



BOARD OF GOVERNORS

Minutes of a meeting held at 11.30am on 16th September 2019 at Newton Park

Present:

Mr T Jagger (Chair)
Ms E Casey
Mr R Clarke
Ms T Fisk
Mr J Glasspool
Ms R Heald
Ms S Lane
Mr S Lockren

Lady T Lloyd
Ms J Nesbitt-Larking
Dr S McMillan
Prof P Martin
Mr T Osborne
Prof S Rigby (Vice-Chancellor)
Ms J Saunders
Dr C Wiffen
Ms V Nawathe

In attendance:

Ms L Porter (Acting Deputy Secretary)
Mr P Fox (Pro Vice-Chancellor Finance
and Infrastructure)

Mr N Latham (Chief Operating Officer)
Prof N Sammells (Deputy Vice-Chancellor)

Dr R Schaaf (PVC Student Experience) (items 19/07-08)
Mr J Gulrajani (Student Experience Data Manager) (items 19/07-08)
Ms S Ferguson (Head of Compliance) (item 19/10)
Ms T Banks (Financial Operations Manager) (items 19/11-12)
Ms A Stone (Director of Human Resources) (item 19/13)

Apologies:

Ms N Campbell

Mr D Newman (Secretary)

Note: the agenda was taken in the following order – items 19/01-09, 19/11-13, 19/10 and 19/14-15.

19/01 APOLOGIES

The Chair welcomed all present to the meeting and noted apologies from Nina Campbell and David Newman. The Chair welcomed Laura Porter to the meeting as Acting Deputy Secretary, Paul Fox, Pro-Vice Chancellor Finance and Infrastructure and three new governors, Richard Clarke, Sue Lane and Simon Lockren.

19/02 MINUTES OF THE MEETING HELD ON 10th JULY 2019

The draft minutes were agreed as a true record.

19/03 MATTERS ARISING

The Chair drew the Board's attention to the schedule of actions arising from the previous meeting appended to the Board papers and noted that the actions had been completed or were in progress.

19/04 CHAIR'S BUSINESS

The Board noted the resignation of Iain Mansfield as member of the Board following his appointment as policy advisor to Jo Johnson. In terms of Board member vacancies, all members were asked to provide suggestions as to individuals with an education policy or practical arts background to the Chair, Vice-Chancellor or Secretary.

[ACTION: ALL BOARD MEMBERS]

The Chair noted that the Board effectiveness survey had been completed and discussion and consideration of potential outcomes would be postponed until the November meeting.

19/05 ELECTION OF CHAIR

[Terence Jagger stepped out of the room and Jonathan Glasspool took the Chair]

The Board noted that the Chair of the Board of Governors was appointed for a three year period. As part of the effectiveness survey and discussions with members, there was clear majority support for reappointment of Terence Jagger as Chair. The Board noted that there were a number of generic and specific issues raised as part of the effectiveness survey relating to the chairing of the meeting. The Board agreed that the focus areas relating to chairing identified through the board effectiveness review should be shared with the Chair and voted to reappoint Terence Jagger as Chair for a further period of three years when his current term ends.

[Terence Jagger rejoined the meeting and resumed as Chair]

19/06 VICE-CHANCELLOR'S REPORT (Paper G1059)

1. External Environment

The Vice-Chancellor reported on the external context in which the University was currently operating and in particular the context of the Universities UK (UUK) Board meeting. Following the resignation of Jo Johnson, Chris Skidmore had resumed his role as Minister of State for Universities, Science, Research and Innovation with Gavin Williamson as Secretary of State for Education. Early indications suggest a responsiveness to the sector as demonstrated by the reintroduction of post-study visas. Additional opportunities related to funding for Further Education and the drive to increase research and development GDP. The Vice-Chancellor reported that subject level TEF had been recommended for 2021 but the review of TEF had not been shared to date. Discussion had taken place at the UUK Board meeting in relation to conditional offers and the Vice-Chancellor confirmed that Bath Spa did make unconditional offers on the basis of interview or portfolio but did not make unconditional offers based on applications or conditional unconditional offers. The analysis of 321Go! Outcomes would take place after welcome week and would be circulated to the Board.

[ACTION: VICE-CHANCELLOR]

[Susan McMillan joined the meeting]

2. Internal University business

The Chief Operating Officer reported on financial sustainability and advised that the finance report would be considered by the Board at the November meeting. The financial position meant

that it was not necessary to revise the Santander covenants as delays in the restructure meant that expenditure fell into the current financial year but it was reiterated that the review of the covenants would continue and be completed in advance of the financial year end. The restructure costs were within the agreed parameters of the planned deficit and the financial planning assumptions had not changed on the basis of the recruitment figures. The Board thanked the Executive for the work in completing the restructure. The Board noted that the consultation outcomes for the Schools of Creative Industries and Humanities has been agreed and were proceeding with implementation. The Vice-Chancellor noted that addressing the impact on staff morale and student perception were important next stages and would be supported by work on the National Student Survey (NSS) outcomes and through enabling a planning approach for the Executive to focus on longer term goals with the support of the Board.

The Vice-Chancellor provided an update on the 2030 strategy which would provide the framework for the next 10 years. Strategic planning was well advanced and 3 year plans would be brought to the Board. Emerging priority areas included external income generation, estates planning and the use of Corsham Court as well as developing culture change and a focus beyond the restructure. In respect of external income generation, a short-term committee would be established. The Board noted the need for a forward-looking planning approach in order to retain competitiveness.

The Vice-Chancellor reported that Locksbrook Road was nearing completion and that the next Board meeting would be held at Locksbrook Road. Discussions with the council regarding lightspill and landscaping were ongoing but would not impact on the opening of the campus.

The Vice-Chancellor provided an update on the situation that had arisen with UK College of Business and Computing (UKCBC) whereby following a paused decision on UKCBC registration by the Office for Students (OfS), the University had moved to a franchise model including full control of admissions to mitigate the risk. The Deputy Vice-Chancellor and Provost had undertaken a site visit and noted that the new model was working effectively but reported that the outcome of the Pearson investigation was that UKCBC had not recruited with integrity in a small number of cases. The OfS confirmed that UKCBC's application would not be reconsidered prior to confirmation as to whether UKCBC wished to appeal the investigation outcome. The Board were reassured that the risks in this area were mitigated by the franchise approach employed by the University. The Deputy Vice-Chancellor and Provost had also visited the UKCBC campus in Dubai and discussions had been initiated to develop foundation degrees in Dubai subject to local regulation.

The Vice-Chancellor provided an update on the issue that had arisen in respect of complaints relating to the foundation year art and design programme. Financial compensation had been offered and to date had been accepted by 39/40 students. Actions had been agreed to mitigate such risk in future. The Board noted the importance of responding to student feedback to provide timely and appropriate responses to issues and considered the impact that this could have on NSS scores.

The Vice-Chancellor noted that a decision had been taken to close the University for a fortnight over Christmas which was commended by the Board.

The Vice-Chancellor reported that the Chancellor, Jeremy Irons would stand down in 2021 and over the autumn next year the Board would want to consider and confirm the appointment of a new Chancellor.

19/07 NATIONAL STUDENT SURVEY 2019: ANALYSIS AND ACTIONS (Paper G1060)

The Pro Vice-Chancellor Student Experience and Student Experience Data Manager presented the outcomes of the National Student Survey which had seen a steady decline at Bath Spa since 2015. The 2019 overall satisfaction score was 76.5% (in comparison to 80.8% in 2018) resulting in a reduction in overall satisfaction by 4.33% in comparison to a sector rise in England of 0.1%. It was noted that drops in all major league tables were anticipated in addition to the potential impact on recruitment, external engagement and TEF flags where 5/9 measures would be taken from the NSS. Themes emerging from qualitative comments included assessment feedback deadlines missed, lack of coordination or communications regarding timetabling or cancelled sessions, accessibility or visibility of tutors or the Students Union. The next steps would be to determine categories or programmes and corresponding support. Scores of under 70% would be deemed 'Active Management', scores of 71-84% 'Development' and 85% or higher 'Encouragement'. Tailored programmes of work, action plans and development funding would be developed for each category and reviewed by the Student Feedback Management Group. The Board endorsed the approach and commended the inclusion of students in the action planning and support aspects. The Board also noted that NSS was set as a key performance indicator as part of the Staff Development and Review process. Feedback to students would be promoted through 'did you know' signs and the Student Experience Projects would also continue

The Board discussed the timing of completion of the survey and how this could be promoted at key points whilst ensuring compliance with the Ipsos Mori rules. The Board discussed means of monitoring the impact of the action plans and considered options including wider use of data sets, student satisfaction surveys for different years, pulse surveys, net promoter score software and use of module evaluations to create programme profiles. The Vice-Chancellor noted that updates on NSS would be provided to the Board through the standing Vice-Chancellor's report.

The Board commended the approach and noted that a multitude of factors including collaborative working, consideration of student profile and engagement by students would contribute to the long-term improvement in scores.

19/08 LEAGUE TABLES OVERVIEW (Paper G1061)

The Student Experience Data Manager presented an overview of league tables noting mixed performance in external league tables with one institutional rise and one institutional drop. Subject-level performance was varied across the different league tables, with no trend identifiable. The different weightings of league tables was noted as was the potential impact on external perception.

The Board noted that the TEF data in the paper was confidential and would need to be redacted in advance of any publication to meet OfS requirements.

19/09 ACADEMIC BOARD: TERMS OF REFERENCE (Paper G1062)

The Vice-Chancellor presented the proposed structure and terms of reference for Academic Board and its sub-committees which had been formulated as the outcome of the governance review. The structure had been developed in order to align the University deliberative structures with the Pro Vice-Chancellor briefs.

The Board discussed the need to consider where reporting in relation to the Pro Vice-Chancellor External remit would occur within the deliberative structures. The Board agreed that it did not align with the Academic Board terms of reference but noted that this may be a topic for wider consideration after review of the planning objectives.

The Board discussed potential measures of success which included the development of the portfolio through Curriculum Committee, improvement of NSS scores through Education Committee and Heads of Schools taking on more direct control of quality and quality management of programmes through School Quality Management Committees.

The Board approved the Terms of Reference of Academic Board and its sub-committees and endorsed the approach whereby the terms of reference were linked to OfS conditions as well as the trial of an external member on Academic Board. Academic Governance and Policy were thanked for their work on the governance review.

19/10 STUDENT DISCIPLINARY PROCEDURE (Paper G1063)

The Head of Compliance presented the student disciplinary procedure which had been developed in response to areas identified through the updating of the student complaints procedure, Report and Support platform and student accommodation. The procedure was developed to align with the UUK/Pinsent Mason, Office of the Independent Adjudicator and Competitions and Markets Authority Guidance.

The Board noted that under the Instrument and Articles of Government, the Board was responsible for the approval of procedures for the suspension and expulsion of students. The Disciplinary Appeals Panel would also be constituted from Board members.

The Board discussed the need for data in order to further understand the impact of mental illness in student disciplinary cases. The Board discussed the enforceability of the penalties and noted the need for a regular review of the procedure.

The Board discussed the policy and proposed the following amendments:

- That the language should be revised where appropriate, in order to reflect the supportive rather than punitive approach to student disciplinary.
- That additional clarification should be provided in paragraph 1.5 in respect of delegated authority in order to address concerns about a single gatekeeper.
- That reference to drug use and drug dealing should be added into paragraph 2.1 as an example of misconduct.
- That paragraph 4.3 should be clarified in terms of situations where a student may not choose to report a matter to the police but the disciplinary procedure may continue.
- That explicit reference to cases that may require specialist expertise should be included, particularly in relation to mental health. Reference to specialise expertise being available or part of the panel to be added into paragraph 7.1.
- That an additional sentence should be added into paragraph 7.20 clarifying that a rationale will be provided in instances where the Vice-Chancellor suspends the activity of the Panel.
- That the penalties should be referenced as the penalties outlined in the General Student Regulations.
- That the definitions of misconduct should reflect as complementary to General Student Regulations.
- That accessible guidance should be provided to students on the webpage

The Board approved the Student Disciplinary Procedure subject to the agreed amendments and alignment with the General Student Regulations approved at Academic Board.

19/11 PENSIONS (Paper G1064)

The Chief Operating Officer and Financial Operations Manager presented information on pension schemes offered by the University and outlined potential future approaches. The Board noted the need to await review and consultation outcomes. Concerns were raised in relation to responsibility to staff and the potential for changes to impact disproportionately on specific groups of staff, particularly those on lower incomes. The Board noted the need to benchmark across the market and to await the outcomes of other pension scheme reviews such as Universities Superannuation Scheme (USS) in order to evaluate the impact across the sector. It was intended that a working group would be established and there would be consideration as to how the expertise of Board members could be incorporated.

19/12 TUITION FEES 2020/21 (Paper G1065)

The Chief Operating Officer and Financial Operations Manager presented the proposed tuition fee proposals for 2020/21. Where discretion was available, fee increases were proposed to be broadly in line with inflation and took into consideration market research against competitors. The Board noted that 10/11% of fee income was international and 80% of fee income was undergraduate. The Board noted the wider variation with competitors at masters level and that further developments were proposed in this area including working with Heads of School to identify high and low cost provision in order to ascertain the profitability of each course. The Board noted the need to make strategic decisions in this area.

The Board approved the proposed tuition fees, other charges and scholarships for 2020/21 and reaffirmed the commitment to remove specific additional course material fees.

19/13 STAFF DIVERSITY REPORT (Paper G1066)

The Director of Human Resources presented the Staff Diversity data report to demonstrate how the University complies with its duty under the Equality Act 2010. Senior female staff and Black Minority Ethnic (BME) staff representation were identified as key focus areas. The data provided related to 2017/18 and accordingly the restructure may result in changes in this area. In particular, it was anticipated that the age profile would vary due to voluntary severance and it was noted that in terms of female Senior Leaders, this could be impacted by the proportion of female Heads of School appointed.

The Board discussed the gender pay gap information and noted that the data was impacted by the high number of casuals and student staff. The data reported in the paper excluded casuals and student staff in contrast to the gender pay gap information which included these groupings. The Board noted that the BME/ International Student attainment gap was a national and complex problem. The Board noted opportunities to support equality through Equality and Diversity Steering Group, staff and student events in Equality Week as well as through the established selection process which ensured a panel gender balance.

19/14 OTHER ITEMS FOR INFORMATION

The following draft minutes were received for information:

- Academic Board- 21 May 2019, 16 July 2019
- Audit Committee- 20 June 2019
- Finance and Infrastructure Committee- 22 May 2019

19/15 ANY OTHER BUSINESS

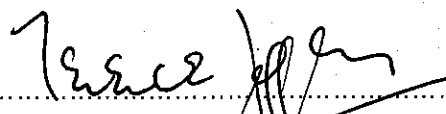
The Board noted that it was Neil Latham's last meeting and thanked him for his contributions to the Board and particularly the support provided to the University through his calm and thorough approach throughout his time as Chief Operating Officer.

The meeting closed at 15.05pm

Laura Porter
Acting Deputy Secretary to the Board of Governors
September 2019

Signed as a record of confirmed minutes by:

Mr Terence Jagger
Chair



Date

27th November 2019

