Confidential
In relation to matters marked as Closed
The text in purple is not for publication

Council

7 June 2022

Present: Joe Docherty (Chair), Joanna Barker, Kay Boycott, Camila Caiado, Leslie Ferrar, James Grierson, Alison Hastings, Denise Lievesley, Antony Long, Amir Michael, Cheryl Millington, Rebecca Morris, Liadi Mudashiru, Karen O'Brien (Vice Chancellor), Nigel Perry, Kate Pretty, Ari Sadanandom, Corinne Saunders, Terry Toney, Andrew Tremlett, and Seun Twins.

In Attendance: Alison Blackburn (Interim University Secretary), Janette Brown (Lay Member Observer), Declan Merrington (PG Academic Officer), Stephen Willis (Chief Financial Officer), and Kelly Knapp (Minutes).

Kieran Fernandes and David Loudon (minute 125); Emma Moody (Womble Bond Dickinson), Stephen Taylor and James Walsh (minute 126).

Apologies: Jonathan Bewes and Colin Macpherson

Minutes of a meeting held on 7 June 2022 in the Lindisfarne Centre, St Aidan's College and via Zoom

(All documents listed are filed with the official copy of the Minutes)

Action

117. Declarations of Interest

Noted: A Michael, Associate Dean for MBA and DBA Programmes in the Business School, declared an interest related to Minute 125.

118. Minutes of the Meeting on 10 May 2022 (C/21/88 Confidential) **and the Extraordinary Meeting on 17 May 2022** (C/21/89 Confidential)

Approved: the minutes of the meeting held on 10 May 2022 and minutes of the extraordinary meeting held on 17 May 2022.

119. Matters Arising

Noted: there were no matters arising.

120. Action Log (C/21/90 Confidential) **and Schedule of Business** (C/21/91 Confidential)

Noted: the status of the Action Log and Schedule of Business.

121. Chair's Business

Received: a verbal update from the Chair on the following matters:

a) **Chancellor Appointment Update:** the Joint Committee had agreed a shortlist of eight candidates. Further due diligence was being undertaken on the candidates and would be reviewed by the Joint Committee at its next meeting. None of the potential candidates had yet to be contacted;

b) **University Secretary Appointment Update:** Amanda Wilcox had been appointed University Secretary and would assume her role on 3 October 2022. In the interim, she was scheduled to join the upcoming Joint Council & Senate dinner and observe the July Council meeting;

c) **Staff Member of Council Update:** the Interview Panel planned to meet five candidates and would provide its recommendation to Governance and Nominations Committee (GNC) for endorsement to Council at its July meeting;

d) **Chair's External Activities:** the Chair had participated on the interview panel for the Executive Dean of the Business School; and had joined the Vice Chancellor and DSU President at the University sponsored annual South Shields lecture with ex-local MP David

Miliband and former US Secretary of State and First Lady Hillary Clinton, followed by a fish and chips dinner.

122. Vice-Chancellor's Report (C/21/92 Confidential Restricted)

Noted:

a) the University had reached agreement with the local University and College Union (UCU) and averted proposed industrial action which would have impacted many students' graduation plans;
   i. other universities had not been able to reach agreement with their local UCU branch and were in the midst of industrial action that included marking boycotts;
   ii. the University continued discussions with the local UCU that centred on a review of the Union's list of concerns that primarily focused on casual workers;
   iii. no further industrial action could be planned at Durham before 7 October 2002;

b) there was doubt as to whether the Postgraduate Taught (PGT) student intake targets for the 2022/2023 academic year would be met. Mitigation efforts to help manage the gap were underway and being monitored by University Executive Committee (UEC);

c) the University had approved a proposal to open an office in Singapore which the Vice Chancellor was scheduled to visit in October 2022. The office would serve as a hub for the region.;

d) the QS World University Ranking result was disappointing with the University dropping from 82 to 92 and thereby presenting a challenge to remain in the top 100 as other universities, especially those in China, continued to move up the rankings;

e) the University had enhanced its family leave policies which were now considered amongst the best in the sector and should help with staff recruitment and retention;

f) work on the University Strategy refresh was underway via a number of workstreams that were scheduled to conclude by the end of the calendar year;

Closed Minute:

123. Senate Effectiveness Review Update (C/21/93 Open)

Noted:

a) the Senate Effectiveness Review (SER) Working Group was scheduled to meet on 8 June 2022 to receive the preliminary findings from Halpin, the consultants conducting the review. A full report would be received on 15 July 2022;

b) the SER Working Group was concerned with the level of engagement as there had been a low number of survey responses and agreed interviews.

124. Durham Students' Union (DSU) Report (C/21/94 Confidential)

Noted:

a) the Culture Commission report had successfully launched, receiving positive feedback from internal and external stakeholders, including the media;
   i. the results had been discussed with the Vice Chancellor and the Pro Vice Chancellor Equality, Diversity and Inclusion;
   ii. the Vice Chancellor had met with College Heads alongside the Pro Vice Chancellor Colleges & Student Experience to discuss the report;
   iii. "next steps" will be coordinated by the DSU Welfare Officer who is anticipated to establish a working group to agree an action plan for the recommendations;

b) the recent ruling against University of Bristol highlighted a need for a national student suicide prevention strategy within higher education. DSU were working with the University on this subject as well as aligning with industry bodies.

Kieran Fernandes and David Loudon joined the meeting for the following item.

125. The Sands / Business School Full Business Case (C/21/95 Strictly Confidential)

a) Council's feedback on the Outline Business Case had been incorporated into the Full Business Case (FBC) with changes reflected in red font. The FBC had been reviewed and endorsed by the Finance Committee;

b) Durham County Council (DCC) had indicated a preference to establish a covenant on the Sands designed to restrict its future use to educational purposes only. Negotiations were ongoing to remove the proposed covenant or capping its longevity;
c) conversations continued regarding car parking for the building;
d) the incoming Executive Dean of the Business School had been debriefed on the Sands. There was acknowledgement that she would be refreshing the Business School's strategy after her arrival and as such the associated information noted in the FBC may change.

Approved:
a) the purchase of The Sands for £70 million plus VAT subject to receipt of planning permission.

Agreed:
a) that the Executive seek to remove the education covenant or capping its longevity, if possible;
b) plans to reconfigure the building for use by the Business School and the associated costs would be submitted for consideration via a separate business case.

Kieran Fernandes and David Loudon left the meeting.

Emma Moody (Womble Bond Dickinson), Stephen Taylor, and James Walsh joined the meeting for the following item.

126. Statutes Review Working Group: Green Paper (C/21/96 Confidential)

Noted:
a) following feedback received at Council's previous meeting, the report reflected a proposed roadmap, further work required to progress enhancements to the Statutes and Regulations, and responses to specific queries raised by Council;
b) there were anticipated interdependencies between the reported recommendations from the SER and the Council Effectiveness Review (CER), as well as the Statutes Review, which would need to be addressed collectively. Consideration should be given to establishing a new group or groups to facilitate the work and be overseen by GNC;
c) the proposed timeline to complete the current phase of work indicated an initial presentation of the updated Statutes to the Privy Council over the summer months in order to obtain informal feedback, prior to submitting the final presentation prior to the end of the calendar year;
d) coincident with the updated Statutes being adopted by the Privy Council the updated Regulations should be approved by Council and thereby ensuring there were no timing gaps between the two;
e) Senate would receive a similar update at its next meeting and thereafter efforts would be progressed to submit the updated Statutes to the Privy Council.

Agreed:
a) the proposed timeline for the updated Statutes to be initially presented to the Privy Council over the summer months with the aim of formally submitting to Privy Council prior to the end of the calendar year;
b) the updated Statutes did not require further review by Council prior to submission to the Privy Council for its initial feedback;
c) the need for a wider discussion by GNC around how the SER, CER and Statutes Review come together to address next steps.

Emma Moody, Stephen Taylor, and James Walsh left the meeting.

127. Finance Committee Report 18 May 2022 (C/21/97 Confidential)

Noted: the significant matters discussed by the Finance Committee at its meeting on 18 May 2022.

128. University Strategy Implementation Committee (USIC) Report 18 May 2022 (C/21/98 Confidential)

Noted: the matters discussed by the USIC at its meeting on 18 May 2022.

129. Ethics Committee Report 26 May 2022 (C/21/99 Confidential)

Noted:

a) Ethics Committee had endorsed the revised Gift Acceptance Policy which had undergone a material refresh. The revised Policy did not include acknowledgement of donations via naming and alternative forms of recognition as this was covered via a separate Policy, but would be helpful to include a cross reference to the Donor Recognition Policy in the final Policy;
b) the proposed Gift Acceptance Panel composition would entail the Chair of Ethics Committee and two lay members of Council with others in attendance. The proposed composition would provide an "arm's length" from the Executive whilst providing Trustee oversight.

Approved:

a) the Gift Acceptance Policy subject to amendment to reflect a cross reference to the Donor Recognition Policy which once updated would be approved via Chair's Action;
b) the Gift Acceptance Panel terms of reference and associated member composition.

130. Dates of Future Meetings

Noted: the dates of future meetings: 12 July 2022, to include a joint dinner with Senate on the preceding evening.