

UNIVERSITY OF EAST LONDON HIGHER EDUCATION CORPORATION

BOARD OF GOVERNORS

Minutes of the Board of Governors held on Tuesday 25 May 2021 via Teams

Present: Anulika Ajufo (Chair), Ismail Amla, Amanda Broderick (Vice-Chancellor & President), Jackie Craissati, Adam Doyle, Insia Durrani, Les Ebdon, Regina Everitt, John Garwood, Bindi Karia, Mottie Kessler, Tommy MacDonnell, Michael Nartey, Doris Olulode, Naveen Pradeep, Gary Stewart and Janette Withey

In attendance: Hassan Abdalla (Provost), Jim Benson (University Secretary), Verity Brown (PVC Impact and Innovation), Dean Curtis (DVC & Chief Finance Officer), Paul Marshall (PVC Careers and Enterprise), Ian Pickup (Chief Operating Officer) and Vanessa Varvas (Chief Marketing Officer)

Officer: Jane Thomas (Governance Manager)

20/84 NOTICE OF INTENTION TO SPEAK TO STARRED ITEMS

84/01 NOTED: that no items had been unstarred.

20/85 DECLARATIONS OF INTEREST

85/01 NOTED: there were no declarations of interest.

20/86 MINUTES OF THE MEETING HELD ON 24 MARCH 2021

86/01 RECEIVED and CONFIRMED: the minutes of the Board of Governors' meeting held on 24 March 2021 with the following amendment:

74/03 – the final paragraph to read *“It was also agreed that in future TPC would meet to consider proposals prior to them being considered by the Finance and Resources Committee”*

86/02 AGREED: to circulate the minutes of Board meetings in advance of the next meeting.

20/87 MATTERS ARISING

87/01 NOTED that: the matters arising would be dealt with at the next meeting.

20/88 BUSINESS DISCUSSED AT STANDING COMMITTEES

88/01 RECEIVED and NOTED: a report from the Governance Manager on business discussed at standing committees.

20/89 ANNUAL REPORT ON STUDENT COMPLAINTS AND APPEALS

89/01 RECEIVED: an annual report from the Complaint and Appeals Officer on student complaints and appeals.

89/02 NOTED that:

- a) a total of 147 complaints had been received, which represented a 48% increase in complaints from the previous year. However, of these complaints, only 23 were made formal. It was recognised that the impact of the pandemic had resulted in an increase in complaints related to course issues and poor service. It was noted that a customer service initiative was being undertaken in order to ensure that these issues were addressed.
- b) A high level of complaints had been dealt with at an early stage. It was noted that a number of complaints had been characterised by delay, which had resulted in a referral to the Office of the Independent Adjudicator (OIA). The new service manager was speaking to the Schools with regard to taking away the first stage of complaints. A target of 90% of complaints dealt with at an early stage and within 28 days was desirable and it was hoped that a process more independent of the schools would help achieve that target.
- c) The number of appeals were down overall, but there had been an increase in certain areas and the reasons for that were being investigated. The Complaints and Appeals Service was being centralised to include disciplinary matters, which would take the pressure off the Schools and Services in dealing with these complaints. The number of appeals varied between schools, with the School of Business and Law having the highest number. It was also noted that Student Services and Finance had seen a large increase.
- d) It was recognised that the issue was one of accountability, structural and organisational culture issues and the focus should be on the speed at which the complaints were resolved and rectifying any problems or issues which affected the student experience.
- e) the data available for benchmarking was provided by the OIA. There was a slightly higher number of justified and partly justified complaints for 2019/20, which was attributed to the impact of the pandemic. A request was made for benchmarking to be included in future reports to the Board.

89/03 AGREED:

- a) to include benchmarking data in future reports in relation to complaints and appeals.
- b) to track recommendations from the customer service initiative and to expedite the changes required.
- c) to summarise what standard UEL would like to achieve and to consider under matters arising at the next meeting.

20/90 RISK MANAGEMENT

90/01 RECEIVED: a report from the Data Protection Officer and Head of Risk and Assurance in relation to the University Risk Register.

90/02 NOTED that:

- a) a Risk Manager was now in post and would be taking forward the work on the risk register and work had started on reviewing risk processes. There was currently no risk policy, which was now being developed by the Risk Manager. It was anticipated that a first draft of the new risk register would be presented to the Board of Governors via the Audit and Risk Committee in the autumn and there would be a focus on training for risk management in the next academic year.
- b) the content of the risk register was discussed and whether it should contain all strategic risks, or just the top 5. It was noted that the Audit and Risk Committee would review the risk register at every meeting.
- c) KPMG had run some risk appetite workshops and would bring the results of these workshops back to the Board. It was agreed that the Board should be engaged with the content of the risk register before it was presented to the Audit and Risk Committee.

90/03 AGREED: the University Secretary should send an e-mail to Governors asking for volunteers in order to consider the risk register prior to the next meeting of the Board of Governors due to be held in July

20/91 REPORT FROM THE AUDIT AND RISK COMMITTEE

91/01 RECEIVED: a report from the University Secretary on the business discussed at the Audit and Risk Committee.

91/02 NOTED that:

- a) the Audit and Risk Committee had discussed the appointment of KPMG as internal auditors for the remaining two years of their contract, as well as the appointment of Grant Thornton as external auditors for the audit of the university's accounts for the year ending 31 July 2021.

- b) a tender process for the appointment of external auditors had been agreed.
- c) the Audit and Risk Committee had conducted a self-review of effectiveness and the findings from the review were presented to the committee. The committee agreed to a number of areas for improvement.
- d) the Committee also received a report on compliance and regulatory matters, which would be presented at every meeting.

91/03 AGREED:

- a) to confirm the appointment of KPMG as internal auditors for the remaining two years of their contract.
- b) to confirm the appointment of Grant Thornton as external auditors for the audit of the university's accounts for the year ending 31 July 2021.

20/92 ETHICAL FRAMEWORK

92/01 RECEIVED: a report from the University Secretary on the Ethical Framework for the University.

92/02 NOTED that:

- a) the Ethics Advisory Committee had been formally established and had since considered the Ethical Framework, which aimed to provide a set of principles and values under which the University intended to carry out its business. A new section had been included on "From Policy to Practice" and an appendix had been included which contained an Academic Partnerships Ethics Statement.
- b) a query was raised as to why the collaborative partnership information was contained in an appendix. It was agreed that this should be included in the main document as it was recognised that this related to the core business of the University.

92/03 AGREED:

- a) to include the collaborative partnership information in the main body of the Framework.
- b) to adopt the Ethical Framework, subject to the proposed amendment above.

20/93 PROCESS FOR THE APPOINTMENT OF THE CHAIR AND DEPUTY CHAIR

93/01 RECEIVED: a report from the University Secretary on the process for the appointment of the Chair and Deputy Chair.

93/02 NOTED that:

- a) the proposed process for the appointment of the Chair and Deputy Chair had been developed in order to encourage applications from internal candidates of the Board, but also to scan the horizon with regard to the availability of external candidates. The Board were asked to confirm the approach, the planned timetable, agree the format for the appointment and incorporate within the Bye-Laws and agree a time commitment for the role.
- b) it would be the responsibility of the Governance and Search Committee and the Board to decide whether to advertise the post externally, although this would not exclude internal candidates. It was noted that any internal candidates who were interested in the post would need to be put forward by 1 September in order for a decision to be made as to whether to advertise externally with a view to agreeing an appointment in March.
- c) there was some concern regarding the possibility of an appointment being made without a competitive interview process, although there were some governors who felt that it should be possible to recruit a Chair from the current membership of the Board, especially as they would have institutional knowledge, although it was acknowledged that it was possible that there were no internal candidates who put themselves forward for the role. It was noted that it was sector practice to go out to a search consultant in order to recruit a Chair of the Board, especially as the role had become much more demanding in recent years. Despite the potential costs of recruiting a search consultant, it was acknowledged that it was important to ensure that the right person was appointed as Chair.
- d) the importance of ensuring the process was as open and transparent as possible was noted and it was agreed that a more competitive process should be put in place at an earlier stage. It was therefore agreed to appoint a search consultant in order to get an external review of candidates and at the same time encourage internal candidates to apply.
- e) there was a wide range of search consultants and it was agreed that the University Secretary would provide members of the Board with details so that they could make a choice as to who to appoint.

93/03 AGREED:

- a) to use a competitive process from the start in order to recruit a new Chair, but to encourage internal candidates to apply.
- b) to amend the role description to state that the role requires 6 days a month, but to be prepared to be flexible on the time commitment.
- c) any further comments to be directed to the University Secretary by 27 May 2021.

20/94 PROCESS FOR THE APPOINTMENT OF THE CHANCELLOR

94/01 RECEIVED: a report from the University Secretary on the process for the appointment of the Chancellor and consideration for the appointment of a Pro-Chancellor

94/02 NOTED that:

- a) there was currently no formal process for appointing a Chancellor and the proposals presented to the Board aimed to codify the process and include it within the Bye-Laws. It was noted that the current Chancellor had been appointed with no fixed term and there was no facility to time limit the appointment. The next Chancellor would have a fixed term of 5 years, with the ability to renew this term once.
- b) it was recognised that the current Chancellor had a good network and was able to use his influence to support the University. He had indicated that he was happy to remain in post as long as required. It was agreed that the Governance and Search Committee would consider the term of his appointment.
- c) the possibility of appointing a Pro-Chancellor was discussed, however, it was agreed that it was not necessary to make such an appointment.

94/03 AGREED:

- a) to codify the process of appointing the University Chancellor and include in the Bye-Laws.
- b) the Governance and Search Committee to consider the term of the current Chancellor.
- c) that the appointment of a Pro-Chancellor was not required.

20/95 BYE-LAWS AND STANDING ORDERS

95/01 RECEIVED: a report from the University Secretary on the Bye-Laws and Standing Orders.

95/02 NOTED: that the Bye-Laws had been amended to incorporate a number of changes as well as the process for the appointment of the Chair and Deputy Chair, and the Chancellor. It was also noted that Standing Orders had also been introduced.

95/03 AGREED: to approve the Bye-Laws and Standing Orders

20/96 PROPOSED SCHEDULE OF MEETINGS FOR THE FORTHCOMING ACADEMIC YEAR

96/01 RECEIVED: the proposed schedule of meetings for 2021/2022.

96/02 NOTED: that it had been agreed to hold the first strategy session early in the academic year, with the second session being held on 24 March/25 March 2022, which would allow sufficient time for input and feedback prior to the budget round.

96/03 AGREED: that a number of proposed dates should be circulated for the September meeting.

20/97 HEALTH AND SAFETY FOR EXECUTIVES AND DIRECTORS

97/01 RECEIVED: a report from the University Secretary on Health and Safety training for Executives and Senior Management.

97/02 NOTED: that having adopted the Managing for Health and Safety management system, it was noted that consideration needed to be given as to the training which had been undertaken by senior management, executives and the Board in order to meet the requirements of the Health and Safety Executive. A request was made for a volunteer from the independent Board members to put themselves forward for the training, which involved 8 hours of training.

97/03 AGREED: that the University Secretary would send an email to independent governors seeking a volunteer to undertake the training.

20/98 CHAIR'S BUSINESS

98/01 NOTED: that there was no Chair's business.

20/99 UPDATE BY THE VICE-CHANCELLOR & PRESIDENT

99/01 RECEIVED: a presentation from the Vice-Chancellor & President

99/02 NOTED that:

- a) there were four major impacts on our operational model post-pandemic which included Dual Delivery 2.0, ways of working, market competitiveness and the anchor role with employers and the community.
- b) it was recognised that the pandemic had created conditions which the University responded to and had also accelerated trends which existed pre-pandemic. Dual Delivery 2.0 had been developed taking into account

any issues which had arisen from Dual Delivery 1.0 and aimed to provide a synchronised experience for students both on campus and online. It was anticipated that 80% of the timetable would be on campus, but the flexibility to work on or off campus would be maintained.

- c) the Careers 1st mission was essential to the success of Vision 2028 and a three pillared approach was being taken to employment readiness and all levels had exposure to mental wealth and professional fitness modules.
- d) the importance of the transition year was recognised and there was a real commitment and emphasise to do more than usual in order to recover from the pandemic.
- e) a consultation was currently taking place in relation to the ways of working for staff post-pandemic. It was recognised that the campus would be used as a much more collaborative and social space. The Connected Campus project aimed to ensure that there were dynamic working spaces embedded within the campus. A pilot was currently being run in the three largest schools and two professional services to get feedback prior to rolling out in the new academic year, taking into consideration the lessons learned.
- f) work was being undertaken to improve market competitiveness and in turn student attractiveness. The physical estate and campuses needed to reflect the Careers 1st focus and be fit for purpose, both now and into the future.
- g) a query was raised regarding the support provided to students within the three pillared approach to Careers 1st. It was noted that all students would be taking mental wealth and fitness modules, and, in addition, there would be career advisors and mentors to help students, as well as an academic advisor. The career readiness scoring would be critical, and a student's progress would be tracked using these scores. The importance of the academic advisory role was emphasised, as they would have the ability to refer and signpost students to other teams based on the career readiness scoring and make decisions about interventions.

20/100 PURCHASE OF UNIVERSITY SQUARE STRATFORD

100/01 RECEIVED: a report from the Director of Projects and Estates Development on the acquisition of Birkbeck College from University Square Stratford.

100/02 AGREED: to approve the acquisition of the leasehold interest for £5.825m plus overage.

20/101 PARTNERSHIP STRATEGY

101/01 RECEIVED: a report from the Business Development Manager providing an update on the Academic Partnerships Framework and a presentation from the Pro-Vice Chancellor, Careers and Enterprise.

101/02 NOTED that:

- a) there were two external drivers across the sector for Boards to look at academic partnerships in detail. Firstly, the government was updating the International policy and was pushing the sector to make a step forward in terms of activities and there was recognition that there were risks associated with it. Secondly, there was a publication in October with risk guidelines which required the Board to challenge the executive against risk issues.
- b) academic partnerships were a way in which the University could work with partners to deliver UK qualifications. UEL did not own any campuses overseas and the programmes were delivered by members of the faculty employed by our partners. The partners were solely responsible for delivering the provision, but UEL were required to ensure that the quality of that provision met our standards.
- c) the total number of partnership students had grown from 6101 in 2017/18 to 9334 in 2020/21 and income had doubled from £3.1m to £6m.
- d) ten partnerships had been terminated and work was continuing to terminate partnerships which were non-profitable and did not align with Vision 2028. Based on the partnership contracts signed under Vision 2028, the number of students would move from 13,694 in 2021/22 to 38,968 in 2027/28.
- e) there were a number of benefits to UEL from these partnerships which included our ability to access parts of the world and institutions with students we are unable to attract into UEL. The benefit of partnerships for our partners included UEL's track record of engaging in academic partnerships and that we are also well connected as an institution. It was recognised that there were a large number of risks associated with our partnerships which included damage to our reputation. There was confidence that the processes and procedures put in place by the University ensured that the risks were mitigated against and it was noted that the risks were contained within the risk register for Careers and Enterprise and were linked through to the Strategic Risk Register.
- f) an undertaking had been made to review all business cases with partners to ensure that they were up to date. Other areas of activity

were also being identified in terms of benefits being realised and alignment with Vision 2028.

- g) a query was raised regarding the number of high-risk partners. It was noted that there was currently one partner which was regarded as high risk. The majority of partners who were considered high risk had been removed. It was agreed that any high-risk partnerships should be reviewed by the Ethics Advisory Committee in order to provide the Board with assurance. It was agreed that a process should be put in place to identify the route for approval in high risk partnerships and this would be discussed further between the University Secretary and the Pro Vice-Chancellor, Careers and Enterprise.

101/03 AGREED:

- a) to include a report under “information for note” on the Board agenda which provided an update on all activities taking place in relation to partnerships including a list of current partnerships and the rationale.
- b) all high-risk partnerships would need to be approved by the Board.
- c) the University Secretary and Pro Vice-Chancellor, Careers and Enterprise, to discuss a clear framework for ascertaining high risk partnerships to be reviewed by the Ethics Advisory Committee which will then be presented to the Board.

20/102 SPORT ENGLAND GRANT

102/01 RECEIVED: a report from the Chief Operating Officer on the approval of a Sport England Lottery Funding Agreement: East London Talent Pathway.

102/02 NOTED that:

- a) Sport England had recently confirmed the award of £613,740 to the University to develop a prototype for inclusive talent development over the next 3 years. As a condition of grant funding, Sport England required approval of the agreement from the Board of Governors. It was noted that Sport England had approached the University due to its profile of developing successful sports-based programmes. The project was designed to catalyse and remove barriers to help people and within Vision 2028 helped to accelerate increasing talent through this project.
- b) a query was raised as to the risks involved and how these could be mitigated against. It was noted that a full risk assessment had been undertaken and the main risks identified were associated with dealing with young people. From a financial perspective it was noted that the numbers were modest, but the real difference was the impact that the project would have on individuals.

103/03 AGREED: to approve the execution of the Sport England Lottery Funding Agreement.

20/104 FINANCIAL POSITION

104/01 RECEIVED: a report from the Director of Finance on the Month 07 outturn and Forecast outturn

104/02 NOTED that:

- a) the actual cash balance at the end of February 2021 was up £24.4m compared to the forecast. This was largely due to the increase in receipts, of which £9.5m related to tuition fee deposits. It was also noted that there was an underspend on expenditure.
- b) the biggest issue related to non-continuation of students. A reserve of £5.1m had been made for this, but there was a possibility that this would be too prudent.
- c) The debt of self-funding students was starting to decrease, and bad debt was on the decline. Students who were engaged with their studies were paying their fees and were likely to continue paying.

20/105 ARTICLES OF GOVERNMENT, FINANCIAL REGULATIONS AND SCHEME OF DELEGATION

105/01 RECEIVED: a report from the University Secretary on the review of the Articles of Government, Scheme of Delegation and Financial Regulations for 2020/21

105/02 NOTED: that the Board had agreed to adopt the CUC set of primary responsibilities and the Articles of Government had been changed to reflect this. In addition a number of other amendments had been made including the process for appointing a Chancellor, changing the nomenclature of the Principal to Vice-Chancellor & President, allowing the facility to appoint a committee responsible for Audit, the process for appointing governors and ensuring that the regulation of the Students' Unions was correct. It was noted that once agreed, the changes would be sent to the Office for Students for information.

105/03 AGREED: to approve the amendments to the Articles of Government.

20/106 REPORT OF BUSINESS DISCUSSED AT ACADEMIC BOARD

106/01 RECEIVED and NOTED: a report from the Quality Officer on the business discussed at Academic Board.

20/107 EFFECTIVENESS REVIEW OF ACADEMIC BOARD

107/01 RECEIVED and NOTED: a report from the University Secretary on the effectiveness review of Academic Board

20/108 ANNUAL CYCLE OF BUSINESS

108/01 RECEIVED and NOTED: the annual cycle of business.

20/109 USE OF THE CORPORATION'S SEAL

109/01 NOTED: that the Corporation's seal has not been used since the last meeting of the Board held on 24 March 2021.

20/110 DATES OF MEETINGS

110/01 NOTED: that the date of the final meeting for the 2020/21 academic year was 6 July 2021.

SIGNED:
Chair of the Board of Governors

DATED: