

The University of Leeds

THE COUNCIL

26 May 2022

MINUTES

Present:

The Pro-Chancellor (Chair), the Vice-Chancellor, Mr E Anderson, Ms A Burton, Mr T Clark¹, Mr S Elsworth, Ms M Hodgkinson, Ms L Huxley, Professors Jimack and Kelsall, Sir R Marsh, Mr I Moffatt, Professor O'Grady, Ms L Okhai¹, Dr C Rogerson, Mrs J Sheriff, Mr T Smith and Mr S Thompson.

In attendance, the Pro-Chancellor-elect, Professors Grabill, Plant and Yu (Deputy Vice-Chancellors), the Secretary, the Chief Financial Officer, the interim Chief Operating Officer, the Director of Communications and Ms C Cho; and, for the business recorded in CLMM 21/382-387, Professor L Bryant.

Apologies: Mrs L Barber, Ms H Grantham, Dr K Guantai and Dr Y Oade.

Formal declarations of interest

- 21/352 Mr Simon Thompson declared an interest in connection with an aspect of the paper CL/21/67 by virtue of his role within IT Services.

Minutes

- 21/353 The Minutes of the meeting held on 31 March 2022 were approved.

Vice-Chancellor's report (CL/21/59)

- 21/354 The Council received a written report from the Vice-Chancellor (CL/21/59), which updated members on matters of higher education policy and reported on issues of interest to the life and work of the University, and which was supplemented by an oral update.

Ukraine

- 21/355 The Vice-Chancellor reiterated deep concern about Russia's invasion of Ukraine and summarised steps being taken nationally and by the University to support those affected by the crisis. In particular, members were advised that in seeking to support Ukrainians, the University was taking a long-term approach such as establishing a twinning scheme with a higher education institution in Ukraine.
- 21/356 In respect of University research activities, the war, and sanctions imposed on Russia had had a minimal impact. There was no risk to the University's cash investments position as it had no Russian holdings.

Freedom of speech

- 21/357 Members' attention was drawn to the Government's restated plans to introduce legal measures to support freedom of speech and academic freedom in higher education.

¹ Via MS Teams.

The Vice-Chancellor noted the challenges that would be posed by the measures; and reaffirmed the University's commitment to freedom of speech and academic freedom which were clear and enshrined in its Freedom of Expression Protocol.

Student finance

- 21/358 The Vice-Chancellor highlighted media reports suggesting that students and graduates in England could be paying interest of up to 12% on student loans by the autumn. The Institute of Fiscal Studies calculated that the maximum repayments on student loans would reach 12% later this year, before declining to around 7% in March 2023, and then rising to between 7% and 9%.

Office for Students

- 21/359 The Office for Students (OfS) had published its three-year strategy which confirmed a renewed focus in two areas of work: quality and standards; and equality of opportunity. It had also announced a review of the use of blended learning in higher education. The Vice-Chancellor observed that Leeds had been at the forefront of using digital technologies to complement and enhance student education, and the University had ambitious plans to use these technologies, where appropriate, for a more interactive, engaging and innovative educational offering.

Action Short of Strike

- 21/360 The Council was advised that the University had received notification from the University and College Union (UCU) that it was extending its Action Short of a Strike (ASOS) to include a boycott of all marking and assessment processes. The UCU's mandate for action began on 23 May and would run until 7 October at the latest, and related to disputes over proposed changes to the Universities Superannuation Scheme (USS), and pay and related issues (see further CLMM 21/365-371 below).

University news

- 21/361 Commenting on the results of the 2021 Research Excellence Framework (REF) (see CLMM 21/372-377), the Vice-Chancellor stated that the REF results were an opportunity for the University to celebrate the outstanding contribution of academic and professional services colleagues over many years. Rather than measuring REF success by comparing itself to peer universities, the University should celebrate its achievements in and of themselves, and most importantly for the impact they would have on vulnerable people and communities in society and on the planet.
- 21/362 On a related note, it was noted that the University was launching two new awards schemes: the Research Culture Awards and the Engaged for Impact Awards to recognise and celebrate the achievements of staff and the efforts to make Leeds an inclusive, collaborative and supportive community.
- 21/363 Members welcomed the launch of the Horizons Institute, a research incubator for innovative interdisciplinary research to be led by Professor Stuart Taberner.
- 21/364 The Vice-Chancellor commended a new collaborative project between technicians at the University of Leeds and the University of York. The Yorkshire Technician Exchange Partnership (YoTEP) would allow technical staff to share best practice, skills, and knowledge across all areas of teaching and research.

An update on industrial action

- 21/365 As a result of the continually evolving nature of recent events, and to provide Council with the most up-to-date information possible, the Secretary provided the Council with a verbal rather than written update on the industrial action. Members were also briefed on the student occupation that was currently taking place in the Council Chamber in the Marjorie and Arnold Ziff Building and which had necessitated the Council meeting taking place in Weetwood Hall.
- 21/366 Members were advised of the demands being made by the occupying students, which were tied to the UCU disputes over the USS, pay and related issues. In this connection, a statement prepared by the student occupants was provided to the Council meeting. There were no immediate concerns about the safety and welfare of the occupying students, and regular discussions were being held with them by University officers and by Leeds University Union representatives to persuade them to end the occupation.
- 21/367 Members discussed the motivation behind the students' actions, including their empathy, passion and desire to show support for affected staff, and their need to make a strong statement on the matter. Comments were also made about the students' clarity of understanding of the facts surrounding the UCU dispute. The importance of clear communication of around matters under dispute was stressed, to counter any misinformation being shared with the students. Observations were made about student activism in general; and students' perception that the focus of attention was on the UCU dispute and that issues being raised by UNISON were left unheard; and about ways in which the University could demonstrate progress and the steps being taken to effect tangible change, such as the work on fixed-term contracts.
- 21/368 In respect of the UCU industrial action, University management was awaiting clarification from the UCU branch officers on their specific concerns in order to determine the steps to resolve the matter insofar as these were within the University's agency.
- 21/369 The Council discussed the approach being taken in response to staff taking ASOS, and noted that this was consistent with the statement of principles it had previously adopted in January 2009 (see CLMM 08/194-198), which included a clear statement that partial performance of a member of staff's contractual duties by reason of participation in industrial action short of a strike could not be accepted, and that partial performance would lead to pay deduction to take into account the impact of the action on the University and its students. It was also reaffirmed that the University's priorities were to protect the interests of its students, to retain the cohesion of its community, and to protect the standards of Leeds awards. In practice, matters were being dealt with at school-level, and Student Education Services were in regular discussion with faculties and schools to ensure that they received appropriate support and advice.
- 21/370 During a detailed discussion, points noted by members included that the OfS was keeping a close review on institutions and the way in which they were responding to the industrial action; the importance of clear and timely communications to students about the impact of the strike and the mitigations that were being put in place; and the challenges posed by the manipulation of social media on the University's ability to communicate its views effectively to the University community. There was concern about the nature of some criticism directed at the Vice-Chancellor, which did not appear to be in keeping with the University's Values.
- 21/371 The Pro-Chancellor reiterated Council's support for the Vice-Chancellor and her leadership team, and commended the way in which they were seeking to resolve matters. On a related note, members agreed that the Council away day scheduled to take place the following week should remain on campus.

REF 2021

- 21/372 The Council received a brief update from the Deputy Vice-Chancellor: Research and Innovation, Professor Nick Plant, on the results of 2021 REF, the UK-wide assessment of university research, which had recently been published.
- 21/373 In overall terms, the REF results reflected the University's position as one of the UK's leading universities for the quality and impact of its research, which was above the sector average. There had been an improvement in Leeds's overall score and more than 90% of the University's research had an overall quality rating of "world leading" or "internationally excellent".
- 21/374 In terms of the allocation of quality related (QR) funding, the funding formula to be applied was expected to be published at the end of July. In the meantime, the University had taken a conservative approach in its financial forecast and had assumed only a slight change in QR funding.
- 21/375 Professor Plant acknowledged the tireless contribution of academic and professional services colleagues across the University, and their collaboration over a number of years.
- 21/376 Professor Plant observed that the REF reflected the positive and inclusive research culture that the University was focused on building, which was aligned with the work on the University Strategy in terms of impact.
- 21/377 Given its scale, it would take time to fully analyse the results, where the University had excelled and understand opportunities for improvement. A detailed report would be brought to the Council in due course.

Draft General Revenue Budget Statement (CL/21/61)

- 21/378 The Council considered (CL/21/61) the draft General Revenue Budget Statement (GRBS) for the 2022 planning cycle (covering sessions 2022-23 to 2026-27). The draft GRBS, which initiated the academic phase of the University's annual planning round, the Integrated Planning Exercise (IPE), consisted primarily of the General Revenue Income Forecast, setting out funding council grants, tuition fees and investment and endowment income (but excluding income from research grants and other income directly earned by the schools); and the General Revenue Allocation Budget, setting out funding allocated to faculties, services and strategic investment.
- 21/379 Making reference to the paper setting out the University's second quarter results and forecast outturn (CL/21/64), the Chief Financial Officer drew Council's attention to the improved position over the first quarter results; the impact of rising utility costs; and the slower than expected pace of planned investments in strategic projects, which were now being re-phased over the next two to three years. Members were advised that the University was taking a prudent approach to managing expenditure and costs, and, in response to a question, that it would take time before any impact of the University's net zero plans on addressing the utility costs increases could be realised.
- 21/380 Members commented on the University's approach to the financial forecasts, which appeared to be cautious; discussed the use of the GRBS to form the basis for the assumptions used in constructing the forecasts; and noted that the University would reflect on practices adopted in other sectors, although it was recognised that such information could be difficult to obtain.

21/381 The Council approved the draft General Revenue Budget Statement and the allocations for the 2022 planning cycle set out in CL/21/61; and noted indicative allocations for the following four years to 2026-27.

Draft Equity, Diversity and Inclusion Vision and Strategy (CL/21/62)

21/382 The Council received (CL/21/62), the University's draft Equity, Diversity and Inclusion (EDI) Vision and Strategy. The Vice-Chancellor highlighted that the Strategy had been shaped through an extensive staff and student consultation and engagement process over many months; the Strategy was ambitious and cutting-edge, and considered to be sector-leading. It was also aimed at ensuring that EDI was the responsibility of all members of the University community. It was noted that the Senate and the SIC had both warmly endorsed the Vision and Strategy.

21/383 The Leeds University Union was very supportive of the EDI Vision and Strategy, and had worked closely with the University in their development.

21/384 Members welcomed the Strategy, commenting on its impressive narrative. They highlighted the importance of developing tangible objectives, and the leading role of the Council in driving the Strategy. A comment was also made about the value of staff networks and their involvement in the Strategy.

21/385 In terms of reporting on the implementation of the Strategy, it was envisaged that this would be done annually. Work on developing meaningful key performance indicators for EDI was close to completion and on which a progress report would be provided to the Council at its away day the following week.

21/386 The Council approved the University's draft Equity, Diversity and Inclusion Vision and Strategy as set out in CL/21/62.

21/387 The Pro-Chancellor thanked the Vice-Chancellor and the Co-Deans of EDI, for the excellent work on developing the EDI Vision and Strategy.

The Opening Higher Education initiative (CL/21/63)

21/388 The Council considered a proposal (CL/21/63) to launch the Opening Higher Education 2030 initiative. The aim of the initiative, to be championed by the University, was to drive the higher education community across the globe to adopt an open, collaborative approach to solving the unprecedented challenges faced by the planet. Also included were the draft principles of a declaration to be adopted by participating institutions and a code of conduct to ensure that all engagement with the initiative supported the University's Values.

21/389 The Deputy Vice-Chancellor: Research and Innovation confirmed that there would be a strategy board to ensure that the University maintained an overview of the work in this area and its interface with the University Strategy. The importance of the EDI Strategy in supporting this initiative, and the tone and nuance of the draft declaration to ensure maximum buy-in was acknowledged.

21/390 The Council approved the direction of travel and overall concept of the Opening Higher Education 2030 initiative, including the draft declaration and the code of conduct, as set out in CL/21/63.

The second quarter results and forecast out-turn (CL/21/64)

21/391 The Council noted a paper (CL/21/64) which set out the University's second quarter forecast outturn, which showed an improved consolidated operating surplus compared to

the first quarter. This excluded the exceptional movement in the USS deficit recovery provision estimated to be required following the conclusion of the 2020 valuation.

Annual review of related companies out-turn (CL/21/65)

- 21/392 The Council noted a paper (CL/21/65) which reported on the performance of significant spinouts and the review of the performance and management of all University subsidiary companies for the year-ended 31 July 2021.

Report from the Nominating and Governance Committee (CL/21/66)

- 21/393 The Council considered a report from the Nominating and Governance Committee (CL/21/66).
- 21/394 The Council approved the appointment of the Pro-Chancellor-elect to membership of the Council with immediate effect (ahead of taking up his role on Council); and the re-appointment of Tom Clark, Seb Elsworth, Helen Grantham and Tim Smith to the Council for a further period of three years from 1 August 2022.
- 21/395 Other matters considered by the Committee included the refreshed Council members' skills matrix, noting that in overall terms there appeared to be good coverage of members' knowledge and expertise and the University's key areas of activity; the establishment of a University Ethics Committee; and an update on progress to implement the actions arising from last session's review of the University's corporate and academic governance arrangements.

Report from the Strategy and Investment Committee (CL/21/67)

- 21/396 The Council considered as CL/21/67 a report of the meeting of the Strategy and Investment Committee held on 3 May 2022.
- 21/397 The Committee had warmly endorsed the draft EDI Vision and Strategy. It had also noted the work of the Transformation Office, which was developing a portfolio view of programmes within its scope, including those that would coalesce under a single plan - Student Lifecycle Programme, Corporate Processes and Systems (CPS), the IT Programmes (Be Safe and Digital Enablement).
- 21/398 CLMM 398-401 are confidential to members of the Council.

Minutes from the Audit and Risk Committee (10 May 2022) (CL/21/68)

- 21/402 The Council received the minutes of the meeting of the Audit and Risk Committee held on 10 May 2022 (CL/21/68).
- 21/403 The Committee had noted the internal auditors' progress against the 2021-22 annual plan, including an advisory report in relation to export control regulations and a summary of two internal audit reviews finalised since its last meeting (from which there were no outstanding issues of concern or high risk). In respect of their follow-up review of the implementation of internal audit recommendations, the auditors had confirmed the results of the University management assessment in all but one case; management would address the further action required in one recommendation.
- 21/404 The Committee had approved the strategic internal audit plan for 2022-25 and indicative audit timetable for 2022-23.
- 21/405 The Committee had received a report on the implementation of recommendations from the external auditors following their audit of the University's financial statements for the

year to 31 July 2021 (from which no issues of concern had arisen); and had approved the external auditors' plan for 2021-22.

- 21/406 The Committee had considered an update on institutional and external emerging risks. No new risks had been reported nor had there been any changes in risk levels since the Committee's last review of the institutional risk register in November 2021.
- 21/407 The Committee had reviewed the Schedule of Assurance which provided details of the mechanisms by which the Council was discharging its obligations as set out in the Council Statement of Primary Responsibilities. Overall, the Committee had been satisfied that appropriate mechanisms were in place to provide the necessary assurance that the Council was discharging its responsibilities. The Committee had also reviewed the Schedule of Compliance with the OfS Conditions of Registration and had endorsed the report, noting that there were no issues or concerns raised.
- 21/408 Scheduled updates had been received on the continuing work to improve the University's information security architecture (which included details of the response to the recent major cyber security incident), and on the internal financial control arrangements in LUU. In both cases, no issues of material concern had arisen. The Committee had agreed that it would continue to keep information security under review.
- 21/409 Other matters that had been considered by the Committee included a report from the University's legal advisers summarising litigation cases over the preceding year, upon which there were no issues of substance to arise; a report on the British Universities Finance Directors Group's annual survey of universities' audit arrangements; and a report on the main financial and professional advisers engaged by the University.

Senate (11 May 2022)

- 21/410 The Council received the Minutes of the meeting of the Senate on 11 May 2022.

Equity, Diversity and Inclusion Vision and Strategy

- 21/411 The Senate had warmly welcomed the draft EDI Vision and Strategy, ahead of its consideration by the Council.

Composition of the Senate

- 21/412 The Senate had received an update on the next steps relating to the new composition of the Senate to take effect from 1 August 2022, which included the process to confirm the *ex-officio* and elected positions.

University Executive Group

- 21/413 The Senate had noted that the Group had approved a number of proposals including plans to enable University libraries to better support the delivery of the University Strategy; one-year lease extensions for the Tannery and Leodis student residences; the strategic outline case for the Net Zero Programme; changes to the equity structure model for University spin-out companies; the University's draft responses to three Office for Students consultations; the general principles for the analysis and communication of the outcomes of the 2021 REF; the approach to the remaining graduation ceremonies for graduates who had not yet been able to have an in-person graduation event because of Covid-19; and proposals for the creation of a laboratory in the Sir William Henry Bragg Building to accommodate two Transmission Electron Microscopes.

Research and Innovation Board

- 21/414 The Senate had noted that the Board had endorsed: plans to help develop an improved post-pandemic research culture and environment; a proposed programme and governance framework to support delivery of Research Transformed; a proposal to update the University Publications Policy to adopt and implement an institutional retention of rights over all research outputs; the general principles guiding the analysis and communication of the REF 2021 outcomes; proposals for alternative equity structure models for spinout companies; and a proposal for the University to become a full member of UK Reproducibility Network (UKRN).

Taught Student Education Board

- 21/415 The Senate noted that the Board had endorsed: the approach to Design Phase 2 of Curriculum Redefined, which included the development of a prototype Learning Design Agency, and a reiterative approach to programme design and approval; proposals for an institutional framework for programme structures, which would be refined following consultation with schools; and a revised outline role descriptor and indicative workload allocation for School Academic Leads for Inclusive Pedagogies (formerly Practice).
- 21/416 On the recommendation of the Board, the Senate had approved the return to the normal Rules for Progression for those students progressing in 2021-22.

Valediction

- 21/417 The Senate had paid warm tribute to the outgoing members of the LUU Executive, who were attending their last Senate meeting. They were praised for their professionalism, particularly during what had been another extremely challenging year because of the Covid-19 pandemic, and commended for their partnership working and constructive contributions at Senate meetings.

Treasury report (CL/21/69)

- 21/418 The Council received (CL/21/69) a paper setting out the University's approach to Treasury Management during the nine months to 30 April 2022, which included a commentary on treasury performance and endowment management, and the amounts of outstanding bank loans.
- 21/419 The Council approved the retention, on a permanent basis, of the current maximum deposit limit for the AAA rated money market funds of £100 m to ensure that the University retained sufficient capacity in the future.
- 21/420 The Council also approved the opening of a HSBC current account to enable access to the bank's 'Global Wallet' service to support the University's operations relating to the Southwest Jiatong University Joint School.

Matters for report (CL/21/70)

- 21/421 The Council received a paper (CL/21/70) setting out a number of matters for report including those summarised at CLMM 21/422-425 below.

Obituaries

- 21/422 The Council recorded its condolences for the deaths which were reported in CL/21/70.1.

Distinctions; professorial and senior appointments

- 21/423 Warm congratulations were offered to the recipients of honours and distinctions reported in CL/21/70.2. Details of recent professorial and senior appointments were given in CL/21/70.3-4.

Chair Committees

- 21/424 The membership of recently established chair and equivalent committees were as set out in the Annex to CL/21/70 (available on request).

Authority to use the Common Seal

- 21/425 The Council endorsed the uses to which the Common Seal had been put since the last meeting of the Council, as detailed in CL/21/70.6.