10 MAY 2019

NEWCASTLE UNIVERSITY

COURT

Present: The Chancellor (in the Chair), Vice-Chancellor, Ms Parveen Akhtar, Mr Joe Carlebach, Mr Alan Clarke, Professor Suzanne Cholerton, Professor Richard Davies, Mr Andrew Davison, Mr Colin Fitzpatrick, Ms Hilary Florek, Mr David Flory, Mrs Olivia Grant, Bishop Christine Hardman, Professor Nigel Harkness, Mrs Jacqui Henderson, Mr Mick Henry, Mr Mark I’Anson, Mr Peter Johnson, Mr Antony Jones, Lord Frank Judd, Professor Eileen Kaner, Ms Abi Kelly, Professor Patrick Lavery, Mr Stephen Lightley, Mr Hector MacDonald, Mr Raff Marioni, Mr Richard Maudslay, Dr David Moffatt, Ms Heidi Mottram, Baroness Joyce Quin, Sir George Russell, Professor Julie Sanders, Mr Mark Scrimshaw, Sir Nigel Sherlock, Professor Mark Shucksmith, Mr Nitin Shukla, Mr Greg Smith, Ms Sarah Stewart, Dr Robert Teoh, Dr Ruth Valentine, Mr Paul Walker and Mr Rob Williamson

In attendance: Mr Richard Dale (Executive Director of Finance), Dr John Hogan (Registrar,) Ms Dajana Dzanovic (EU & International Research Funding Manager) for Item 4, and Mrs Yvonne Lee (Executive Assistant).

1. MINUTES

The Minutes of the meeting held on 9 October 2018 were approved as a correct record and signed.

(Circulated with the Agenda as Document A)

2. MEMBERSHIP

The Chair congratulated Councillor Nick Forbes, OBE and Dame Louise Robinson, who had both been recognised in the New Year Honours List for 2019. The Chair also congratulated Ms Lorna Moran OBE, who was installed as High Sherriff of Tyne and Wear for one year with effect from 25 April 2019.

Reported that:

Following the sad death of Miss Florence Kirkby, it is proposed that one of the lecture theatres in the Frederick Douglass Centre is named in her honour. It is proposed that the first meeting of Court to be chaired by the new Chancellor when in post is held at the Frederick Douglass Centre and it is intended that a small plaque unveiling ceremony takes place at the end of the Court meeting.

3. REPORTS FROM COURT STEERING COMMITTEE

Considered:

(a) First Report from Court Steering Committee

(b) Second Report from Court Steering Committee

(c) Third Report from Court Steering Committee
Resolved that:

Membership of Court, Court Steering Committee and Nominations Committee

Mr Rob-Williamson be re-appointed as a Lay Member of Court, Chair of Court Steering Committee and a Lay Member of Nominations Committee for a further 3 years with effect from 1 August 2019.

Lay membership of Court

i. The following members be re-appointed to serve on Court from 1 August 2019 until 31 July 2022, subject to their willingness to continue to serve:

   ii. Mr Andrew Davison
       Mr Colin Fitzpatrick
       The Rt Rev Christine Hardman
       Mr Peter Johnson
       Mr Hector MacDonald
       Ms Helen Mc Ardle
       Dr David Moffatt
       Mr Michael Stephenson
       Ms Hannah Underwood

ii. The following be appointed to serve on Court from 1 August 2019 until 31 July 2022, subject to her willingness to serve:

   Ms Funke Ambiola MBE, LLB, Newcastle University 1984. Director of Operations for Mishcon De Reya’s Dispute Resolution Business

iii. The following members be thanked for their service to Court:

   Mr Mick Henry
   Ms Sue Pearson
   Mr Bruce Shepherd

Honorary Fellowships of the University

Reported that:

(a) Court Steering Committee considered nominations for Honorary Fellowships but do not recommend anyone for the award at this time.

(b) As it is hoped that the award of Honorary Fellowships should be one of the first actions of a new Chancellor when appointed, nominations from particular areas representing a specific theme, perhaps in line with the background of the new Chancellor, should be considered.
Resolved that:

i. Court Steering Committee be given delegated authority to identify external candidates who would be appropriate for conferment of Honorary Fellowships when the new Chancellor is appointed and a date agreed for his/her inauguration.

ii. In the event of the new Chancellor not being available before the end of 2019, the conferment of Honorary Fellowships should be deferred to 2020.

4. INTERNATIONALISATION AND BREXIT

Received:

(a) A document summarising the points to be covered in the presentation on Internationalisation and Brexit.

(Circulated with the Agenda as Document E)

(b) A presentation on the University’s Internationalisation activities including response to Brexit from Professor Richard Davies, Pro-Vice-Chancellor, Global. Dr Dajana Dzanovic, EU & International Research Funding Manager, will be in attendance for this item.

Noted that:

Presentation

1. In the 2018/19 academic year, 1248 students from non-UK EU countries; 4.6% of the student population, studied at Newcastle University.

2. The University has 154 Erasmus+ student mobility partners in Europe.

3. In the 2019/20 academic year, the University has 395 outgoing Erasmus+ placements expected, 140 of those starting after 31 October 2019, which would be impacted by a no-deal Brexit.

4. In the 2017/18 academic year 12% of the University’s annual research income (£13m) came from the EU.

5. The University’s EU research project funding from 2014 to date totals €70m.

6. BEIS data released in October 2018 ranked the University 18th in the UK HEI sector and 54th in the EU/Global HEI sector for research funding from the EU.

7. At the present time the University has approximately 600 European staff.

8. If the Prime Minister’s Withdrawal Agreement is passed the UK will be eligible to participate in and receive funding from the EU’s Horizon 2020 programme until its completion at the end of 2020. In the event of no deal the UK will become a Third Country, so eligible to participate but not automatically receive funding from EU programmes. While the Government previously announced a UK Underwrite Guarantee, some EU grants seem not to be covered, with cost implications for the University.
9. If the Prime Minister’s Withdrawal Agreement is passed the UK will be eligible to participate in Erasmus+ until the end of the existing programme in 2020/21 and under the agreed Transition Period there would be no changes to migration rules until the end of 2020. In the event of a no deal European Commission Contingency Regulation would guarantee students on placement can complete their mobility in full and uninterrupted. However the Commission does not cover mobilities starting after the exit date. The Government currently underwrites Erasmus, but not necessarily those starting after exit day. The University’s no-deal contingency planning has agreed to underwrite Erasmus+ grants for 2019/20 and we are currently negotiating back-up agreements with European partners. So far 98 responses (of 154) have seen 36 agreements signed and 43 in the process of being signed; with the remainder preferring to wait or are yet to be confirmed.

10. The University currently employs 576 staff from EEA countries, representing circa 9% of our total workforce. There has been an almost 10% reduction in numbers of EEA staff since 2017, most notably in Research staff numbers which have dropped from 24% of total Research staff to around 19%.

11. The risks associated with the employment of EEA staff following Brexit include the UK becoming less attractive, a higher turnover of European staff, the possibility of a more onerous immigration system which does not favour Europeans and increased costs (including exchange rate moves).

12. The University is mitigating these risks through support – pastoral, financial and legal - for existing staff including networking opportunities; a greater recruitment effort and considering further options such as more relocation support and support for partners. The University will review its position on financial support once the new immigration system is known.

13. Potential business continuity impacts in a no deal scenario include difficulty sourcing business critical supplies to enable continuity of teaching and research, possible delays to transportation of goods, materials and research samples; the possible introduction of tariffs; loss of GBP resulting in cost increases and inability to attract labour; travel disruption including uninsured costs associated with extended stays; delays to repairing and servicing specialist equipment.

14. In terms of mitigation of these risks the University continues to liaise with the six northern region universities to share approaches and best practice; undertaking a business impact analysis to identify risks to teaching and research; working with suppliers and providers in terms of ring fencing stock and risk profiling; utilising the UUK risk register; ensuring unit local Incident/business continuity plans are current.

15. The University’s communication and engagement on Brexit includes regular updates via internal communications channels relating to support for staff, research, issues affecting our students (Erasmus+) and contingency planning; regular update events and EB lunches; bespoke communication for EU colleagues; a dedicated Brexit website for latest information and useful links.

16. The University is working with both UUK and the Russell Group to lobby and influence where possible and recently joined a U15 delegation to Germany to sign an open letter with German partners regarding the implications of no deal. In addition the University has recently provided written evidence on what a ‘No Deal Brexit’ would mean for the Science and Innovation community. We also provide relevant briefings for MPs.
17. The Vice-Chancellor has stated in a recent communication that “whatever Brexit arrangements are finally agreed, we are committed to ensuring our University continues to be a welcoming and vibrant place for everyone”.

Discussion

1. It is vital that the University Brexit team calls on the relevant expertise of lay members of Court, in particular those in the Commons and the Lords, who could potentially lobby Ministers and other key figures on behalf of the University.

2. In addition to working with other universities in the area, the Brexit team should also liaise with local industry to ensure that industrial partners lobby appropriate individuals and organisations in terms of the impact on the region of a no deal Brexit.

3. The University’s Vision and Strategy, together with its Sub-Strategies, include the objective of continuing to collaborate across Europe post-Brexit.

4. The University is considering the possibility of some kind of presence in Brussels post-Brexit and once the details of Brexit are finalised the University will respond appropriately and build on our existing links with key university partners in Europe.

5. The University should also build on the potential influence and collaboration in other areas of the world which could result from our overseas campuses. It was confirmed that the University had a meeting scheduled with the Foreign Office to consider this in the context of our campus in Singapore and the Government had allocated £110m from the Industrial Challenge Fund to build on overseas collaborations.

6. All of the University’s work to ensure international collaboration should take into account climate change issues and technology should be used as much as possible to reduce our carbon footprint.

7. A relationship with the international community is vital to enhance the quality of student life on campus and in terms of the complementarity of the UK/European/Global higher education institutions to enhance Teaching, Research and the student experience.

8. The University will need to respond to the global competition to attract staff from overseas post-Brexit and Human Resources colleagues are already reviewing our recruitment processes in this context.

9. It will be vital for the University to continue to lobby Chris Skidmore over the impact on the University of a no deal Brexit. It was confirmed that he had recently met with Russell Group Vice-Chancellors and was well-briefed and understanding of the issues facing the sector.

10. The University was encouraged to invite local MPs and Shadow Ministers to visit the University as they could usefully act as conduits to key figures in Government and Parliament.

11. It was confirmed that the University has responded to 5 parliamentary enquiries relating to Brexit and, together with the other local universities, regularly writes to local MPs regarding higher education issues.

12. The University continues to lobby the Government to ensure that overseas students are not included in immigration figures.
13. The effects of Brexit are already being felt in a lack of success for Horizon 2020 bids, despite current eligibility to apply. In addition, international schools in Spain, which routinely run university option events, no longer feature British institutions as viable options.

14. The University is working hard to respond to the challenges associated with Brexit and engaging with European institutions in the best way we can.

15. Some Centres of Research have been moved from the UK to Paris and other EU cities, including the Centre for Rare Diseases Research. The potential problem of lack of access to research data available in Europe could undermine UK Research and it was vital for the University to maintain and increase our collaboration networks.

Resolved that:

i. Professor Davies be thanked for his informative and thought-provoking presentation and that he be asked to pass on the thanks of Court members for the continuing hard work undertaken by the Brexit Team.

ii. Any member wishing to offer their expertise and advice should contact Professor Davies after the meeting.

5. VICE-CHANCELLOR AND PRESIDENT'S BUSINESS

Received:

A report from the Vice-Chancellor and President on current issues within the University.

(Circulated with the Agenda as Document F)

Noted that:

1. Through the work of the Student Recruitment Task and Finish Group, the University is working hard to address the current recruitment challenges and in particular to raise the number of firm acceptances following initial enquiries about study at the University.

2. In the QS Subject Rankings for 2019 the University 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. The importance of such rankings was stressed by the Singapore Government’s removal of the University from its approved Health Institutions list due to a drop in the ranking of our Medical Sciences subjects.

3. The University’s acquisition of the former Newcastle General Hospital site from the NHS Trust will build on the already successful work of our Campus for Ageing and Vitality and was made possible partly through a philanthropic donation from a Court member.

4. The strength of the Newcastle University Business School has been confirmed by the award of a further five-year accreditation for its MBA programme by the Association of MBAs (AMBA) in addition to official accreditation by the European Quality Improvement System (EQUIS).
5. The Faculty of Medical Sciences has been awarded Athena SWAN Silver status, with Bronze status achieved by the Business School, the School of Arts and Cultures, and the School of Modern Languages. These Schools join the Schools of English Literature, Language and Linguistics, Geography, Politics and Sociology, Computing and the School of Engineering as Bronze Award holders. The Faculty of Medical Sciences’ achievement is put into context by the fact that there are no Faculty Gold Award holders in the country.

6. The University has become a member of the Race Equality Charter to help to improve the representation, progression and success of minority ethnic staff and students within higher education.

7. The Realising Opportunities (RO) national participation programme is led by Newcastle University, involving 14 highly selective universities across England. RO has released ‘Improving access for the most able but least likely: Evaluation of the Realising Opportunities Programme’, a report which outlines the impact of RO in increasing the participation of under-represented students at research intensive universities (RIUs). The University has been ranked 2nd in the Country for our Widening Participation success and this is a testament to the hard work of all those who work in this area.

8. At a time of increasing challenge in terms of international recruitment, as already discussed during the Brexit agenda item, it is heartening to note that our overseas students continue to rank their experience at Newcastle University very highly, as evidenced by the high level of satisfaction demonstrated by the International Student Barometer (ISB) Autumn 2018 results, with 92.5% of respondents stating they were satisfied and 95.6% saying they are happy at Newcastle University. Satisfaction scores among international students are high across all the key areas of the international student experience: learning (91.5%), living (93.8%), support (93.2%) and arrival (92.2%). Newcastle University Students’ Union received a 97.4% satisfaction score.

9. Demonstrating the University’s commitment to partnership across national borders and academic disciplines, the University is to lead two Global Research Hubs, funded by UK Research and Innovation (UKRI); the only university to be awarded leadership of more than one of the Global Research Hubs. Over the next five years, the 12 interdisciplinary Hubs will work across 85 countries with governments, international agencies, partners and NGOs on the ground in developing countries and around the globe, to develop creative and sustainable solutions which help make the world, and the UK, safer, healthier and more prosperous.

10. Focussed on the University’s expertise in Ageing research, we will be working with community and volunteer groups, the NHS, care providers and other universities as part of the North East Cluster for Healthy Ageing and Independent Living (NE-CHAIN), one of 24 projects nationally to have won early stage funding of up to £50k to develop full-stage bids from UKRI’s Strength in Places Fund.

11. Professor Jane Robinson has been appointed as the University's first Dean of Engagement and Place. Jane brings a wealth of experience from former higher education, local government and cultural sector roles. Jane’s focus will 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. Following a visit the Vice-Chancellor and senior colleagues made last autumn to Pittsburgh University, Jane will be working on developing a global civic university partnership between Newcastle, Pittsburgh and an institution in South America.
12. The University has also appointed Professor René Koglbauer as the University’s first Dean of Lifelong Learning and Professional Practice. René will work alongside Jane Robinson and Professor Mike Capaldi, our Dean of Innovation and Business, to create stronger local partnerships and build on the social and economic contribution the University makes locally and internationally.

13. The University has appointed Newcastle Graduate and former lay member of Council, Adrienne McFarland as the new Executive Director of Human Resources.

14. Executive Board has agreed to support the introduction of the Real Living Wage for all staff engaged directly by Newcastle University. This involves 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 is in the region of 500 FTE, with a total cost of implementation estimated at £0.6m pa. A recent report in the national news had suggested that Newcastle University had one of the largest bonus pay gaps in the Country and it was confirmed that this related to NHS merit awards to clinical staff over which the University has no control. There is no gender bonus pay gap in the non-clinical staff category and the Executive Director of HR is working with other Russell Group institutions to ensure that our data is represented in the same way and less open to misinterpretation in future.

15. There have been many recent staff successes and those particularly highlighted were the Vice-Chancellor’s election to the Board of Universities UK, which will represent another lobbying route with a powerful Northern Voice; Professor Sharon Mavin, Director of Newcastle University Business School, who has received the award of Fellow of the Academy of Social Scientists; and the recently announced award of a Fellowship of the Academy of Medical Sciences for Professor Mary Herbert, Professor of Reproductive Biology in the Newcastle Fertility Centre.

Discussion

1. A question was raised following the recent press coverage of non-disclosure agreements, where the University had not been listed as a major user of such agreements. It was confirmed that here such agreements are generally only used as part of a standard severance package and not to cover anything up. It will be important to ensure that data regarding these agreements is presented in a way which will negate future misinterpretation by the media.

2. A question was raised regarding the University’s use of ‘Unconditional Offers’, a practice which has also attracted recent media attention. It was confirmed that the University does make ‘Unconditional Offers’ but they represent less than 3% of the total offers made. The University recognises the challenges of making these offers but has to engage with recruitment initiatives elsewhere in the increasingly competitive sector. Ideally, OfS guidelines issued throughout the sector would ensure a level playing field, but this would interfere with the autonomy of institutional strategies. This University takes a different approach to many other institutions who make ‘Unconditional Offers’ in making contextual offers tailored to under-represented groups of potential students as part of our Widening Participation activities.

3. An update was requested on the USS Pension Scheme, which had led to industrial action last year. It was confirmed that nationally post-1992 employers have agreed a 7% increase in the employer contributions. With regard to the University’s primary USS scheme, a revaluation was undertaken as at March 2018, but the Trustees are not accepting all of the recommendations from the Joint Expert Panel established to assist in building more trust
between the employers and the trade union. UUK are trying to find a way forward and a number of options are under consideration. It is likely that further contributions by both employers and employees will be required.

4. With regard to the Real Living Wage Policy, the necessity of a bonus culture was queried. It was confirmed that as part of the University’s annual review of non-clinical staff, an individual’s salary may be increased as a result of a sustained higher level of performance and/or taking on extra work on a fixed-term basis. The latter could lead to a one-off *ex gratia* payment. Equality, Diversity and Inclusion considerations always form part of this process.

5. In addition, while the University has introduced a Real Living Wage Policy, the necessity of ensuring our suppliers operate on the same basis was stated. It was confirmed that the University has established an Implementation Group to work towards Real Living Wage Foundation accreditation and the role of suppliers will be covered by this process.

6. The need for the number of new Deans being appointed was queried and it was explained that, as Newcastle University has a smaller Executive Board than many other comparator institutions, Senate and Council have questioned the capacity to deal with increasing workloads. The response to this was to establish University-wide Dean roles, with each reporting to a Pro-Vice-Chancellor. Some of these roles were given to existing staff who dedicate a percentage of their overall working period to the Deanship.

7. While the acquisition of the General Hospital site was welcomed, an update on progress in the wider context of the City and particularly the Newcastle Helix was requested. It was confirmed that it is intended to hold the next meeting on the Newcastle Helix site, where progress will be presented to Court. In addition, the University is working with the City Council and the NHS Trust under a new Governance Structure, to raise the profile of Science in the City.

6. **CHAIR AND DEPUTY CHAIR OF CONVOCATION**

    Reported:

    That as agreed at the October 2018 meeting of Court, the Working Group established to determine the process for the for the election of the Chair and Deputy Chair of Convocation has considered the issue on behalf of Court.

    Received:

    A report from Court’s Working Group with a recommendation for the election process.

    (Circulated with the Agenda as Document G)

    Noted that:

    1. Meetings of Convocation have not been well attended in the past and it was the wish of the Working Group to ensure that our global community of alumni, which is now around 220,000 individuals, felt included in the process for the election of the Chair and Deputy Chair of Convocation.

    2. The Working Group proposed a change to the eligibility criteria to ensure greater representation from the wider alumni community. Branch Societies in particular should be encouraged to nominate a candidate.
3. In addition the Working Group propose that electronic participation in the Convocation meeting itself would ensure that active overseas branches, such as in Hong Kong, were included and felt able to nominate someone.

4. A role description should be produced detailing the requirements for the role, for example the number of times the role holder will need to be physically present on Newcastle campus per annum.

5. The suggested eligibility criteria is that a candidate must:
   i. Be nominated by 10 individual members of Convocation (having sought permission of the nominee) OR
   ii. Be a member of the alumni who has served as a member of Court or Council or an Alumni Branch Board/Committee, OR
   iii. Be nominated by an Alumni Branch

6. The Working Group felt that this should encourage more nominations and give the opportunity to build a cohort of people that NU Advancement could work with and ensure the continuing involvement in alumni engagement of the unsuccessful candidates.

7. While the University has challenges ahead in terms of alumni engagement and more participation in the election process was welcomed, the approach suggested was seen as potentially elitist, advantaging people who have served on statutory bodies. All alumni candidates, no matter what their background or connection with the University, should be asked to get 10 supporters to nominate them.

8. The Alumni Consultative Group, before it was disbanded, already made use of electronic participation in meetings so this is not a new initiative.

9. This period, when a new Chair of Convocation is to be appointed could be the perfect opportunity for the successful candidate to work with the senior management of the University to undertake a comprehensive review of alumni relations going forward.

Resolved that:
   i. The Working Group be thanked for their efforts.
   ii. The process was approved, subject to the eligibility criteria being changed to require anyone wishing to stand for the role of Chair or Vice-Chair of Convocation to be nominated for the role by 10 individual members of Convocation as the only criteria to be used.

7. **PAST COURT PRESENTATIONS: UPDATES FOR MEMBERS**

Received for information a briefing paper updating Court on the presentation received by Court at its meeting in May 2017, delivered by Ms Lucy Backhurst and Professor Liz Todd on Widening Participation.

   (Circulated with the Agenda as Document H)
8. **HONORARY DEGREES**

Reported that:

(a) Honorary Degrees Committee invites nominations in writing for the following year’s Congregations. Any member of Court, Council or Academic Board or of the alumni present at meetings of Convocation at which the request for nominations is tabled, may make a nomination, and support for nominees for honorary degrees should be sought only from these bodies. Where several members make a joint nomination, one should be shown as the nominator and the others as supporters.

Principles for the award of Honorary Degrees outline the criteria for awarding honorary degrees and should be consulted before making a nomination.

(Circulated with the agenda as Document I)

The Committee welcomes nominees from a diverse range of backgrounds.

Nominations for 2020 will close on 3 June 2019. To make a nomination please complete an Honorary Degree Nomination Form.

(Circulated with the agenda as Document J)

(b) In recognition of his service to the University, The Chancellor will be awarded an Honorary Degree in a special valedictory ceremony on 18 July. Sir Liam has nominated two other exceptional individuals to receive awards during this ceremony; Dr Tedros, Director-General of the World Health Organisation and Kathryn Tickell OBE, an exceptional folk musician. Court members are asked to note the date with an invitation to follow in due course.

9. **ANY OTHER BUSINESS**

**The Chancellorship**

It was confirmed that the Chancellorship Working Group would continue its consideration of the potential candidates over the summer and bring a recommendation to the October meeting of Court, with Convocation to make the final decision at a meeting the following day.

**NU Advancement**

Following the item on alumni relations considered at the October 2018 meeting of Court, an update on this subject was requested at the October 2019 meeting of Court.

**European Elections**

All candidates should be made aware of the status of, and challenges faced by the University as a result of Brexit. As an educational charity, the University can only set out the issues in a politically-neutral way whilst stressing our continued solidarity with and support for our EU students and staff.
The Chancellor

As this was the last meeting of Court to be presided over by Sir Liam Donaldson, Court members and the Vice-Chancellor on behalf of the University, recorded thanks to Sir Liam for his service to the University and his Chairmanship of Court over the last 10 years.

Sir Liam confirmed that he had valued his time as Chancellor greatly and was particularly grateful to the talented and committed members of Court for their enthusiastic support of the University.

10. MEETINGS 2019-20

Reported that:

(a) The first meeting of Court will be held on 11 October 2019. The meeting of Court will be preceded by a joint meeting with Senate to consider a recommendation for the Chancellor. The Vice-Chancellor will chair both meetings.

(b) The provisional date for the second meeting of Court is 22 May 2020, subject to the availability of the new Chancellor. The new Chancellor will be asked to give an introductory address to this first meeting of Court.