Management, and Education); dropped in 2 (Biological Sciences, and Sociology) and remained the same in 16. Five subjects have been ranked for the first time in 2019 (Art & Design, History, Materials Science, Accounting & Finance and Development Studies).

4. Civic University Agreement

Newcastle was one of over 40 universities to commit to produce a Civic University Agreement in partnership with local government and other major institutions, which was aimed at helping universities to build on their work to contribute to the economic, social, cultural and environmental wellbeing of the places in which they were located.

5. International Student Barometer 2018

Overseas students continued to rank their experience and time at Newcastle very highly. The latest International Student Barometer results demonstrated a high level of satisfaction, with 92.5% of respondents stating they were satisfied and 95.6% saying they were happy at Newcastle.

6. Strength in Places

The North East Cluster for Healthy Ageing and Independent Living (NE-CHAIN) was one of 24 projects nationally to have won early stage funding of up to £50K to develop full-stage bids from the UK Research and Innovation’s Strength in Places Fund. The team behind the project will submit this bid to UK Research and Innovation in late 2019, with four to eight of the strongest set to receive between £10m and £50m each to carry out projects designed to drive substantial economic growth. NE-CHAIN will bring together community and volunteer groups, the NHS, care providers and Universities with businesses to cultivate the potential of the ageing market in Newcastle and the North East. The projects were selected for their potential to lead to significant economic growth.

7. Dean of Engagement and Place

Jane Robinson had been appointed as the University's first Dean of Engagement and Place with the title Professor of Practice, and took up her post on 4 March 2019. Jane was previously Chief Operating Officer at Durham University and Chief Executive of Gateshead Council, and would bring years of experience in the worlds of higher education and the public sector to her
new role. She had held positions in the cultural sector, including Director of External Relations at Arts Council England. Her focus would be to look at how the University’s world-leading research and expertise can be used to drive excellence, creativity and impact in the North East region and beyond.

8. **Executive Director of Human Resources**

The University had appointed Adrienne McFarland as its new Executive Director of Human Resources. Adrienne, who took up her position on 1 April 2019, was a Newcastle graduate and had been a lay member of Council since 2017. She resigned as a lay member of Council on the offer of appointment. She had held a number of HR and senior leadership positions in both the public and private sector.

9. **The Chancellorship**

The Chancellorship Working Group, chaired by Mr Antony Jones (Chair of Convocation), had met on three occasions to consider suggestions for the next Chancellor from the whole University community, including students, staff, alumni and lay membership of University committees. The Working Group would bring forward a recommendation to the joint meeting of Court and Senate on 10 May 2019.

10. **Campus for Ageing and Vitality**

The University had exchanged contracts and completed the purchase of the former General Hospital site on Thursday 28 March 2019. Finance Committee had agreed the detailed corporate mechanics for holding the land interest.

11. **Rubraca**

The monetisation transaction for Rubraca had been completed on 14 March 2019 with gross proceeds of $31m paid to the University. Net proceeds after fees and 40% share with contributors would be £13m, which would be used by the University to support ongoing development of teaching and learning facilities for students across the Faculties and to facilitate research.

12. **Sir Terry Farrell Building**

Executive Board had approved £3.9m of capital expenditure to establish a flagship University Centre around the archive of world renowned architect Sir Terry Farrell. Within the recently re-named Sir Terry Farrell Building (previously the Claremont Building) the Farrell Centre would include an urban room, exhibition spaces and study areas. It would enhance the University’s work in areas such as smart cities, urban futures, digital civics and spatial analytics – research and teaching priorities which stretch across all three faculties.

13. **Real Living Wage**

Executive Board had agreed to support the introduction of the Real Living Wage for all staff engaged directly by Newcastle University. This would involve reformatting the current grades A-C to reflect a starting salary of at least £9 per hour. The total number of staff impacted by the changes would be in the region of 500 FTE, and total cost of implementation had been estimated at £0.6m pa.

14. **Free Sanitary Products**
Following a proposal from the Newcastle University Students’ Union, Executive Board had agreed to provide free sanitary items across campus for students, becoming the first university in England to do so.

15. Gender Pay Gap

It had been misleadingly reported in the national press that the University’s bonus pay gender gap was 80%. The reports had not made clear that the reason for the gap was largely due to the effect of Clinical Excellence Awards payable to a number of our clinical academic staff, which was a national scheme outside the University’s control.

75. RISK MANAGEMENT

Received the strategic risk register summary report from Dr John Hogan, Registrar, on behalf of Executive Board.

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

Noted that:

1. The risk score for SR20 ‘Failure to maintain the academic and financial viability of Newcastle University London had increased. There had been an important review of the joint venture and the conclusions were being presented to Council later on the agenda.

2. Newcastle had been identified as a funded area in relation to Prevent. This was because of recent terrorist related activity and arrests in the region. The impact of this would be considered by the Internal and Regional Prevent Groups. In addition to this the government’s Prevent duty guidance for universities had been ruled unlawful by the Court of Appeal. The University policy on External Speakers had been amended following this ruling to ensure it did not obstruct freedom of speech.

3. A new risk had been added regarding the proposed Faculty of Medical Sciences restructure.

Council confirmed that it had received sufficient assurance that the risks facing the University were being managed appropriately.

76. NEWCASTLE UNIVERSITY LONDON

Received a paper from Professor Richard Davies (Pro-Vice-Chancellor Global) on behalf of Executive Board.

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

Minute classified as ‘strictly confidential’

77. FACULTY OF MEDICAL SCIENCES REVIEW

Received a paper from Professor David Burn (Pro-Vice-Chancellor Faculty of Medical Sciences), on behalf of Executive Board.

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

Noted that:

1. A review of shifts in the external landscape, internal performance and University-wide transformational initiatives as part of the new Vision and Strategy had led to a proposal to revise the academic structure of the Faculty and design a new professional services model to co-deliver the strategy. The Faculty needed to better position itself to make the most of opportunities for increasing tranches of research income; grow international student
participation, particularly with regard to postgraduate courses; improve the strategic planning of teaching; and improve the engagement of some Teaching and Research staff with teaching.

2. The Faculty aimed to establish visible international leadership in areas of research excellence that triangulated with extant and developing strengths, horizon scanning of the challenges prioritised by funders, and local and national healthcare priorities. This would largely be represented by centres of research excellence commonly crossing Faculty boundaries. Additional cross-cutting research themes would provide more explicit translation of research findings from laboratory into the wider population.

3. Following detailed engagement, communication and engagement with students, staff and external stakeholders, the proposed restructure had been approved by a majority of Senate at its meeting on 5 March 2019. A number of academic-related matters had been discussed at Senate would inform the implementation of the new Faculty structure. The target implementation date for the new structure was 1 November 2019.

Resolved that Council:

1. **Endorse the decision by Senate to approve the proposed academic structure and a new Professional Services delivery model;**

2. **Approve the recommended change in School name of Biomedical Sciences to School of Biomedical, Nutritional and Sport Sciences.**

78. **CYBERSECURITY**

Received a presentation from Dr Mark Ferrar (Chief Information Officer).

Noted that:

1. The University was vigilant towards external cyber-attacks which were designed to probe and exploit particular IT weaknesses and had as objectives network compromise and exfiltration of sensitive data.

2. The University experienced a small number of reported data breaches involving small numbers of people. The breaches were low risk and most often related to information being sent by email to an incorrect recipient (usually as a result of over-reliance on Outlook’s ‘autocomplete’ facility) or from files being attached or forwarded in error.

3. It remained troubling that some devices were excluded from vulnerability scanning and the forthcoming comprehensive Cyber Audit would aim to address this situation. Audit, Risk and Assurance Committee had asked the University to contract a third party to undertake the Cyber Audit, the report from which would be submitted to Council in due course.

4. An institutional IT Strategy was being developed and would be submitted to Council in due course.

79. **UNIVERSITY PERFORMANCE REPORT**

Received a paper from Professor Julie Sanders (Deputy Vice-Chancellor), on behalf of Executive Board.

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

Noted that:
1. At its meeting in June 2018 Council had endorsed a framework for monitoring the new University Vision and Strategy based on a small number of high-level indicators, the assessment of each of which would be based on underlying metrics, strategic risks and milestones. In December 2018 Council endorsed a draft suite of indicators for the Education Strategy and the Research Strategy. Since then, performance indicators for the remaining two strategies (Engagement and Place, and Global) had been developed.

2. Performance reporting had been streamlined with a reduction in the total number of metrics and integration of strategic risks and milestones to provide a more holistic overview of performance. Targets for the Engagement and Place and Global strategies would be finalised on the recommendation of the relevant sub-committees of Senate and Executive Board. A Performance Report would be presented to Council twice per year.

Resolved that Council approve the thirteen Key Performance Indicators and note that appropriate targets would follow where indicated.

80. REPORT FROM FINANCE COMMITTEE

Received a report from the meeting of Finance Committee held on 13 March 2019.

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

Noted that:

1. The Committee had considered the Quarterly Financial Report, noting that the overall surplus for the six months was £11.9m compared to a budget of £17.1m. The forecast for the full year was a surplus of £41.3m which includes net income of £13.1m from the monetisation of Rubraca royalties.

2. Operational performance at the half year was good and ahead of budget. Better than budget performance was expected in all areas other than SAgE where performance was forecast to be down as a result of a shortfall in tuition fee income.

3. The volume and value of research awards and new applications was down. Non-British staff leavers was becoming significant at 50 European Union staff down compared to this point last year, and there was concern regarding the impact of this on the delivery of research awards.

4. Home and EU undergraduate applications were down, but there was evidence that conversion activity was starting to have an effect.

5. The Committee had received presentations from two of the University’s investment managers, Baillie Gifford and Royal London Asset Management on their performance over the last 12 months and their future strategy. Oil and gas exposure within the University’s investment portfolio remained below benchmark.

6. The Universities Superannuation Scheme (USS) Trustee had completed the March 2017 valuation, and the scheme deficit had been confirmed at £7.5 billion, in which the University had an approximate share of £125m. Employee and employer contributions to the scheme deficit recovery would begin to take effect in April 2019. The impact on the University of the increases was c.£2m p.a. increasing to c.£10m p.a. University systems work and communications activity had started to implement the initial increase.

7. Finance Committee and Executive Board had agreed support for Universities UK’s draft proposal towards concluding the March 2018 valuation as a means of addressing recommendations made by the UCU/UUK Joint Expert Panel. If the March 2018 valuation was not concluded by 31 July 2019, the University would be required to make a balance
sheet provision, constituting an exceptional charge of £83m to staff costs in the 2018-19 income and expenditure statement.

81. INTO ANNUAL REPORT

Received a report from Professor Richard Davies (Pro-Vice-Chancellor Global), on behalf of Executive Board.

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

Noted that:

1. The report provided an overview of 2017-18 performance and 2018-19 recruitment for both INTO joint ventures: INTO Newcastle University and Newcastle University London.

2. In 2018, 19.87% (505 of 2,551) of the University’s International fee paying new entrants progressed to Newcastle University from INTO academic pathway programmes, contributing £8.9m in tuition fees (up from £7.6m the previous year). Total fee income from both new and continuing students previously registered on INTO academic pathway programmes was estimated to be £16.4m in 2018/19 (up from £16.1m in 2017/18), or 22% of international fee income (down from 23.1% the previous year).

3. The Independent Schools Inspectorate had carried out an Educational Oversight inspection of INTO Newcastle University in November 2018, with the centre achieving the highest possible grade of ‘Exceeds Expectations’.

4. As considered earlier on the agenda of this meeting, a strategic review of the Newcastle University London operation had taken place.

82. REPORT FROM NOMINATIONS COMMITTEE

Received a report from the meeting of Nominations Committee held on 8 March 2019.

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

Noted that:

1. The Committee had considered potential future Council members with relevant skills and experience who would make suitable replacements for the outgoing members and enhance the diversity of Council membership. A formal report regarding new appointments would be submitted to a future meeting of Council.

Resolved that Council:

1. Approve the re-appointment of Mr Jonathan Glass and Mr Stephen Lightley as members of Council from 1 August 2019 until 31 July 2022.
2. Approve the re-appointment of Mr Jonathan Glass as Chair of Audit, Risk and Assurance Committee from 1 August 2019 until 31 July 2022.
3. Approve the re-appointment of Mr Stephen Lightley as Honorary Treasurer and Chair of Finance Committee from 1 August 2019 until 31 July 2022.

83. REPORT FROM UNIVERSITY/STUDENTS’ UNION PARTNERSHIP COMMITTEE

Received a report from the meeting of University/Students’ Union Partnership Committee held on 10 January 2019.

[Circulated with the agenda as Document L. Copy filed in the Minute Book.]
Noted that:

1. The Committee had noted the improved turnout in the 2019 sabbatical offer elections, the University’s decision to provide free sanitary products to students on campus, and plans to hold the Newcastle International Changemakers of Tomorrow again in 2019.

84. ACCESS AND PARTICIPATION PLAN

Received a paper from Professor Suzanne Cholerton (Pro-Vice-Chancellor Education), on behalf of Executive Board.

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

Noted that:

1. The Office for Students (OfS) had published the requirements and planning process for the production of the 2020-21 to 2024-25 Access and Participation Plan, a formal requirement of registration with the OfS for all Providers wishing to charge Undergraduate Home fees above £6,165. The recommended deadline for submission of the University’s plan to the OfS was Friday 24 May 2019.

2. The Plan was required to detail the University’s Home (non-EU) undergraduate student numbers, together with a thorough and disaggregated self-assessment of access and participation for all under-represented groups across the whole student lifecycle. This must include application and entry rates for each group, and their progress post-entry in terms of retention, degree attainment and graduate level employment. The Plan needed to include the University’s ambition for change, the targets set (related to performance), the measures to be put in place to achieve the change and the investment required to deliver the Plan. There were no set expectations on the total amount of money the University should invest, although the OfS did not expect the level of investment in access to reduce, and the Plan needed to be adequately resourced to ensure it was deliverable.

3. The OfS had placed a much greater emphasis on institutional accountability and compliance, with an expectation of significant year on year improvement in performance against targets. Council, as the University’s governing body, was required to be engaged with the monitoring of performance and provisions of the plan.

4. Targets for inclusion in the plan would be finalised in the coming weeks, after consultation with the OfS.

Resolved that Council approve the University’s proposed approach to its Access and Participation Plan for the period 2020-21 to 2024-25.

85. ANNUAL STUDENT CASEWORK REPORT

Received a report from Professor Suzanne Cholerton (Pro-Vice-Chancellor Education).

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

Noted that:

1. There had been a steady increase in Formal Academic Appeals over three years, from 75 in 2015-16, and 92 in 2016-17, to 102 during the 2017-18 academic year. This was possibly as a result of more academic queries being concluded locally at Level 1 of the procedure within schools, with the student continuing to pursue their concerns to Level 2. The overall total of Level 1 appeals had increased from 264 in 2016-17 to 435 in 2017-18. This could be a result of the impact of Industrial Action which took place in the second half of the 2017-18 academic year, seeing more students questioning their results.
2. A total of 47 formal complaints had been received in 2017-18, which was an increase on the 33 received in 2016-17. Many of these were increasingly complex, taking a considerable amount of time to investigate. Factors beyond the control of the Student Progress Service had an impact on the timeliness of complaint outcomes, such as delays in responses from the complainant and school or professional service.

3. There had been a significant increase in the total number of PEC applications during 2017-18, from 9024 the previous year to 12704. The sizeable increase was due in part to a considerable number of students submitting a PEC application for a Board of Examiners' rating, possibly as a 'just in case' application. This may also have been exacerbated by the impact of the Industrial Action in 2017-18.

4. The number of cases referred to the Office of the Independent Adjudicator (OIA) was 12 in 2017-18, down from 13 the previous year. No cases had been justified, although 3 remained ongoing. Only 1 case had been partly justified, although this outcome was a result of the length of time taken to investigate the student complaint as opposed to a failure of the University to follow its own procedures. The OIA outcomes demonstrated that the University’s procedures were robust and fair and that no particular concerns had been raised in respect of cases reviewed by the OIA.

5. An Inclusivity Working Group had been established to help the University respond to the needs of trans, non-binary and gender-diverse students as a source of learning from complaints casework.

86. **ANNUAL REPORT FROM UNIVERSITY ETHICS COMMITTEE**

   Received the Annual Report from University Ethics Committee.
   
   [Circulated with the agenda as Document O. Copy filed in the Minute Book.]

87. **SUMMARY REPORT FROM SENATE, 5 MARCH 2019**

   Received a report from the meeting of Senate, held on 5 March 2019.
   
   [Circulated with the agenda as Document P. Copy filed in the Minute Book.]

88. **ACCEPTANCE OF DONATIONS**

   Received a report on proposed donations from The Barbour Foundation, The William Leech Charity, and Santander Universities UK.
   
   [Circulated with the agenda as Documents Q1-3. Copy filed in the Minute Book.]

   **Resolved that Council approved the acceptance of the donations.**

89. **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 R. Copy filed in the Minute Book.]

   Received a report on deaths recently announced by the University.

   **Council recorded its deep regret and sympathy for the relatives concerned.**

90. **DATES OF MEETINGS 2019-20**
Received the dates of Council meetings for the 2019-20 academic year.