

CONFIRMED

UNIVERSITY OF EAST LONDON HIGHER EDUCATION CORPORATION

BOARD OF GOVERNORS

Minutes of the Board of Governors held on Tuesday 6 December 2022 via Teams

Present: John Garwood (Chair), Matthew Almond, Steven Armstrong (via Teams), Amanda Broderick (Vice-Chancellor & President), Jazz Bhogal, Sophia Bokhari, Ben Buckton, Jackie Craisatti, Regina Everitt, Sarah Fahy, Amanjit Jhund, Bindi Karia, Doris Olulode, Lavanya Rajendran, Gary Stewart and Janette Withey

In attendance: Hassan Abdalla (Provost), Jim Benson (University Secretary), Laura Clayton (Director of Strategy), Dean Curtis (DVC & Chief Finance Officer), Ian Pickup (Pro Vice-Chancellor, Education and Experience), Vanessa Varvas (Chief Marketing Officer) and Scott Williams (Deputy Chief Marketing Officer)

Officer: Jane Thomas (Governance Manager)

Apologies: Julia Davidson, Pippa Evans, Tommy MacDonnell, Paul Marshall

22/38 DECLARATIONS OF INTEREST

38/01 NOTED: there were no declarations of interest.

22/39 MINUTES OF THE MEETING OF THE BOARD HELD ON 17 NOVEMBER 2022

39/01 RECEIVED: the minutes of the meeting of the Board held on 17 November 2022.

39/02 NOTED that:

- a) the student governor expressed concern that the minutes did not reflect the full discussion in relation to the item on the Students' Union. It was agreed that the Governance Manager would discuss this further with the student governor and redraft the minutes accordingly, they would then be sent to members of the Board for final approval.
- b) the presenter in relation to the national student survey should be changed to the Provost.

22/40 MATTERS ARISING

40/01 RECEIVED: a report from the Governance Manager on matters arising.

40/02 NOTED that:

- a) the Memorandum of Understanding with the Students' Union was not in the remit of the Audit & Risk Committee . It was agreed that this document should go to the Governance and Search Committee and then potentially on to the Finance and Resources Committee.
- b) the Risk Management update would be provided to the March meeting of the Board of Governors.
- c) a medical science update would be provided to new governors in January, but all governors were welcome to attend. This was currently being organised by the Governance Manager.

22/41 THE ANNUAL ACCOUNTS AND FINANCIAL STATEMENTS

41/01 RECEIVED: the annual accounts and financial statements.

41/02 NOTED that:

- a) there had been some changes to the final version of the financial statements, and these would continue over the next two days whilst confirmation was sought from the auditors that they were happy with the amended wording. It was noted that the Board would be asked to give delegated responsibility to the Chair to sign off the accounts if there were no material changes.
- b) the external auditor explained that there had been a couple of issues related to the accounts. The key issue related to deferred capital grants. It was noted that the main reporting requirements for capital grants required that they were deferred as a liability and recognised in the Income and Expenditure account over the life of the relevant asset. The University undertook a balance sheet review during the year and, whilst the vast majority of capital grants had been treated appropriately, there was an accumulation of grants amounting to £10.1m which had been correctly deferred but were not being released in the accounts each year. These had been fully released in the pre-audit accounts. This issue was picked up by the auditors, who stated that from an audit perspective, the grants needed to be dealt with on the basis of what should have happened at the time of their receipt and not released, as a catch up, in the year. As a result, the capital grant release had been restated, resulting in a prior year adjustment. It was noted that there was still £3m to be released in future years.

- c) there had been some reclassification of buildings as freehold, rather than leasehold. These have been moved and did not affect the balance sheet reporting.
- d) there were also adjustments made during the audit process which related to estimated figures. There had been an adjustment to the bad debt provision as £7m had been identified in the draft accounts for 2022. However, in practice, more money had been recovered due to a change in the University's policy which did not allow students to enroll without settling debts. As a result, part of the original provision had been released as bad debt had reduced.
- e) the University had also reversed a provision in respect of its apprenticeship programme. The provision had been put in place due to the potential for claw back of funding following an internal review. However, it was noted that there were no indications that the Education and Skills Funding Agency intended to claw back funds, so this had been downgraded to a contingent liability. However, it was noted that further work was being undertaken by UEL to reassure itself of this position.
- f) the letter of representation was discussed, and it was noted that there were no issues that should be brought to the attention of the Board. The Deputy Vice-Chancellor confirmed that he had no hesitation in recommending the letter of representation.

41/03 AGREED: to authorise the Chair of the Board to sign the accounts on behalf of the Board, subject to any changes that may be made.

22/42 ANNUAL REPORT OF THE AUDIT AND RISK COMMITTEE TO THE BOARD AND VICE-CHANCELLOR & PRESIDENT

42/01 RECEIVED and APPROVED: the annual report of the Audit and Risk Committee to the Board and the Vice-Chancellor & President.

22/43 REPORT OF BUSINESS DISCUSSED AT ACADEMIC BOARD

43/01 RECEIVED: a report from the Quality Assurance Officer on the business discussed at Academic Board.

43/02 NOTED that:

- a) grade inflation was highlighted as an issue as, according to the OfS, UEL currently held one of the highest rates of unexplained grade inflation. It was noted that the Education and Experience Committee were investigating this.
- b) the Graduate Employability Plan relating to all Schools had been agreed by Academic Board.

22/44 COMPLIANCE WITH OFS PUBLIC INTEREST PRINCIPLES AND CONDITIONS OF REGISTRATION

44/01 RECEIVED and NOTED: a report from the University Secretary in relation to compliance with the OfS Public Interest Principles and Conditions of Registration.

44/02 NOTED that:

- a) the report had been reviewed and endorsed by the Governance and Search Committee. It was noted that the University complied with the public interest principles, however, there had been a breach of the conditions of registration in relation to the payment of fees to the OfS. It was confirmed that action had been taken to ensure that this did not happen in future.
- b) a query was raised as to the level of confidence in the ratings attributed to each area by the University Secretary, especially if an external review was undertaken. It was noted that the report had been through UEB before being presented to the Governance and Search Committee and the Board. Significant progress had been made and the enhanced monitoring had been lifted in all the areas previously identified as an issue by the OfS. It was confirmed that all assessments could be evidenced.

44/03 AGREED: to confirm the assessment of compliance with the OfS Public Interest Principles and Conditions of Registration.

22/45 COMPLIANCE WITH CUC CODE OF GOVERNANCE AND STATEMENT OF PRIMARY RESPONSIBILITIES

45/01 RECEIVED and NOTED: a report from the University Secretary in relation to compliance with the CUC Code of Governance and Statement of Primary Responsibilities.

45/02 NOTED: that the Board had agreed to adopt the CUC Code of Governance and we had progressed to almost full compliance. There was one area identified where more work was required which related to non-financial reporting. It was noted that a report was currently being prepared which would be presented to the March meeting of the Board of Governors.

45/03 AGREED: to confirm the assessment of compliance with the CUC Code of Governance.

22/46 ACADEMIC GOVERNANCE: PROTOCOL BETWEEN ACADEMIC BOARD AND THE BOARD OF GOVERNORS; CODE OF PRACTICE ON ACADEMIC GOVERNANCE

46/01 RECEIVED: a report from the University Secretary relating to a proposed protocol between Academic Board and the Board of Governors and the Code of Practice on Academic Governance.

46/02 NOTED that:

- a) work had been undertaken to raise the profile of academic governance over the last 18 months. However, it was felt that, although the processes were in place, they had not previously been made sufficiently clear to the Board in order for them to be assured that academic governance was working effectively.
- b) the Board were provided with both annual and interim reports from Academic Board. It was now proposed that a protocol be put in place to set out the arrangements to help assure the Board that the Academic Board was working effectively. The protocol outlined a new role for the Audit and Risk Committee in relation to overseeing academic governance and it was noted that the Audit and Risk Committee and the Chair of Audit & Risk Committee confirmed that more attention would be paid to this area by the Committee.
- c) the proposed protocol would now be presented to Academic Board for approval.

46/03 AGREED: to adopt the protocol between Academic Board and the Board of Governors and the Code of Practice on Academic Governance.

22/47 ANY OTHER BUSINESS

Degree Outcome Statement

47/01 RECEIVED: a report from the Provost in relation to the Degree Outcome Statement.

47/02 NOTED that:

- a) that the degree outcome statement had been sent to governors at short notice as it needed to be agreed and submitted to the OfS by the end of the month. It was agreed that in future more notice of this report would be given to governors. The key issue was in relation to the change to degree outcomes and whether it was due to grade inflation, or due to a genuine improvement in the quality of teaching and learning and the students' academic success. It was noted that an analysis of the data showed that there had been an increase in degree outcomes as a result of improvement in the quality, rather than because of grade inflation. It was also noted that, the University was lower than the sector average in terms of good honours degrees.

- b) it was possible to provide strong evidence of the practices which had been put in place and the resulting impact on the degree outcomes. It was noted that the University had committed to progressing the areas for further development which were identified in the previous Degree Outcome Statement which was paused during the pandemic.
- c) it was agreed that the wording should be changed to reflect that the only identification of grade inflation was in relation to a greater increase in grades. It was noted that the OfS had not identified where the concerns were, so it was difficult to respond more specifically.

47/03 AGREED:

- a) to amend the wording to be more robust in stating that the only identification of grade inflation was in relation to a greater increase in grades.
- b) to circulate the revised sections to members of the Board for information.

47/04 Changes to Senior Management

NOTED that: there had been some changes to the senior management within the University as follows:

- a) Dr Rosemary Stott had been appointed as the Dean of the School of Arts & Creative Industries.
- b) Robert Waterson had been appointed as the Dean of the School of Health, Sport and Bioscience.
- c) The Dean of the Royal Docks School of Business and Law, Mohammad Ali, would be leaving the University at the end of February and a reformed role would be advertised shortly.
- d) The current Chief of Staff, Nikki Patel, would be leaving the University and February and an interim Chief of Staff, Jess Cotton, had been appointed whilst the substantive recruitment process took place.
- e) The current Pro Vice-Chancellor for Education and Experience, Dr Ian Pickup, would be leaving the University. The existing role would be split before being advertised with a PVC for Education and Experience and a separate role for Chief Student Officer. The Chair thanked the PVC for Education and Experience for his contribution and hard work whilst at UEL.

47/05 Graduation Ceremonies

NOTED: that the graduation ceremonies were due to take place on the 19th and 20th January and governors were encouraged to attend if possible.

47/06 Board Briefing – Medical Science

NOTED: there would be a Board Briefing session on the medical school which would be arranged for January 2023. Other Briefing Sessions would be held during the year.

Secretary's Note: Doris Olulode left the meeting for this item.

47/07 Appointment of Deputy Chair of the Board

NOTED: that Doris Olulode had put herself forward for the position of Deputy Chair of the Board. It was noted that she had taken on a further external role so had been concerned about her capacity to take on the role. A discussion had taken place with the Chair of the Board and the Governance and Search Committee who supported the appointment, whilst recognising that Doris may require some support. It was agreed to appoint Doris from 1 January 2023 and to review the position in six months to see whether it was compatible with her other commitments.

22/48 DATES OF MEETINGS

48/01 **NOTED:** that the dates of meetings for 2022/23 were as follows:

- 6 December 2022 (Remote meeting to approve accounts)
- 30/31 March 2023 (Strategy Session and Board Meeting)
- 23 May 2023
- 4 July 2023

SIGNED:
Chair of the Board of Governors

DATED: