

CONFIRMED

UNIVERSITY OF EAST LONDON HIGHER EDUCATION CORPORATION

BOARD OF GOVERNORS

Minutes of the Board of Governors held on 23 May 2023 in Room USG19/20, University Square Stratford

Present: John Garwood (Chair), Matthew Almond, Steven Armstrong (via Teams), Amanda Broderick (Vice-Chancellor & President), Sophia Bokhari, Ben Buckton, Jackie Craissati, Trevor Critchlow, Pippa Evans, Regina Everitt, Sarah Fahy, Amanjit Jhund, Tommy MacDonnell (via Teams), Doris Olulode, Lavanya Rajendran and Janette Withey

In attendance from item 22/55 onwards:

Hassan Abdalla (Provost), Bugewa Apampa (Dean of the Office for Institutional Equity), Matt Belgard (PVC, Impact and Innovation), Jim Benson (University Secretary), Laura Clayton (Director of Strategy), Joseph Cooper (Director of People and Culture), Dean Curtis (DVC & Chief Finance Officer), Deborah Lewis (Head of Strategic Engagement), Paul Marshall (PVC, Careers and Enterprise), Nikki Patel (Head of Strategic Projects), Amy Rogerson (Chief of Staff), Vanessa Varvas (Chief Marketing Officer) and Scott Williams (Deputy Chief Marketing Officer)

Officer: Jane Thomas (Governance Manager)

Apologies: Jazz Bhogal, Les Ebdon, Bindi Karia and Gary Stewart

22/54 PRE-MEETING OF THE BOARD

54/01 NOTED: that a pre-meeting involving members of the Board of Governors only was held to consider the way in which the Board and standing committees worked and interacted with the Executive.

22/55 DECLARATIONS OF INTEREST

55/01 NOTED: there were no declarations of interest.

22/56 MINUTES OF THE MEETING OF THE BOARD HELD ON 31 MARCH 2023

56/01 RECEIVED and CONFIRMED: the minutes of the meeting of the Board held on 31 March 2023.

22/57 MATTERS ARISING

57/01 NOTED that:

Appointment of a Chancellor - action was being taken to build relationships with the two primary targets

Students' Union – this item was included on the agenda.

Prevent Training – the University Secretary confirmed that a review of the number of staff required to be trained on Prevent had been undertaken and the number remained the same as for 2022/23.

57/02 AGREED: that due dates should be included for each action under matters arising.

22/58 REPORT OF BUSINESS DISCUSSED AT STANDING COMMITTEES

58/01 RECEIVED: a report from the Governance Manager on the business discussed at standing committees.

58/02 NOTED that:

- a) it had been agreed by the Governance and Search Committee that appraisals for Board members should go ahead. It was noted that these would be dealt with by the Chair of the Board and the Senior Independent Governor.
- b) the two primary targets for the role of Chancellor were being pursued before the formal process started. It was noted that the current Chancellor would demit office at the end of the year.
- c) the tender document for the effectiveness review had been issued with a view to the work commencing on 1 November 2023. It was confirmed that the Steering Group had now been appointed and included members of the Governance and Search Committee and the Deputy Vice-Chancellor, who had agreed to represent UEB.

22/59 RISK SUMMARY

59/01 RECEIVED: a report from the Risk Manager providing the key updates to the University Risk Register for this reporting period.

59/02 NOTED THAT:

- a) the risk summary identified the top individual risks. The top 5 risks were noted and the risk in relation to the University's reliance on a single overseas student market was raised. It was noted that the risk register had

been discussed at UEB and was due to be reviewed again, at which time it was unlikely that this was a risk which would appear in the top 5.

- b) there had been some cross referencing in relation to the Remuneration and Staffing Committee in relation to recruitment, retention and attrition which was reviewed as part of the Total Reward Deal and People Strategy, but was not a risk in itself.

22/60 UPDATE BY THE VICE-CHANCELLOR & PRESIDENT

60/01 RECEIVED: a presentation from the Vice-Chancellor & President.

60/02 NOTED that:

- a) zero participation in the UCU national industrial action had been observed and in addition there had been no indication that the threat of not marking work was being followed through. It was noted that anyone who breaches their contract would not be able to access the Shared Success Awards.
- b) it had just been announced by the UK Government that international students would not be able to bring dependents with them when coming to study. It was noted that approximately 7% of the May intake had arrived in the country with dependents, so it was unlikely to have a significant impact on the University. However, it was recognised that the University's financial performance was underpinned by international students and there would be a significant impact on plans going forward if that income stream was to be lost.

22/61 PRESENTATION ON ARTS AND CREATIVE INDUSTRIES

61/01 RECEIVED: a presentation from the Dean of Arts and Creative Industries.

22/62 Q3 FINANCIAL POSITION

62/01 RECEIVED: an update on the Q3 financial position from the Deputy Vice-Chancellor.

62/02 NOTED that:

- a) the University were £5m ahead of the forecast position for year end. The University was achieving an income of £245-£250m a year, which represented an overall increase.
- b) the level of debt had been reduced and improvements had been made to ensure that the University were being paid by students earlier in the year.
- c) there was an underspend on salary which was largely due to the issues in relation to recruitment. It was noted that new recruits were being attracted to the University, but it was proving impossible to fill vacancies in all areas.

22/63 OFS MATTERS

63/01 RECEIVED: an update in relation to matters involving the Office for Students.

22/64 CONSULTATION ON THE PROPOSED CONDITION OF REGISTRATION RELATING TO HARRASSMENT AND SEXUAL MISCONDUCT

64/01 RECEIVED: a report from the University Secretary on the proposed condition of registration relating to harassment and sexual misconduct.

64/02 NOTED that: the Board had been consulted in relation to the response to the OfS. The view was that regulation could be introduced in this area and a working group had been put in place to look at this issue and to establish what arrangements should be put in place. It was noted that arrangements might need to be put in place within the next three months in the event that the regulations would come into effect by the next academic year.

22/65 REPORTING ENVIRONMENTAL, SOCIAL AND CORPORATE GOVERNANCE INFORMATION TO THE BOARD OF GOVERNORS

65/01 RECEIVED: a report from the University Secretary on reporting Environmental, Social and Corporate Governance Information to the Board of Governors.

65/02 NOTED that:

- a) there had been increasing prominence in relation to non-financial reporting termed as “Environmental, Social and Corporate Governance reporting” (ESG). The report provided an outline of policies that the University had in place to support its ESG initiatives and to provide evidence to confirm that the University was fulfilling the requirements of the CUC Code of Governance in as far as possible. It was recognised that if there was no structure to the reporting, then it would be difficult to establish what progress had been made.
- b) there was a reluctance to include this information in a financial statement document unless there was a requirement to do so. It was recognised that the CUC Code of Governance worked on an “apply or explain” basis, so the Board could decide what information it wanted to receive.

65/03 AGREED: not to adopt a formal mechanism for dealing with non-financial reporting.

22/66 APPOINTMENT OF A CHANCELLOR

66/01 NOTED: that a deadline of September 2023 had been agreed to make progress with the two key candidates before the formal recruitment exercise would be undertaken.

22/67 UPDATE ON THE SKILLS MATRIX

67/01 RECEIVED: a report from the Governance Manager on the skills matrix

67/02 NOTED that:

- a) an annual exercise was undertaken in which members of the Board were asked to complete a questionnaire on skills to identify their top 3 skills. The resulting skills matrix made it possible to identify where skills were lacking. It was noted that interviews were due to take place in order to recruit a governor with HR skills, however, it was recognised that there was a need to appoint a governor with an estates and capital projects background, as well as someone with a specialism in sustainability.
- b) there were a number of governors whose term of office were due to finish at the end of July 2024 and the skills matrix would be used to identify areas where specific skills were required.

22/68 ANNUAL REPORT ON STUDENT COMPLAINTS AND STUDENT APPEALS

68/01 RECEIVED: a report from the Head of Complaints, Appeals and Investigations

68/02 NOTED that:

- a) a total of 203 complaints had been received during the period from 1 September 2021 to 31 August 2022, which represented a slight increase. However, it was noted that there had been a significant increase in student complaints across the sector and that over 80% of the cases were resolved informally. There were two categories of complaint which had the largest increase which related to the handling of procedures and course issues. These were areas which required attention and needed to be addressed. It was also noted that apologies had been issued in some cases and it was unclear why this had not happened in others. There was also one case where it had been agreed to issue an apology and this only happened two years later.

- b) there had been a decrease in appeals during the period from 1 September 2021 to 31 August 2022, with a reduction of 2.7% from 589 to 573, this was against a trend in the sector where the number of appeals had generally increased. An issue in relation to delays in the academic appeal process had been identified and it was noted that a significant number of chairs of assessment board were on leave during the period June – September. In addition, there was a lack of understanding of the Chair's powers within the regulations and it was recognised that the number of appeals would reduce significantly if these issues were addressed. It was planned to provide training in order to address these issues.

22/69 THE EDUCATION (FREEDOM OF SPEECH) ACT 2023 – IMPLICATIONS FOR THE UNIVERSITY

69/01 RECEIVED: a report from the University Secretary on the implications for the University of the Education (Freedom of Speech) Act 2023.

69/02 NOTED that:

- a) the Higher Education (Freedom of Speech) Bill 2023 had passed through Parliament and had now been given Royal Assent. One of the main concerns was that the Act had created a statutory tort that would allow an affected party to seek legal redress if they had suffered non-pecuniary losses such as reputational damage. It was noted that many aspects of the Act would require further regulation and most of this would be dealt with by the OfS.
- b) the University did not receive many requests from individuals to speak on campus, however, it was noted that if someone was denied the right to speak, then they could make a complaint to the OfS.
- c) it was anticipated that the OfS would have regulations in place within 2 months and as a result it would be necessary for the University to review its processes and procedures to ensure that we conformed to the regulations. It was noted that a further briefing would be given when the regulations were issued by the OfS.

22/70 STUDENTS' UNION SUMS INTERIM REPORT

70/01 RECEIVED: a report from the Chief Student Officer on the Students' Unions SUMS Interim report.

70/02 NOTED: that an interim report had been received on the relationship with the Students' Union which outlined the actions and set out the priorities and a timeline for the Interim CSO and CEO SU to work through and deliver recommendations from the SUMS report received in March 2023. A full report addressing all recommendations will come to the Board in July 2023.

22/71 CHAIR'S BUSINESS

71/01 NOTED that:

- a) the Governance and Search Committee had agreed that appraisals should be undertaken for all governors and it was anticipated that these would be organised and would have taken place by the end of June 2023.
- b) the Chair thanked the two student governors, Lavanya Rajendran and Pippa Evans for their contributions to the Board and it was noted that they would be at the dinner in July.

22/72 SCHEDULE OF MEETINGS FOR THE 2023/24 ACADEMIC YEAR

72/01 RECEIVED and NOTED: the schedule of meetings for the 2023/24 academic year. It was noted that there were some changes, and an updated version would be provided to the next meeting of the Board.

22/73 UPDATE ON EXTERNAL EFFECTIVENESS GOVERNANCE REVIEW

73/01 NOTED: the University Secretary confirmed that the tender document for the effectiveness review had been issued with a view to the work commencing on 1 November 2023.

22/74 REPORT ON THE BUSINESS DISCUSSED AT ACADEMIC BOARD

74/01 RECEIVED and NOTED: a report from the Quality Officer on the business discussed at Academic Board on 26 April 2023.

22/75 USE OF THE CORPORATION'S SEAL

75/01NOTED: that the Corporation's Seal has not been used since the last meeting of the Board.

22/76 DATES OF MEETINGS

53/01 NOTED: that the date of the final meeting for 2022/23 was 4 July 2023.