

## UNRESERVED MINUTES

THE UNIVERSITY OF LIVERPOOL

COUNCIL (1035)

### MEETING OF THE COUNCIL

16<sup>th</sup> May 2018

**Present:** The President (in the Chair); the Vice-President; the Vice-Chancellor; the Deputy Vice-Chancellor; the Pro-Vice-Chancellor for Research and Impact; The Pro-Vice-Chancellor for Education; Dr A Scott; Dr P Johnson; Dr R Platt; Mrs P Young; Mrs A Pointing; Dame L Muirhead; Professor S Dawson; Professor F Beveridge; the President of the Guild of Students; Professor B Gibson.

**Apologies:** Ms C Booth; Mr E Fishwick; Mr S Butler

**Clerk to Council:** Dr A Fairclough

### 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 Meeting held 7<sup>th</sup> February 2018

**AGREED:**

- i. The minutes of the meeting held 7<sup>th</sup> February 2018 should be approved as an accurate record.

#### 2.2 Matters Arising on the Minutes

- a. Wealth Screening (item 2.2.a.ii. refers)

**NOTED:**

- i. A response had been submitted to the ICO following the query related to wealth screening.
- b. Office for Students Registration (item 2.5.a.ii. refers)

**NOTED:**

- i. Registration documents discussed at the Council Away Day were submitted to the Office for Students ahead of the deadline. The University was awaiting a response.

### **2.3 President's Communications**

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

##### **ENDORSED:**

- i. A revised Appendix A to the Student Complaints Policy and Procedures – Procedure Student Complaints in the Event of Major Disruption
- ii. The naming of a Chair in Management as the 'Brett Chair in Management' and for that Chair to be allocated to the Dean of the University of Liverpool Management School
- iii. Updates to the PGR Ordinances as follows:
  - Ordinance 56A Degree of Master of Philosophy (MPhil)
  - Ordinance 57A Degree of Doctor in Philosophy
  - Ordinance 58A Degree of Doctor of Medicine
- iv. The appointment of four lay members to the University's research ethics and integrity committees, for an initial period from 1st May 2018 – 30 April 2019.

### **2.4 Vice-Chancellor's Communications**

#### **a. EU Research and Innovation Funding**

##### **REPORTED:**

- i. The EPVC for Humanities and Social Sciences had attended an EU meeting with Russell Group and UK civil service representatives to discuss the successor to Horizon2020. The key principles under discussion included the intention to increase the money allocated to research and innovation, under the new financial framework. Continued access to EU research and innovation funding was therefore important. The balance of funding for excellence versus innovation, and between free bidding and challenge-led programmes was still under consideration.
- ii. There were also sensitive discussions about the extent to which the programme should be allocated to EU27 members rather than the rest of the world. Although the European Commissioner for Research, Science and Innovation was supportive of an open programme, it was noted that his current term would end in 2019.

#### **b. Teaching Excellence and Student Outcomes Framework**

##### **REPORTED:**

- i. The University had responded to the consultation on subject-level TEF and engaged in sector-wide discussions about the metrics and methodology proposed. The University remained concerned about the validity of teaching intensity metrics as an appropriate proxy for teaching excellence.

c. Towards Strategy 2026

**RECEIVED:**

- i. A verbal update from the PVC Research and Impact on the progress made in the Towards Strategy 2026 project.

*Minute redacted due to commercial interest*

d. Research misconduct

**RECEIVED:**

- i. A verbal report from the PVC Research and Impact about the findings of an investigation into a case of research misconduct.

**REPORTED:**

- ii. The case involved a former member of staff and former postgraduate research student (*further detail redacted as personal information*).
- iii. The investigation concluded that there was evidence of research fraud as biological samples had been tampered with before assays were carried out.
- iv. 52 individual publications from the member of staff involved were being reviewed to check whether they included fraudulent data and therefore required retraction. There were multiple collaborators and co-authors involved and they were being consulted throughout the process. The implications for funding and potential insurance claims were not yet known.
- v. The University was taking the case very seriously. The intention was to be open and transparent about any issues highlighted by the case, in order to be able to improve the oversight of research integrity in the future.

**AGREED:**

- vi. It would be useful to consider an internal audit in the area of research misconduct.

e. Liverpool Online

**RECEIVED:**

- i. A verbal report from the Deputy Vice Chancellor on the status of negotiations with Laureate Online.

*Minute redacted due to commercial interest.*

f. VC's Engagements

**REPORTED:**

- i. Since the last meeting of Council, the VC had visited, met with, hosted or attended meetings regarding the following:

11.05.18	UUK Members Meeting, London
10.05.18	Russell Group Board, London
01- 04.05.18	“Going Global” Conference Kuala Lumpur - keynote (British Council & UUK)
23-24.04.18	University Autonomy in Europe Conference, Leicester - keynote (UUK)
20.04.18	UUK Board, London
04-05.04.18	EUA Conference, Roundtable & General Assembly Zurich (UUK)
27.03.18	British Council Trustee Board and Friends of HEFCE Reception, London
23.03.18	UUK Board, Executive Committee and Treasurer’s Committee, London
22.03.18	Liverpool City Region, LEP Board
15-16.03.18	Russell Group Away Days, Nottingham
14.03.18	International Higher Education Forum “Thriving in a shifting global environment” Keynote (UUK) Nottingham
13.03.18	US District Judge, Wendy Beetlestone UoL Lecture: “The United States Federal Judiciary: The Weakest Branch of Government?”
08.03.18	UUK Brussels delegation, several meetings with Members of the European Parliament
07.03.18	British Council UK-Israel Academic Collaboration, London

**FOR ENDORSEMENT, APPROVAL OR NOTE**

**3.1 University of Liverpool Mathematics College**

**RECEIVED:**

- i. A proposal to establish a Single Academy Trust - University of Liverpool Mathematics College (ages 16-19) - to be considered by the Department for Education.

**REPORTED:**

- ii. The proposal had been in development for the past 18 months following an initial idea by Martin McDonnell.
- iii. There was significant under-attainment in maths across the region and the College would seek to improve this attainment for the benefit of the local population and economy.
- iv. The University could achieve benefits in terms of reputation and an input of students to the University. There would also be opportunities for the University’s students to provide

mentoring and support for pupils at the college, benefiting their skills development and employability.

- v. King's College London and University of Exeter were already operating similar colleges and these had been very successful in terms of school league table results.
- vi. It had been agreed that the College would be sited in the new Paddington Village development, where it would have significant visibility in the City.
- vii. Students would study Maths, Further Maths and one other subject, currently under consideration.
- viii. The College would have close ties to the University's Department of Mathematical Sciences and to the University's governance arrangements including consolidation of the College finances into the University's accounts. The main investment from the University would be in staff time as the Department for Education would provide the funding for the development. The Department for Education would expect the University to have the controlling interest in the College and the PVC Education would be the Chair of Trustees; the intention was also to involve a Council member in the Board. The liability would be limited to £10 per member of the Board.
- ix. The modelling of student intake, informed by the experience of the existing two Colleges, suggested limited risk of financial shortfall but there remained some risk that there would be a shortfall in numbers and the University would need to consider under-writing the College pending staffing adjustments.
- x. Other stakeholders in the region had expressed an interest in the College as a Multi-Academy Trust. However, it was felt that it would be more beneficial to retain control through operation of a Single Academy model.

**NOTED:**

- xi. The College could be a real asset to the region and was intended to attract talented mathematicians and enhance skills in the area. In the experience of King's and Exeter, the existence of the college had a beneficial effect on the attraction of high quality maths teachers to the region.
- xii. In addition to the poor maths results at secondary level, there were issues of poor maths provision at primary school level. To achieve optimal progression of talent through to the College, improvements were required at primary level, and the new College could have a key role in training and development of primary teachers. The funding model for the College should enable staff to contribute a significant amount of outreach and development activities.
- xiii. There was an opportunity to address gender equality issues in terms of relatively low numbers of female students studying A-level Maths. This could be established as an objective of the College and should be factored into early planning, including building design.

**AGREED:**

- xiv. To approve the establishment of a Single Academy Trust as proposed, subject to approval by the Department for Education (DfE). It was understood that the college

would be funded by DfE, that liability would be limited to £10 per member, and that the risk of needing to provide financial support in the event of failure was low.

- xv. To explore the possibility of setting a flagship objective/outcome of improving gender balance of maths students.
- xvi. To utilise the expertise of Council members in further development of the college.

### **3.2 Data Protection Policy**

#### **RECEIVED:**

- i. An updated Data Protection Policy, in line with the introduction of the General Data Protection Regulations on 25th May 2018.

#### **AGREED:**

- ii. To approve the revised Data Protection Policy, subject to inclusion of further detail on:
  - Requirements or obligations of staff to undertake training available
  - More prominence of the 8 principles of the GDPR Act
  - Clearer statements on the legal risks of breaches
  - Clearer links with related policies, including for example policies associated with the management of research data (including data management and data sharing), and with information security

### **3.3 Annual Assessment of Risk from HEFCE (now OfS) and Management Commentary**

#### **RECEIVED:**

- i. The outcome of the HEFCE Finding on Institutional Risk and a management commentary on the benchmarking finance data made available to the University.

#### **NOTED:**

- ii. The University achieved the highest rating which meant no change to the way HEFCE/OfS would expect to interact with us as an institution.
- iii. The assessment of risk was fairly focused this year compared to the 2016 AAR. Sector finance metrics were provided to allow us to compare our position. These show a positive comparative position for the University.
- iv. HEFCE highlighted concern about data assurance processes. These issues had been discussed in detail at Audit Committee. Actions were being monitored at each meeting.

### **3.4 Compliance with the CUC Higher Education Code of Governance**

#### **RECEIVED:**

- i. A detailed report on a review of compliance against the CUC Higher Education Code of Governance.

#### **REPORTED:**

- ii. A full review of compliance with the Code was conducted every three years. The Code contained detailed elements that Universities 'should' adopt in order to meet the core principles, and additional elements that 'could' be implemented. At the last review, one 'should' statement had been assessed as amber (partially compliant or actions underway), and 16 'could' statements.
- iii. In the most recent review, a high proportion of elements were fully in place. 9 'could' statements continued to be marked amber. None of the 'should' or 'could' statements were now marked red, indicating no compliance (compared with 2 'should' and 2 'could' statements in 2015).
- iv. As part of the approach to continuous improvement, further work would be undertaken to explore these areas to ascertain whether further enhancements could be made.

#### **AGREED:**

- v. The approach to ensuring compliance with the CUC Code of Governance, including implementation of ongoing enhancements, should be approved.

### **PLANNING AND RESOURCES COMMITTEE**

#### **4.1 Report of the Meeting of the Planning and Resources Committee held 20<sup>th</sup> March 2018**

#### **RECEIVED:**

- i. A report of the meeting of the Planning and Resources Committee held 20<sup>th</sup> March 2018.

#### **NOTED:**

- ii. Two fixed asset policies had been approved – a revised Disposal, Transfer and Impairment of Capitalised Equipment Assets Policy and a new Verification of Capitalised Equipment Policy.
- iii. The Planning and Resources Committee had discussed the HEFCE's Annual Assessment of Institutional Risk and Moody's Updated Credit Opinion January 2018 – Bond Requirement

#### **AGREED:**

- iv. The following items should be approved:
  - a. Q2 2017/18 Performance and Risk Report, discussed at the Council Away Day on 18 April 2018
  - b. 2017/18 Forecast 2, discussed at the Council Away Day on 18 April 2018
  - c. The principles set out for the Planning and Performance Cycle including the setting of Key Performance Indicator Targets
  - d. The position with student recruitment and the principles and process for agreeing student numbers through the Planning and Performance Cycle.

## **SENATE**

### **5.1 Report of the Meeting of the Senate held 21<sup>st</sup> March 2018**

#### **RECEIVED:**

- i. A report of the meeting held 21st March 2018.

#### **REPORTED:**

- ii. Senate had discussed three linked papers on academic performance:
  - a. Proposals to focus on incentivising 4\* research in annual review processes
  - b. Development of a Teaching Quality Framework (TQF) to capture and recognise contributions to teaching, and
  - c. The Towards Strategy 2026 project.
- iii. Since the meeting the PVC Education had chaired an additional session with Senate to explore the elements of the TQF and the intention to pilot the process initially in the Faculty of Health and Life Sciences.
- iv. Senate members had given feedback on the proposals to incentivise 4\* research, requesting that more work be undertaken to reflect the nature of clinical roles, and the differences between Faculties.

#### **NOTED:**

- v. Further consultation would be carried out on local criteria for annual review. The Teaching Quality Framework would be developed further and inform annual review criteria for education, with the intention that revised processes would be implemented in September 2019.
- vi. Senate had also discussed a green paper on the wide and extensive aspects of the civic agenda and the work that contribute to multiple aspects of Strategy 2026.
- vii. The Annual Complaints Monitoring Report for the Academic Session 2016-17
- viii. The Academic Compliance Report for the Academic Session 2016-17



## OTHER COMMITTEES OF COUNCIL

### 6.1 Audit Committee

#### RECEIVED:

- i. The report of the meeting of Audit Committee held 19<sup>th</sup> March 2018

#### REPORTED:

- ii. The effectiveness review of Audit Committee had identified a need to give more prominence to Audit Committee matters during Council meetings. Ways of enhancing reporting were being considered, both in terms of the types of report submitted to the Council and in the planning of the agenda to ensure sufficient time is available for discussion.

#### NOTED:

- v. The Audit Committee had discussed the following items
  - a. The Report from the Review of Audit Committee Effectiveness
  - b. The Data Assurance Report for 2016/17 and the related audit findings and concerns about data quality.
  - c. Data Quality Risks and Actions Progress Report was being considered by Audit Committee at each of its meetings.
  - d. The HEFCE Annual Assessment of Institutional Risk
  - e. A follow-up on the 2016/17 Year End Audit and Planning for 2017/18 Year End Audit
  - f. An update on progress made in implementing the Risk Management Framework
  - g. A report of the Internal Auditors
- vi. Audit Committee had held an additional session on risk in the sector, informed by knowledge from the internal and external auditors.

#### AGREED:

- vii. The KPMG External Audit Planning Memorandum 2017/18 should be endorsed.
- viii. To ensure that adequate time is set aside for discussion of Audit Committee business at future meetings of Council

### 6.2 Health and Safety Governance Committee

#### RECEIVED:

- i. A report of the meeting of the meeting of the Health and Safety Governance Committee held 8<sup>th</sup> May 2018

#### NOTED:

- ii. The Committee had considered a Strategy Implementation Update report which showed good progress. The Key Performance Indicators provided to Council showed a good trend over the last five years.
- iii. An update on Business Continuity Management.

**AGREED:**

- iv. The following policies should be approved:
  - a. Policy and Code of Practice for Controlling Exposure to Occupational Animal Allergens (Formerly Laboratory Animal Allergens)
  - b. Policy and Code of Practice for the Reporting, Recording and Investigation of Accidents/Incidents
  - c. Policy and Code of Practice for the Management of Slip, Trip and Fall Hazards.

### **6.3 Remuneration Committee**

**RECEIVED:**

- i. The report from Remuneration Committee held 20th March 2018.

**REPORTED:**

- ii. The meeting had been the first meeting at which the new independent member had been present. His contributions had been very helpful.
- iii. For discussions about VC pay, the President handed over the chair, as recommended by the new Code on Remuneration.
- iv. The President had completed the Vice Chancellor's Professional Development Review (PDR) and discussed the setting of objectives relating to measurable outcomes of Strategy 2026.
- v. No recommendation on VC Pay would be made until sector benchmarking data were available.

**AGREED:**

- vi. That the Vice Chancellor's objectives and remuneration should be considered together at a future meeting.

## **STRATEGIC COMMITTEES**

### **7.1 Education Committee**

**RECEIVED:**

- i. A report of the meeting of the Education Committee held 7<sup>th</sup> March 2018.

**REPORTED:**

- ii. The University had met the publication threshold for the National Student Survey 2018, although this did not apply in all individual subjects. It was anticipated that the earlier industrial action could have an impact on NSS performance.

**NOTED:**

- iii. It was a goal of the University to achieve a Gold TEF rating and the PVC Education was leading a range of initiatives to enhance performance. Students were involved in these initiatives through the governance structure and the Guild had supported preparation of the TEF3 submission.
- iv. The Committee had also discussed the following items:
  - a. Code of Practice on Support and Safety of Students Off-Campus
  - b. Education Action Plan, including the following:
    - The Quarter Two Performance and Risk Report
    - Academic Experience Survey
    - From DLHE to Graduation Outcomes
    - Learning and Teaching Space Update

## **7.2 Research and Impact Committee**

**RECEIVED:**

- i. A report of the meeting of the Research and Impact Committee held 8<sup>th</sup> March 2018.

**REPORTED:**

- ii. The Committee had considered a proposal seeking support for a physical location for the Liverpool Doctoral College. Priorities for development of the Doctoral College would be reviewed in the context of the broader ambition to develop a strong offer for the development of researchers of all career stages. A recent Leadership Forum had been focussed on this topic.
- iii. The recruitment process for an Associate Pro-Vice-Chancellor for the Research Environment had been unsuccessful. Alternative options were under consideration.

**NOTED:**

- iv. The Committee had received a report from the Chair on REF2021, the China Strategy, and UK Research and Innovation.
- v. The Committee had discussed the Academics Promotion Criteria forwarded to Senate, and the Quarter Two Action Plan and Performance Report.

## **ROUTINE ITEMS**

### **8.1 Use of the University Seal**

**RECEIVED and NOTED:**

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

## **8.2 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.

## **8.3 Date of Next Meeting**

### **NOTED:**

- i. The next meeting of Council would be held on 4<sup>th</sup> July 2018 at Sydney Jones Library.