

UNIVERSITY OF WARWICK

COUNCIL

Minutes of the meeting of the Council held on 17 February 2011

Present: Mr J Leighfield (Chair), Mr K Bedell-Pearce, Professor A Caesar, Dame Fiona Caldicott, Mrs V Cooke, Sir George Cox, Mrs P Egan, Mrs T Elliott, Professor S Hand, Mrs V Heywood, Mr J Higgins, Professor R Higgott, Mr G Howells, Professor T Jones, Professor J Labbe, Professor K Lamberts, Professor A Muthoo, Mr A Rivett (from item 56/10-11), Professor M Smith, Mr S Stanley, Mr D Stevens, Professor N Thrift, Professor P Winstanley.

Apologies: Dr R Chung, Mr P Dunne, Mr G Lyons, Professor M Taylor, Mr B Woods-Scawen

In Attendance: Registrar, Finance Director, Deputy Registrar, Academic Registrar, Acting Head of Governance Support Services, Assistant Registrar (Deputy Registrar's Office).

NOTE: The Pro-Chancellor welcomed Dame Fiona Caldicott to her first meeting of the Council.

50/10-11 Minutes

RESOLVED:

That the minutes of the meeting of the Council held on 26 November 2010 be approved.

51/10-11 Future Strategic Topics and Presentations for Meetings of the Council

RECEIVED:

A list of future strategic topics and presentations for meetings of the Council (C.31/10-11).

REPORTED: (by the Pro-Chancellor)

(a) That further recommendations on future strategic topics and presentations for meetings of the Council were welcome.

(by the Registrar)

(b) That he had had discussions with Mr John Higgins about potential further items, on which the Council would be updated in due course.

52/10-11 Meeting of the Council to be held on 23 March 2011

REPORTED: (by the Pro-Chancellor)

(a) That in order to meet the externally-determined schedule surrounding approval of fee levels for Home / EU undergraduate tuition fees from 2012, the scheduled May meeting of the Council had been moved forward to 23 March 2011.

- (b) That there would be a late circulation of papers to Council members in order to allow for consideration by other committees within the very short timescales in the schedule.
- (c) That comment and input from those members of Council who would not be able to attend the meeting on 23 March 2011 was strongly encouraged.

53/10-11 Remuneration Committee

REPORTED: (by the Registrar)

- (a) That the Remuneration Committee met twice a year, typically in December and July.
- (b) That the winter meeting was usually policy-driven, and therefore the intention was to bring a full report to the Council following the July meeting of the Remuneration Committee, which would focus on the implementation of that policy.

54/10-11 Professor Lord Bhattacharyya

REPORTED: (by the Vice-Chancellor)

That Professor Lord Kumar Bhattacharyya, Director of WMG, had been presented with the award for Lifetime Contribution to Midlands' Business in a ceremony on Friday 28 January 2011.

55/10-11 Professor Richard Higgott

REPORTED: (by the Vice-Chancellor)

- (a) That Professor Richard Higgott had resigned from his position as Pro-Vice-Chancellor for Research (Arts and Social Sciences) with effect from the end of March 2011 and would be taking a period of study leave in Australia.
- (b) That the appointment process for a Pro-Vice-Chancellor following Professor Higgott's resignation would commence shortly, and that in accordance with the Ordinance on the appointment of Pro-Vice-Chancellors, an Appointment Committee would be established, to include a lay member of Council.

RESOLVED:

That the Council formally record its thanks to Professor Higgott for his significant contribution to the University during his time as Pro-Vice-Chancellor.

56/10-11 Appointment of a Pro-Vice-Chancellor

CONSIDERED:

An oral report from the Vice-Chancellor on the considerations of the Committee on the Appointment of Pro-Vice-Chancellors, including the recommendation from the Committee to appoint Professor Margot Finn as Pro-Vice-Chancellor for a period of up to five years.

REPORTED: (by the Vice-Chancellor)

- (a) That the Committee on the Appointment of Pro-Vice-Chancellors, established by Council to fill the vacant posts in the academic year 2010/11, had recently completed its considerations.
- (b) That, should the recommendation be approved, Professor Finn would take up the position on her return from study leave in the summer term, and that her remit would be confirmed to the Council in due course.

RESOLVED:

That, in accordance with Statute 8 and Ordinance 3 and on the recommendation of the Committee on the Appointment of Pro-Vice-Chancellors, Professor Margot Finn be appointed as Pro-Vice-Chancellor from 1 April 2011 for a period of up to five years.

57/10-11 Warwick Prize for Writing

REPORTED: (by the Vice-Chancellor)

- (a) That the shortlist for the 2011 Warwick Prize for Writing had recently been announced, all relating to the 2011 theme of colour.
- (b) That the winner of the £50,000 prize would be selected by a panel chaired by the former Children's Laureate Michael Rosen and announced at a ceremony at the Royal Festival Hall on Tuesday 22 March 2011.

58/10-11 Boston Partnership

REPORTED: (by the Vice-Chancellor)

- (a) That the University had recently been awarded £20,000 from the British Council's New Partnerships Fund to continue to develop its partnership with Boston University, one of only 31 partnerships that were funded.
- (b) That the aim of the funding was to deepen and broaden existing collaborations between British and American institutions and to strengthen the skills of higher education staff in both countries in developing and delivering sustainable partnerships.

59/10-11 The Current Environment for Higher Education

REPORTED: (by the Vice-Chancellor)

- (a) That a small working group of members of the Council and the University's principal officers had been convened and was meeting regularly, in order to ensure an effective flow of information and coordinated response to all of the issues currently facing the University in the fast-changing environment.
- (b) That the University had recently received further information from HEFCE indicating a drop in funding of £1.7 million in 2010/11 and approximately £6 million in 2011/12.
- (c) That these cuts had been anticipated in the University's five-year planning process, and that therefore the University would break even in 2011/12.

- (d) That research scored 2* and below would no longer be funded, meaning excellent research quality would be ever more important in the future.
- (e) That a number of forthcoming changes to immigration policy in the UK would have a negative effect on the higher education sector, including:
 - (i) the closure of the Tier 1 post-study work visa scheme;
 - (ii) limits placed on the Tier 2 route for skilled migrants applying for work in the UK;
 - (iii) likely changes to the Tier 4 route through which international students obtain visas to study in the UK.

RESOLVED:

That a briefing on the issues outlined above, most notably around immigration, be provided to those Council members who may be meeting individuals who had influence in these areas.

60/10-11 The Refreshed University Strategy

CONSIDERED:

The refreshed University Strategy, including illustrative excerpts from the associated implementation plan (C.32/10-11).

REPORTED: (by the Vice-Chancellor)

- (a) That the majority of comments received during the consultation period had been positive and supportive of the principles contained within the Strategy.
- (b) That there were requests for more clarity about how the proposals in the Strategy would be resourced and implemented.
- (c) That the Strategy reflected the University's commitment to and enthusiasm for enhancing the student experience in the context of the changing structure of undergraduate tuition fees and a changing funding environment.

(by the Registrar)

- (d) That work on the refreshing of the Strategy had begun in summer 2010, with a draft document being considered by the Council at its Away Day in November 2010.
- (e) That it had also been considered by Steering Committee, the Senate and other relevant committees.

(by Ms. Trudi Elliott)

- (f) That the communication of the values contained within the Strategy could be strengthened by cross-referencing certain objectives, in order to further the stress the University's commitment to achieving excellent outcomes for students and other stakeholders.

(by Ms Vikki Heywood)

- (g) That in the context of the changing environment with respect to undergraduate tuition fees, the University should ensure that it did not underplay the importance of accessibility.

(by the Students' Union President)

- (h) That the impact of increases in undergraduate tuition fees on student expectations should not be underestimated.

(by the Director of Development, Communications and Strategy)

- (i) That, if approved, the Strategy would be published in both internally and externally facing formats, tailored to the respective audiences.

RESOLVED:

That the refreshed University Strategy, as set out in C.32/10-11, be approved.

61/10-11 Report from the Senate

CONSIDERED and ADOPTED, with the resolution set out below, a report on selected items considered at the meeting of the Senate held on 26 January 2011 (C.33/10-11) together with an oral report from the Vice-Chancellor on the following items of business:

- (a) Assembly

RESOLVED:

That the Council, on the recommendation of the Senate, approve amendments to the rules for membership of the Assembly to reflect current legislation and harmonised terms and conditions, as set out in paper S.22/10-11 of paper C.33/10-11.

- (b) Designation of Emeritus Vice-Chancellor (United States)

REPORTED:

- (i) That the Vice-Chancellor, on behalf of the Senate, had approved the conferral of Emeritus Vice-Chancellor (United States) on Professor David VandeLinde for the period to 31 July 2016.
 - (ii) That Professor VandeLinde would work in a voluntary capacity to support the University in pursuit of its Strategy in the United States.
- (c) Timetable for Consideration of Undergraduate Tuition Fees and Financial Support
 - (d) National Issues in Higher Education
 - (e) Immigration Issues
 - (f) Doctoral Training Centres
 - (g) Conferral of Title of Emeritus Professor
 - (h) Terms of Reference of Boards of Graduate and Undergraduate Studies
 - (i) New International Scholarship Programme

- (j) Outsourcing of Staff Email

62/10-11 Report from the Finance and General Purposes Committee

CONSIDERED and ADOPTED, with the resolution set out below, a report from the meeting of the Finance and General Purposes Committee held on 18 January 2011 (C.34/10-11) together with an oral report from the Finance Director on the following items of business:

- (a) Westwood Freehold

REPORTED: (by the Finance Director)

That a price had been agreed with Coventry City Council for the Westwood freehold, noting that the agreement included an anti-embarrassment clause to prevent the University from immediately selling the land to a developer.

RESOLVED:

That, on the recommendation of the Finance and General Purposes Committee, the Council approved the release of the appropriate level of resource to acquire the Westwood freehold.

- (b) Financial Performance for Quarter 1

REPORTED: (by the Finance Director)

- (i) That the revised forecast surplus for the year was £9.1 million, compared to the original budget of £8.6 million.
- (ii) That the work to prepare the Q2 forecast was currently under way.
- (iii) That cash balances remained above expectations.

- (c) Science Park Acquisition

REPORTED: (by the Finance Director)

That it was anticipated that the acquisition would be complete by 31 March 2011, noting that the agreement included an anti-embarrassment clause to prevent the University from immediately selling the land to a developer.

- (d) Enhanced Voluntary Leavers Scheme

REPORTED: (by the Finance Director)

That the Enhanced Voluntary Leavers Scheme was now active and would run for six months.

- (e) New Loan Finance
- (f) Wellesbourne Campus Restructuring
- (g) Nursery Provision at Wellesbourne Campus

NOTE: Paper C.34/10-11 was restricted to members and attendees of Council only.

63/10-11 Report from the Building Committee

CONSIDERED and ADOPTED a report from the Building Committee (C.35/10-11) together with an oral report from the Chair of the Building Committee on the following items of business:

- (a) Vision 2015
- (b) University Master Plan
- (c) Energy Report
- (d) International Institute for Product and Service Innovation
- (e) Residences 2012
- (f) Major Maintenance
- (g) Bluebell Residences

REPORTED: (by the Chair of the Building Committee)

That information regarding the proposed Boiler House project and the University's carbon management plan would be considered at the next meeting of the Building Committee, and subsequently brought forward for approval by the Council.

64/10-11 Report from the Audit Committee

CONSIDERED and ADOPTED a report from the meeting of the Audit Committee held on 17 February 2011 (C.36/10-11) together with an oral report from the Chair of the Audit Committee on the following items of business:

- (a) IT Audit Provision

REPORTED: (by the Chair of the Audit Committee)

That the Committee had approved the proposed approach to the auditing of the University's IT provision.

- (b) Bank Covenants

REPORTED: (by the Chair of the Audit Committee)

That Internal Audit would work with the Finance Office to review the risks in the compliance schedule and the measures put in place by the Finance Office to mitigate those risks.

- (c) Role of the Audit Committee

REPORTED: (by the Chair of the Audit Committee)

That the Committee had discussed the scope of the areas and activity for which the Committee had assurance responsibility, noting that further discussion may be necessary in the coming months to ensure that the Committee was sufficiently prepared to deal with new risks faced by the University in the current environment.

- (d) Internal Audit Reports
- (e) Value for Money Annual Report

NOTE: Paper C.36/10-11 was restricted to members and attendees of Council only.

65/10-11 Report from the Equality and Diversity Committee

CONSIDERED and ADOPTED, with the resolution set out below, a report from the meeting of the Equality and Diversity Committee held on 1 November 2010 (C.37/10-11) together with an oral report from the Registrar on the following items of business:

(a) Terms of Reference and Membership

RESOLVED:

That the Council approved changes in the constitution of the Equality and Diversity Committee, as approved by the Senate at its meeting held on 26 January 2011.

(b) Single Equality Scheme

66/10-11 Report from the Assembly

CONSIDERED:

A report from the meeting of the Assembly held on 21 December 2010 (C.38/10-11).

REPORTED: (by the Registrar)

- (a) That, prior to its meeting on 21 December 2010, the Assembly had not met since 1999, but that provision for meetings remained in the Statute should fifty signatories request a meeting.
- (b) That the Assembly had no decision-making authority, and could only recommend motions to the Council.
- (c) That, with the votes as detailed in paper C.38/10-11, the Assembly had recommended to the Council the motion that:

'In view of the fact that it is now too late to hold a consultative ballot before the formal consultation period ends on 22nd December, the Assembly of the University of Warwick wishes to record its disapproval of the proposed changes to the USS pension scheme, believing them to be unnecessary, detrimental to members, damaging to the long term viability of the scheme itself and harmful to the interests of higher education in the UK. We ask that this motion and the voting figures thereon be included in the University's response to the consultation exercise.'

- (d) That the Report from the Assembly, as set out in paper C.38/10-11, had been included in the University's response to the consultation on proposed changes to the USS pension scheme.

RESOLVED:

That the Council noted the fulfilment of the inclusion of the motion recommended to the Council following the meeting of the Assembly held on 21 December 2010 in the University response to the consultation on proposed changes to the USS pension scheme, and that the motion would be reflected on during any future consideration of issues around pension provision.

67/10-11 University Risk Status Summary Report

CONSIDERED:

A report outlining the current risk status for a selection of key risks for the University (C.39/10-11).

REPORTED: (by the Deputy Registrar)

- (a) That Risk F4 had been upgraded to 6 overall to reflect the requirements of the new bank covenants, noting that the risk had been revised in scope to encompass the University's overall financial stability as well as the integrity of its financial systems.
- (b) That Risks SA1 and S3 had both been upgraded to 7 overall due to the increased likelihood of local and national industrial action.

RESOLVED:

That the risk status summary report be approved as set out in paper C.39/10-11.

68/10-11 Awards and Distinctions

RECEIVED:

A paper setting out the awards and distinctions that have been conferred on members of the University since the last meeting of the Council held on 26 November 2010 (C.40/10-11).

69/10-11 Strategic Topic for Discussion: The context for the setting of Home / EU Undergraduate tuition fees from 2012

CONSIDERED:

A paper outlining the key issues and timetable for the setting of Home / EU tuition fees, financial support and widening access arrangements for 2012 entry (C.41/10-11), along with an accompanying oral report from the Vice-Chancellor and a presentation from the Deputy Registrar.

REPORTED: (by the Vice-Chancellor)

- (a) That the University had recently received the guidance from BIS to OFFA on what the requirements around widening participation and access were likely to be.
- (b) That proposed fees, financial support arrangements and widening participation arrangements for the University had to be completed and approved for submission by early to mid April.
- (c) That charging the maximum permitted fee of £9,000 would be highly politically contentious, requiring institutions to meet tightly defined widening participation requirements, reviewed year on year.
- (d) That, should the majority of institutions charge £9,000, the Government has indicated that it would review the legislative powers of the OFFA.

- (e) That it was clear that there would be further demands placed on universities to expand the amount of public information made available.
- (f) That there remained a significant lack of clarity over numerous relevant factors, including:
 - (i) when the White Paper on Higher Education would be published;
 - (ii) details about the National Scholarship Scheme;
 - (iii) income streams for HEFCE-funded subjects.
- (g) That lost HEFCE income equated to at least £7,500 per FTE.

(by the Deputy Registrar)

- (h) That the University was considering a model of fee-setting that took into account the replacement of lost HEFCE income, expenditure of a proportion of additional income on access arrangements, and increased investment in teaching and learning and the student experience.
- (i) That there were likely to be sanctions in the form of fines, restitution, or fee reductions should the University fail to meet targets in access and widening participation.
- (j) That although Warwick should be confident that its current offer and student experience was excellent, there were areas where attention may need to be focused including:
 - (i) Academic mentoring;
 - (ii) Employability;
 - (iii) Interdisciplinarity;
 - (iv) The 'international' student;
 - (v) Enhanced student support;
 - (vi) Enhanced social and study spaces
 - (vii) A sustainable teaching infrastructure

(by Sir George Cox)

- (k) That the University Strategy was focused on excellence, therefore the University must bear this in mind when setting fees and that his expectation was that Warwick would charge at the top end.
- (l) That there was a risk that setting fees below the maximum would be perceived as a lack of confidence.
- (m) That once the fee level had been set, it would be very difficult to change in either direction for a considerable period of time.

(by Ms Penny Egan)

- (n) That she shared the view of the fee reflecting the University position and excellence and thus the focus of the discussion should be about how to enhance accessibility and the student experience in this context.

(by Ms Vikki Heywood)

- (o) That the University should be confident in setting its own access agenda and criteria.
- (p) That it would be prudent for the University to be conservative about access and widening participation targets, given the terms of the Access Agreement, whilst remaining ambitious in its work in this area.
- (q) That the University should commit to looking for corporate partnerships that could result in increased funding.
- (r) That the University should use the current situation as an opportunity to review its fundraising strategy, particularly in relation to alumni.

(by the Students' Union President)

- (s) That in a recent survey of current Warwick students undertaken by the Students' Union, the majority of respondents had indicated that they would be willing to pay £7,000 tuition fees, and therefore it was the position of the Students' Union to support this fee level.
- (t) That expectations about the student experience, including contact time and personal tutoring, would rise significantly as a result of a rise in tuition fees.
- (u) That the Students' Union did not currently have a position on differential tuition fees.

(by Professor Winstanley)

- (v) That the University should pursue a rational and carefully costed approach to fee setting, to avoid potential accusations of setting fees at an arbitrary level.
- (w) That due to Warwick Medical School being graduate entry only and therefore students not being eligible for student loans, the potential abolition of NHS bursaries, should it occur, would have a significant impact.

(by Professor Muthoo)

- (x) That employers would infer quality from fee levels, and that the University therefore needed to be careful that it did not disadvantage its graduates through setting fees at a level that implied a lack of quality.

(by the Academic Registrar)

- (y) That Warwick currently performed well against widening participation benchmarks.

(by the Pro-Chancellor)

- (z) That the University should be clear as to whether its intention was to tackle the root problems underlying the widening participation agenda, or simply to meet targets.

(by Mr Keith Bedell-Pearce)

- (aa) That the University needed to consider carefully how it targeted its outreach programmes, noting that in his view they needed to start at the ages of 10-11, rather than 14-15.

(by Mr Stuart Stanley)

- (bb) That the University should be proactive in establishing and promoting indicators of quality outside that of fee levels.

RESOLVED:

- (a) That the timetable for consideration and decision-making on undergraduate tuition fees and financial support for students from 2012/13 be approved.
- (b) That a summary of current widening participation activity undertaken by the University be circulated to Council members, and the topic be covered by a presentation session at a future meeting.

70/10-11 Deeds

REPORTED:

That, in accordance with Council minute 33/77-78, a copy of the deeds executed on behalf of the Council since the meeting of the Council on 25 February 2010 was available for consultation in the Deputy Registrar's Office and would be attached to the minutes in the official minute book (C.44/10-11).

71/10-11 University Regulations

REPORTED:

That the Pro-Chancellor had taken Chair's Action on behalf of the Council to approve amendments to University Regulation 34 for the Determination of Fitness to Practise.

CONSIDERED:

- (a) Proposed amendments to Regulation 28 Governing Intellectual Property Rights as recommended by the Senate (C.45/10-11, attached).
- (b) A new Regulation relating to the Absence of Examination Marks as a Consequence of Significant Disruption, as recommended by the Senate (C.46/10-11, attached).

RESOLVED:

- (a) That the proposed amendments to Regulation 28 Governing Intellectual Property Rights, as recommended by the Senate and set out in C.45/10-11, be approved.
- (b) That the new Regulation relating to the Absence of Examination Marks as a Consequence of Significant Disruption, as recommended by the Senate and set out in C.46/10-11, be approved.

72/10-11 Modern Records Centre 2009-10 Annual Report

RECEIVED:

A copy of the Modern Records Centre 2009-10 Annual Report (C.47/10-11)

73/10-11 Appointments to Council Committees

REPORTED:

That the Pro-Chancellor had taken Chair's action on behalf of the Council to approve:

- (a) The appointment of George Whitworth to the University Health and Safety Executive Committee as the student representative nominated by the President of the Students' Union.
- (b) University Research Ethics Committee
 - (i) The appointment of Mr S Ruston to serve on University Research Ethics Committee as the one postgraduate student, appointed on the nomination of the Board of Graduate Studies, for the period to 31 July 2011.
 - (ii) The re-appointment of Professor Sir John Temple to serve on University Research Ethics Committee as one of two members external to the University, for the period to 31 July 2011.