

UNRESERVED MINUTES

THE UNIVERSITY OF LIVERPOOL

COUNCIL (1025)

MEETING OF THE COUNCIL

11th May 2016

Present: The President (in the Chair); the Pro-Chancellor, the Vice-Chancellor; the Deputy Vice-Chancellor; the Pro-Vice-Chancellor for Education; the Pro-Vice-Chancellor for Research and Impact; Mr J Haymer (Lay Officer); Dr A Scott (Lay Officer); Mr Chris Baker, Ms Carmel Booth, Dr P Johnson; Sir Colin Lucas; Dame Lorna Muirhead; Dr R Platt; Professor F Beveridge; Professor S Dawson; Professor R McGrath; the President of the Guild of Students.

Apologies: Mrs P Young; Mrs A Pointing; Dr F Marret-Davies.

Clerk to Council: Mr A Flett.

In attendance: Mr A Cond (Managing Director, Liverpool University Press), for item 4.1 *Liverpool University Press*.

DISCLOSURES OF INTEREST

1.1 Disclosures of Interest

Members of Council were invited to disclose any potential conflicts of interest they had in relation to items on the agenda. Any such conflicts are noted under relevant minute headings.

MINUTES/COMMUNICATIONS

2.1 Minutes of the Previous Meeting

AGREED:-

- i. The minutes of the meeting held 10th February 2016 should be approved as an accurate record.

2.2 President's Communications

- a. Action Taken on Behalf of Council Since the Last Business Meeting

ENDORSED:-

Revisions to the Guild's Articles of Association

- i. Amendments to the Guild of Students' Articles of Associations, on the recommendation of the Guild Liaison Sub-Committee.

Policy on Ethical Approval for Research Involving Human Participants, Tissues or Personal Data

- ii. An amended Policy on ethical approval for research involving human participants, tissues or personal data, on the recommendation of the Vice-Chancellor acting on behalf of Senate.

Policy on the Use and Storage of Human Material for Research Purposes

- iii. A Policy on the Use and Storage of Human Material for Research Purposes, on the recommendation of the Vice-Chancellor acting on behalf of Senate.

Membership of Animal Welfare Committee

- iv. The appointment of a named individual to the Animal Welfare Committee for the period from 1st March 2016 to 28th February 2017.

2.3 Vice-Chancellor's Communications

a. Liverpool Medical Students' Society

RECEIVED:-

- i. A letter from LMSS Officers, addressed individually to Council members.
- ii. A letter from three eminent alumni, who had recently met with Professors Bob Burgoyne (EPVC for Health and Life Sciences) and Blair Grubb (Associate PVC Education, Health and Life Sciences)

REPORTED:-

Since the February meeting of Council:-

- i. LMSS had remained active:-
 - Maintaining a presence on social media and continued a wider media campaign;
 - Seeking a vote of no confidence in the President of the Guild;
 - Registering themselves as a private company limited by guarantee;
 - Seeking to base itself at the Liverpool Medical Institute;
 - Engaging with alumni to seek support for their reinstatement, including asking for financial donations to support a potential judicial review;
 - Holding elections for new officers for 2016/17.
- ii. In late February/early March there had been correspondence between seven eminent alumni and collectively the VC, the President of Council and the Pro-Chancellor.

- iii. The seven alumni had written seeking in support of LMSS. The reply had made clear why the University felt unable to do this, and included an offer to meet with the group to provide further detail that was not in the public domain, and to ask their advice in setting up a new, inclusive society for medical students. Three of the seven met with Professors Bob Burgoyne (EPVC for Health and Life Sciences) and Blair Grubb (Associate PVC Education, Health and Life Sciences) on 21st April.
- iv. It had come to the University's attention that LMSS had approached the Liverpool Medical Institution with a view to closer links, and to using the LMI as a postal address/accommodation. As part of these discussions, a draft constitutional document had been forwarded to LMI. This had been shared with the University by permission of the LMI's Strategic Management Committee, and suggested that the Society's attitudes remained unchanged.

NOTED:-

- v. The letter from LMSS Officers apparently represented a change in tone. However it was unclear what the purpose of the letter was. One possible interpretation was that LMSS wished to remain independent in its newly incorporated form, but also receive recognition from the University. This would do nothing to address the Society's relationship with the Guild, and would allow the Society to continue to be unaccountable to any organisation other than itself while benefiting from association with the University. This would significantly increase the risk of reputational damage to the University.
- vi. There were also doubts as to the sincerity of the letter, and the accuracy of its content. For example, despite LMSS Officers' claims in the letter to have met with the incoming President of the Guild and agreed an action plan, it was understood that this meeting had been informal, with the incoming President acting as a private individual, not making any commitment, and having no awareness he would be cited in formal representation as supportive. Moreover, no action plan had been agreed.
- vii. There had been no attempt by LMSS to address any of the other outstanding actions arising from the review, for example putting itself under the auspices of the Guild.
- viii. LMSS's website presented the Society as a registered charity when this was not the case. LMSS also continued to claim, through a variety of media, to be the official society for students of the University's Medical School.
- ix. Further investigation of the Articles of Association for the LMSS private limited company, held at Companies' House, would be undertaken.

AGREED:-

- x. The University should continue with its plans to consult with students over the establishment of a new, inclusive society Medical students.

- xi. The alumni and LMSS officers should be written to explaining Council's decision and inviting them to contribute to this establishment of a new society as individuals, subject to their acting within the values of the University and the Guild.
- xii. The University should now seek to be more proactive in addressing instances in which LMSS continued to claim or imply association with the University.
- xiii. All student societies should be regulated through the Guild or Athletic Union as appropriate. A report should be brought back to Council outlining the extent to which this was currently the case, and steps to be taken to remedy this situation. In principle, all societies should be affiliated to the Guild/AU by the end of next session.

Secretary's Note

Following the meeting additional material was circulated to members, as follows:-

- additional written information regarding the documentation discussed in the meeting;
- a chronology of events leading to this point;
- draft letters to the LMSS Officers and the alumni group.

Members endorsed the letters, which were sent 25th May 2016.

b. VC's Engagements

REPORTED:-

- i. Since the last meeting of Council, the VC had visited, met with, hosted or attended meetings regarding the following:-
 - SUHF/TMP Swedish Vice-Chancellors 7-8 April
 - SMT Strategic Away Days 11-12 April
 - Strategic Dialogue Dinner with Liverpool City Council 12 April
 - HEGlobal Advisory Board, UK HE International Unit 14 April
 - ECU Board 14 April
 - UK Science Doesn't Need the EU - Science Council Debate for UUK 14 April
 - National Nuclear Laboratory (Paul Howarth, Andrew Sherry & Richard Taylor) 18 April
 - Meetings with Claire Durkin/BIS 20 April
 - Lord Jim O'Neill, Commercial Secretary, HM Treasury 20 April
 - HEFCE Diversity Summit 21 April
 - 30% Club - Higher Education Seminar 21 April
 - Visit to University of Pretoria, Republic of South Africa 29 April
 - Going Global, Cape Town 3-7 May
 - Guild Awards 9 May
 - BBC EU Breakfast Debate at Jodrell Bank 10 May

FOR DISCUSSION

3.1 Liverpool University Press

RECEIVED:-

- i. A presentation on Liverpool University Press and its plans for the future.
- ii. A report documenting Liverpool University Press' financial performance and making proposals for future reporting arrangements.

REPORTED:-

- iii. Liverpool University Press had been very successful in recent years. Sales had almost doubled in the 6 years from 2008 to 2014. While they fell by 10% in 2015, this still represented a total sales growth of 75% over the 7 year period. This fall was attributed to changes in the US market, and LUP were now working to respond to this.
- iv. After incurring a loss of £285k in 2008, growth in sales and the management of costs resulted in a return to surplus in 2010. LUP has consistently generated surpluses every year since. Cash holdings have increased to over £400k as at 31st July 2015.
- v. The Press enjoyed a mutually beneficial relationship with the University's academics, and supported the institutional Impact agenda.

NOTED:-

- vi. LUP contributed to the wider life of the University by offering placements to students interested in a career in publishing.

AGREED:-

- vii. LUP should provide 3 Year Plans as part of the University's Planning and Performance Cycle.
- viii. LUP should provide an annual report to Council as part of the approval of the financial statements.
- ix. Future appointments to the Board of LUP should be approved by Council on the recommendation of Nominations Committee.
- x. A scheme of delegation should be developed identifying those LUP matters reserved to Council as the sole shareholder, and those devolved to the Board.
- xi. Anthony Cond should be congratulated on the LUP's success, and thanks should be expressed to him for his contribution.

ITEMS FOR APPROVAL OR NOTE

4.1 Access Agreement: Entry 2017/18

RECEIVED:-

- i. The University's Access Agreement for 2017/18.

REPORTED:-

- ii. The University planned to invest £1.13m in access related activities, and £9.8m in bursaries and scholarships to the widening participation cohort.
- iii. Expenditure on activities and resources aimed at Student Success and Progression would be increased to £737k in total.
- iv. Following a review of the support provided by comparator universities, the decision had been taken to maintain levels of financial support for those students with household incomes below £25k, whilst reducing the support provided to students whose household income was above £25k.
- v. For 2017/18, all students with a household income of up to £25k would receive a £2,000 bursary.
- vi. Students whose household income fell between £25k and £35k would receive a bursary of £750.
- vii. Additional financial support would no longer be offered to students whose household income falls between £35k to circa £42k.
- viii. Such expenditure, combined with expenditure in outreach and student success would see the University's total overall investment in Widening Participation stand at 25.6% of its Higher Fee Income in 2017/18, well above the benchmark 22%.

NOTED:-

- ix. The Guild had expressed a wish to see evidence supporting the changes in financial support outlined above, as part of the consultation process. The University was confident that the changes would have no or little material impact. However, detailed analysis of the changes would be carried out in year, and used to inform the process next session. The Guild would also be asked for comments at an earlier stage of the process.
- x. The 2017/18 Access Agreement marked the beginning of a shift in the balance of the University's approach in this area, towards a greater focus on student success. OFFA was also becoming increasingly interested in retention and achievement.

AGREED:-

- xi. The Access Agreement for 2017/18 should be endorsed.

- xii. The impact of changes to the Access Agreement from previous years, particularly the reduction in bursary funding students with a household income of over £25k, should be closely monitored.
- xiii. The Guild should be involved in work over the next twelve months to review the University's approach to the Access Agreement to put a greater emphasis on student success.

4.2 Compliance with the CUC Higher Education Code of Governance

RECEIVED:-

- i. A report summarising the progress made against actions agreed to enhance Council's compliance with the CUC Higher Education Code of Governance from last session.

REPORTED:-

- ii. The CUC Code had not been updated since last year. Where the University was reported as being compliant last session, it remained compliant in 2015/16.
- iii. Actions had either been completed, or were in hand, to address all areas of partial compliance.
- iv. Arising from the completion by Council members of the LFHE Survey on the Effectiveness of the Governing Body, and then group discussion at the Council Away Day held April 2016, a number of recommendations for further enhancement had been made.

AGREED:-

- v. A number of proposals to enhance Council's effectiveness and contribution as proposed in the following areas should be approved:-
 - Communications and improving engagement between Council and the wider University;
 - Improved understanding of academic governance/links to Senate;
 - Learning from best practice in other sectors/more outward looking;
 - Contribution of all individuals to meetings and promoting a culture of constructive challenge;
 - Induction and Support for Council Members;
 - Information prepared for meetings.

4.3 HEFCE Annual Assessment of Institutional Risk

RECEIVED:-

- i. The HEFCE Annual Assessment of Institutional Risk.

NOTED:-

- ii. The University had been rated as 'not at higher risk', the most positive possible ranking.

PLANNING AND RESOURCES COMMITTEE

5.1 Report of the Meeting of the Planning and Resources Committee held 15th March 2016

Council **RECEIVED** a report of the meeting of the Planning and Resources Committee held 15th March 2016, and of actions taken on the Committee's behalf by its Chair.

a. ULPF

NOTED:-

- i. A letter from the University of Liverpool Pension Fund Board of Trustees outlining the assumptions used in the most recent triennial actuarial valuation of the Fund, and proposed changes to the employer contribution rate.
- ii. The letter proposed increasing the employer contribution rate to the Fund from 13.4% plus £900,000 per annum, equivalent to 15.9% of relevant earnings, to 16% of relevant earnings.

AGREED:-

- iii. The latest valuation and proposed changes to ULPF should be approved.

b. Mandate 186

AGREED:-

- iv. Mandate 186: Lecture Theatre Complex (£12m) and release of funds.

5.2 Q2 Performance Report

RECEIVED and NOTED:-

- i. The performance report for the second quarter of 2015/16.
- ii. The role the Peer Review College was playing in supporting improved research performance.

SENATE

6.1 Report of items circulated for Senate members' consideration

Council **RECEIVED** and **NOTED** a report detailing items circulated for Senate members' consideration in lieu of the cancelled Senate meeting on 16th March 2016.

NOTED:-

- i. A report detailing Written Student Complaints for the period 1st August 2014-31st July 2015.
- ii. The Academic Compliance Report for the Academic Session 2014-15.

AGREED:-

- iii. Amendments to the Student Complaints Policy and Procedure, allowing the University to register with the Financial Conduct Authority in order that the Financial Services Team in Student Administration and Support can offer a limited debt counselling and advice service to students in debt.
- iv. Amendments to PGR Ordinances 56(A): Master of Philosophy and 57(A): Doctor in Philosophy, to remove the clause that states: 'Full time candidates who are admitted to study on a [MPhil / PhD] programme should not normally be registered for any other programme of study leading to a different award.'
- v. A new Ordinance 58(A) and an amended Ordinance 58(B) relating to the Degree of Doctor of Medicine, to bring the MD award in line with the PhD degree.
- vi. Revised PGR Committee Terms of Reference, Constitution and Membership.

OTHER COMMITTEES OF COUNCIL

7.1 Audit Committee

RECEIVED:-

- i. The report of the meeting of Audit Committee held 10th March 2016.

REPORTED:-

- ii. In respect of the Data Assurance Report 2014/15, the Committee agreed that, given the increasing scope and profile of the data provided by the sector, consideration should be given to whether the appropriate level of internal audit resource was allocated to this area.
- iii. The Committee had received an update report on the implications of the University adopting the requirements of FRS 102 and the Statement of

Recommended Practice, Accounting for Further and Higher Education issued by Universities UK (the SORP).

- iv. The Committee received the University's Statement of Risk Appetite, as approved by Council on 10th February 2016. The Committee endorsed and commended the Statement and noted that the internal audit programme would be tailored to ensure appropriate coverage of areas in which the University agreed to take a higher level of risk.
- v. The 2016-17 Internal Audit Plan had been devised to ensure that any key risk areas are adequately addressed, for example in relation to the Competition and Markets Authority and due diligence around new ventures.
- vi. The Committee had received several reports and noted the work undertaken, the risk rating, the recommendations made and the resultant action being taken in relation to the following: Data Assurance - Health Education England Compliance Review; UK Visa and Immigration Compliance (Tier 4); Research Contracts; Accounts Payable - Data Analytics Review; Continuous Auditing - Period 1 - Key Financial Controls and Departmental Compliance; and Treasury Management. It was satisfied with the findings and the actions being taken to implement recommendations.

7.2 Nominations Committee

- a. *Report of the Meeting of the Nominations Committee Held 19th April 2016*

RECEIVED:-

- vii. The report of the meeting of Nominations Committee held 19th April 2016.

AGREED:-

- viii. Mr Barry Flynn should be re-appointed to Audit Committee for the period 1st August 2016-31st July 2019.
- ix. Mrs Abi Pointing should be re-appointed to Discipline - Board of Appeal, Joint Committee on Honorary Degrees, Nominations Committee, Planning and Resources Committee and Tribunals, Appeals & Grievances Committees Panel, for the period 1st August 2016-31st July 2019.
- x. Mrs Pat Young should be re-appointed to Education Committee, Remuneration Committee and Tribunals, Appeals & Grievances Committees Panel, for the period 1st August 2016-31st July 2019.
- xi. Mr Christopher Graham should be appointed to Joint Committee on Honorary Degrees, Remuneration Committee and Tribunals and Appeals & Grievances Committees Panel, for the period 1st August 2016-31st July 2019. In addition Mr Christopher Graham should be appointed as Vice-Chair for the Committee on Research Ethics for the period 1st August 2016-31st July 2019 subject to his agreement.

- xii. Dame Lorna Muirhead should be re-appointed to Joint Committee on Honorary Degrees, for the period 1st August 2016-31st July 2019.
- xiii. Mr Jon Haymer should be re-appointed to Planning and Resources Committee for the period 1st August 2016-31st July 2019.
- xiv. Mr Scott Donovan should be re-appointed to the Committee on Research Ethics for the period 1st August 2016-31st July 2019.
- xv. Professor Lu-Yun Lian should be re-appointed to the Committee on Research Ethics for the period 1st August 2016-31st July 2019.
- xvi. Ms Carmel Booth should be appointed to Nominations Committee for the period 1st August 2016-31st July 2019.
- xvii. Professor Fiona Beveridge should be re-appointed to Nominations Committee for the period 1st August 2016-31st July 2018.

b. Nominations Committee Annual Report to Council on the Membership of Council and Council Members' Experience and Expertise

RECEIVED

- i. The Annual Report of the Nominations Committee to Council.

NOTED:-

- ii. In terms of diversity:-
 - age range – no members are aged under 22 or between 26 and 45;
 - disability – no members have declared a known disability;
 - nationality – no members have indicated a nationality other than the United Kingdom of Great Britain and Northern Ireland or European Union;
 - sexual orientation – no members have declared that their sexual orientation is other than straight/heterosexual.

AGREED:-

- iii. Mr Jon Haymer should be re-appointed to Council for the period 1st August 2016-31st July 2019.
- iv. Dame Lorna Muirhead should be re-appointed to Council for the period 1st August 2016-31st July 2019.
- v. Mrs Abi Pointing should be re-appointed to Council for the period 1st August 2016-31st July 2019.
- vi. Mrs Pat Young should be re-appointed to Council for the period 1st August 2016-31st July 2019.

- vii. Professor Fiona Beveridge should be re-appointed to Council for the period 1st August 2016-31st July 2018.
- viii. Professor Ronan McGrath should be re-appointed to Council for the period 1st August 2016-31st July 2019.
- ix. Professor Susan Dawson should be re-appointed to Council for the period 1st August 2016-31st July 2019.

7.3 Remuneration Committee

RECEIVED and NOTED:-

- i. The report of the meeting of Remuneration Committee held 15th March 2016.

AGREED:-

- ii. The Committee's recommendations regarding the annual review of the Vice-Chancellor's remuneration and the personal objectives for the coming year, agreed between her and the President of Council.

7.4 Health and Safety Governance Committee

RECEIVED:-

- i. The report of the meeting of Health and Safety Governance Committee held 21st April 2016, including:-
 - University Health and Safety Policy 2016;
 - Update on Health and Safety Strategy Implementation;
 - Key Performance Indicators.

NOTED:-

- ii. This was the first substantive report of the revised governance arrangements for Health and Safety.
- iii. To support the University's ambition to be sector leading in this field, further work was required to develop KPIs, in conjunction with those for the wider University strategy.
- iv. As part of the revised arrangements, Council will receive:
 - Leading and lagging data relevant to health and safety, including process and competency indicators.
 - Assurances about all University activities including any linked with significant collaborations, partnerships and wholly owned companies.
 - Notification of any significant accident, incident or enforcement action.
- v. It was Council's role to ensure:
 - That regular independent reviews of health and safety management were undertaken

- Lessons were learnt from accidents and near-misses
- Audit processes are reviewed to ensure they are appropriate for the University.

AGREED:-

- vi. The revised Health and Safety Policy.
- vii. Further work should be undertaken to link H&S KPIs to the overarching institutional strategy, with a view to these being in place for the beginning of 2016/17.
- viii. Further consideration should be given to streamlining and focussing more effectively the Committee's report to Council.

STRATEGIC COMMITTEES

8.1 Education Committee

RECEIVED:-

- i. A report of the meeting of the Education Committee held 25th February 2016.

NOTED:-

- ii. The proposed sanctions for students on financial hold would be reviewed in one year.

8.2 Research and Impact Committee

RECEIVED and NOTED:-

- i. A report of the meeting of the Research and Impact Committee held 18th February 2016.

ROUTINE ITEMS

9.1 Use of the University Seal

RECEIVED and NOTED:-

- i. A summary of uses of the University Seal since the last meeting.

9.2 HR Summary Report of Action Taken Under Delegated Powers

RECEIVED and NOTED:-

- i. A summary of HR related actions taken under delegated powers since the last meeting.

9.3 Date of Next Meeting

NOTED:-

- i. The next meeting would be held on Wednesday 6th July at 2pm.