

## Council

10 December 2024

- Present:** Joe Docherty (Chair), Andrew Baldwin, Richard Dale, Leslie Ferrar, Oliver Foster, Nic Johnston, Anthony Jones, Denise Lievesley, Dan Lonsdale, Cheryl McEwan, Amir Michael, Karen O'Brien, Nigel Perry, Philip Plyming, Ari Sadanandom, Corinne Saunders, Rob Senior, Mike Shipman, JJ Thakkar, and Terry Toney
- In Attendance:** Mark Jagger, Neil Scott, and Amanda Wilcox (all items), Colin Bain and John Pritchard for Minute 36, and James Walsh (Minutes)
- Apologies:** Rebecca Askew, Jonathan Bewes, James Grierson, and Cheryl Millington.

## Minutes of a Meeting of Council held in Lindisfarne Centre, St Aidan's College

**21. Welcome and Apologies****Noted:**

- a) on behalf of Council the Chair welcomed:
  - i) Cheryl McEwan and Richard Dale to their first full meeting of Council;
  - ii) Mark Jagger, who was an observer at Council prior to becoming a formal member from 1 August 2025.
- b) Apologies were received from Rebecca Askew, Jonathan Bewes, James Grierson, and Cheryl Millington.

**22. Declarations of Interests in relation to Agenda Items****Noted:** there were no declarations of interest.**23. Minutes of Meeting held on 5 November 2024 (C/24/17 Confidential)****Approved:** the minutes of the meeting held 5 November 2024.**24. Matters Arising****Noted:** there were no matters arising.**25. Action Log and Schedule of Business (C/24/18, /19 Confidential)****Noted:** the status of the Action Log and Schedule of Business.**26. Chair's Business (C/24/20 Internal)****Noted:** activities undertaken by the Chair since the last meeting of Council.**27. Vice-Chancellor's Report (C/24/21 Confidential)****Noted:**

- a) several key leadership changes had been announced including:
  - i) the Pro-Vice-Chancellor (PVC) (Colleges & Student Experience) joining Kings College London as the new Chief Operating Officer from April 2024, with the PVC (Equality, Diversity & Inclusion) to provide cover for an interim period;
  - ii) the appointment of Ian Rooney as the new Director of Estates & Facilities, following the excellent interim cover provided by Phil Marsh;
  - iii) Professor Martin Evans joining as the Executive Dean for the Faculty of Social Sciences and Health.
- b) the University was in the process of recruiting for a Chief Operating Officer, therefore, consideration would be given to how appropriately replace the PVC (Colleges & Student Experience) once that process matured;
- c) Governance & Nominations Committee were developing proposals, for approval by Council, in relation to ensuring that the colleges were appropriately represented on Council;

- d) the launch of the Universities for North East England (UNEE) had received significant positive media coverage and had been featured by the TV presenter Steph McGovern in the podcast 'The Rest is Money'.

**28. Senate Report (C/24/22 Public)**

**Noted:**

- a) Council may benefit from a future discussion about the Knowledge Exchange Framework and its importance to the University's relationship with employers, including its link to Higher Education Innovation Funding;
- b) the Postgraduate Taught Experience Survey (PTES) had seen a 16% response rate, with the outcomes likely to be weighted towards those students who were unhappy with their experience. The University focus was encouraging a better response rate in future iterations.

**29. Students' Union Report (C/24/23 Internal)**

**Noted:**

- a) the President of the Durham Students' Union (DSU) was pleased with the response of the University towards Estranged and Care Experienced Students, although greater clarity of the support available would help allay concerns raised by some students;
- b) the establishment of a student housing co-operative had been developed in consultation with the Chief Executive of the DSU, however, initiatives such as Homeshare UK may be a more cost-effective solution and could contribute positively to community engagement with the elderly.

**30. Year End Outturn 2023/24 (C/24/25 Confidential)**

**Noted:**

- a) Audit and Risk Committee (ARC) had undertaken a detail consideration of the 2023/24 Financial Outturn in relation to the Quarter 3 Forecast and 2023/24 Budget;
- b) noting the deficit forecast submitted to the Office for Students (OfS), the final deficit had been less than expected, which was a positive considering the financial challenges the whole sector faced during the 2023-24 Academic Year.

**Agreed:** the 2023/24 Financial Outturn, and the bad debt write-off for 2023-24 as detailed in the paper.

**31. University Annual Report and Financial Statements 2023/24 (C/24/26 Confidential)**

**Noted:**

- a) Due to improvement in the financial markets, the University Superannuation Scheme was no longer in deficit. This meant the University could write back the provision previously made, giving rise to a profit for the year. However, without the write back the result would have been a deficit as budgeted;
- b) special thanks were recorded for the Senior Governance & Project Officer and the Finance Team for all their efforts in producing the Annual Report and Financial Statements, which were recognised as comprehensive and accessible;
- c) ARC had met with the external auditors Grant Thornton, and were happy to approve the outcome of the Audit;
- d) Council may have benefitted from hearing directly from the external auditors, although there were few additional observations which could have been added to this year's Audit;
- e) the current financial situation was hindering the University's ability to meet its target of improving the condition rating of its residential and non-residential buildings, however, reducing the size of the University estate would help contribute to improvements.

**Agreed:**

- a) to invite the External Auditors to next year's consideration of the Audit by Council; **AW**
- b) to approve the Annual Report and Financial Statements;
- c) to delegate the Chair of Council to sign the letter of Representation on behalf of Council to Grant Thornton.

**32. United States (US) Generally Accepted Accounting Principles (GAAP) Accounts (C/24/27 Confidential)**

**Noted:**

- a) due to the increased success of the University in attracting students from the US, the University was required to submit financial statements in line with the US GAAP;
- b) the accounts were currently being audited by the University's external auditors and would be presented to ARC on 22 January 2025 for final approval.

**Agreed:** to approve in principle the financial statements, in line with the US GAAP, for final approval by ARC.

**33. Home Undergraduate Tuition Fees (C/24/28 Confidential)**

**Noted:**

- a) the UK Government, on 4 November 2024, announced that tuition fee cap for home Undergraduate (UG) students would increase to £9,535;
- b) this increase was subject to statutory instrument and would apply to new and continuing students;
- c) although the University had a choice of whether to raise home UG tuition fees, some universities had already announced their intention to raise tuition fees, with many more expected to do the same;
- d) the Government had announced a comprehensive spending review for Higher Education, although there had been no confirmation about any future UG home tuition fee rises.

**Agreed:** to increase the full-time home UG tuition fee for all students in 2025/26 to £9,535, subject to statutory instrument.

**34. Modern Slavery Statement (C/24/29 Public)**

**Noted:**

- a) the University was legally obliged, annually by the end of January, to publish a statement on its website in relation to the Modern Slavery Act 2015;
- b) changes to the Statement had included updates to reference Equality, Diversity and Inclusion (EDI) metrics;
- c) the University's Procurement Team provided due diligence on adherence to the Statement for any college or department which was engaging in contracted work;
- d) reference to the Public Interest Disclosure (Whistleblowing) Policy and Employee Code of Conduct, should include the wider list of whom both applied to.

**Agreed:** subject to changes to the entities covered by the two University policies, to approve the Modern Slavery Statement 2024-25.

**35. Faculty Name Change (C/24/30 Internal)**

**Noted:**

- a) due to the historical legacy of a medical school, the Faculty of Social Sciences & Health had retained 'health' in its title, although currently no dedicated health programmes were being delivered by the University;
- b) with the announcement of the position of Associate PVC (Health), and the recognition that health was pan-university and inter-disciplinary in nature, the recommendation was for the Faculty to be renamed as the Faculty of Social Sciences;
- c) following extensive consultation, noting only a few concerns raised from Board of Studies where health was a particular focus for individual researchers, the proposed renaming had received wide support;
- d) concerns over the cost of rebranding would not be realised as changes would be made as and when rather than retrospectively, with the majority of the changes being digital.

**Agreed:** to rename the Faculty as the Faculty of Social Sciences.

**36. QS World Rankings Update (C/24/24 Confidential)**

**Received:** Communicating Research Excellence: Raising Global Profile presentations

**Noted:**

- a) the University had in recent years been as high as 78 in the QS World Rankings, as low as 92, and was currently 89;
- b) only 15 UK and 30 European institutions were currently in the top-100;
- c) the QS World Rankings were important, as being outside the top-100 impacted on international student recruitment from China, where students who studied in top-100 QS ranked institutions received a competitive advantage in accessing jobs;
- d) the methodology used by QS in calculating their rankings was complex, although 45% of ranking scores came from a reputational survey to peer academics and global organisations;
- e) the University had considered contingency plans, should they move outside of the top-100, and discussed the outcome with institutions in the UK to whom this had happened;
- f) information provided by other UK institutions, was that eventually the institution had settled in a different international market where entry requirements and IELTS required reviewing without impacting on the reputation of the institution;
- g) the Director of Strategic Planning and Insight provided Council with a presentation, which highlighted the global reputation campaign led by Marketing & Communications in promoting research activity that two of the faculties had undertaken;
- h) in relation to citations the following:
  - i) citations accounted for 20% of the league table measurements, although there was a significant time-lag to publications which contributed;
  - ii) some disciplines were favourably weighted in relation to their impact on the QS rankings;
  - iii) it mattered where researchers published their papers and sometimes the topic covered could generate a significant level of citations.
- i) although global recognition for QS rankings was in the academic domain, there may be other tools available which could bring greater recognition to published research through knowing where conversations were happening online;
- j) although Oxford University had appeared top of the THE global rankings, their Vice-Chancellor had highlighted the existential problem faced by UK institutions through how global institutions were financially supported in maintaining and moving into the higher echelons of the global league tables;
- k) the next iteration of the annual QS World Rankings were due in June 2025 and it would be helpful for Council to consider the outcome at a future meeting.

**Agreed:** to receive an update on QS World Rankings.

**KO'B**

### 37. **Senate Regulations Part 1 (C/24/31 Internal)**

**Noted:**

- a) following the Statutes, Council Effectiveness, and Senate Effectiveness Reviews, Senate had considered two Regulations which related to its core business for approval by Council;
- b) Regulation 11 section 2a) on Student Organisations had removed Council approving the DSU's Constitution and would require review;  
*[Secretary's Note: in agreement with the President of the DSU and the University Secretary, section 2a) was amended to read: The Durham Students' Union will act in accordance with its constitution which shall be reviewed by Council at five yearly intervals and any amendments approved by the Council. Such review shall be in addition to any constitutional and legal requirements on the Durham Students' Union, and its trustees, in relation to the review of its constitutional arrangements.]*
- c) In following the principle that the 'what' and the 'why' of University governance was found in the Statutes and the 'how' and the 'who' in the Regulations, it had been noted that this was causing confusion with the existing General Regulations. Noting the sector nomenclature the Governance Review Implementation Group (GRIG) recommended renaming the Regulations as Ordinances.

**Agreed:**

- a) the changes to the Regulations, subject to agreement of the wording relating to the approval of the DSU's Constitution;

- b) to rename the University Regulations which support the Statutes as Ordinances.

**38. Council Staff Appointments (C/24/32 Internal)**

**Noted:** Council were asked to approve several appointments including a Governor at St Chad's College, the re-appointment of the Head of South College, and the appointment / re-appointment of Heads of Department for Anthropology, Archaeology, and Biosciences.

**Agreed:** the appointments as detailed in the report.

**39. Non-Academic Misconduct Procedure (NAMP) (C/24/33 Internal)**

**Noted:**

- a) Senate had discussed in detail the changes to the NAMP and recommended the changes for approval by Council;
- b) in relation to Sexual Misconduct and Violence (SMV) the following:
  - i) the University was looking for continuous improvements in tackling SMV;
  - ii) the new OfS condition in relation to SMV was due for implementation in August 2025 and an additional question had been included in the National Student Survey (NSS) to assess how well institutions were dealing with SMV;
  - iii) greater clarity was required about what the OfS would do with the data collected, with the University confident that the level of SMV reported was due to improved reporting mechanisms and confidence of those reporting SMV that action would be taken;
  - iv) the Chair of the Council Student Appeals Committee was confident of the quality of the support provided for SMV, but noted that some of the cases were extremely complex.

**Agreed:**

- a) implementation of the changes to the NAMP and SMV Policy;
- b) Senate to be granted delegated power to approve minor consequential changes to the General Regulations, resulting from the changes to the two Policies.

**40. Chair of Council Recruitment Update (C/24/42 Internal)**

**Noted:**

- a) the Senior Independent Governor (SIG) reported on the progress made in relation to the recruitment process for the new Chair of Council;
- b) although the field from which applications had been sought was diverse, the final shortlist did not reflect this;
- c) several factors had discouraged applicants from firming their interest in the role, and Council may wish to revisit the topic of remuneration the next time that the Chair of Council role became vacant.

**41. Finance Committee Report 20 November 2024 (C/24/34 Confidential)**

**Noted:**

- a) the majority of the discussion of the Finance Committee on 20 November had been in relation to financial matters considered earlier on the Council agenda;
- b) following the decision to raise the accommodation fees by 5%, Finance Committee were due to consider implications for the Durham Grant Scheme (DGS);
- c) in relation to the 5-year Forecast the following:
  - i) Council at its meeting on 5 November had delegated authority to Finance Committee to approve the 5-year Forecast for submission to the OfS;
  - ii) the Forecast had modelled uncertainty in the international Postgraduate Taught (PGT) market as extrapolated from the current academic year's cohort;
  - iii) the submission did not include any consideration of the University's position in the QS World Rankings;
  - iv) the National Insurance increase had been added to the Forecast, along with what was calculated as a one-off rise in UG home tuition fees;
  - v) the predicted deficits would be managed through several mechanisms which would be developed and consulted on by the Executive.

**42. Audit and Risk Committee Report 21 November 2024 (C/24/35 Confidential)**



**Noted:**

- a) the main business of ARC on 21 November had related to the University's Annual Report and Financial Statements, and the external audit;
- b) work of the University's external auditors Grant Thornton had highlighted issues with the implementation of Oracle Fusion, with the Chief Innovation Officer invited to a future meeting to discuss its implementation;
- c) in relation to the Going Concern of the University the following:
  - i) the Going Concern made sober reading if certain scenarios occurred;
  - ii) it was testament to the University of its reputation and standing that it could withstand the stress testing modelled in the Going Concern;
  - iii) the concern was that other higher education institutions would have to report greater concerns about their Going Concern, which may reduce confidence in the sector to lenders.

**Agreed:** the updated Occupational Health & Safety Policy Statement and Arrangements; Fire Risk Management Policy; and Research Integrity Report.

**43. People and Organisational Development Committee Report 7 November 2024 (C/24/36 Internal)**

**Noted:** the Committee's Terms of Reference had been updated to reflect the role of the committee in relation to EDI matters.

**Agreed:** the amendments to the Committee's Terms of Reference.

**44. Ethics Committee Report 28 October 2024 (C/24/37 Confidential)**

**Noted:**

- a) the Gift Acceptance Policy had been amended, to better reflect the source of funding, to the Philanthropic Donations Policy, with a similar change to the title of the related sub-committee;
- b) the sub-committee would consider how philanthropic decisions were made in relation to the University's existing Property Assets Naming Policy.

**Agreed:** the Committee's Terms of Reference and the Philanthropic Donations Policy.

**45. Remuneration Committee Meetings 23 July and 13 November 2024 (C/24/38 Confidential)**

**Noted:** the matters discussed by Remuneration Committee at its meetings on 23 July and 13 November 2024.

**46. Governance and Nominations Committee 15 November 2024 (C/24/40 Internal)**

**Noted:**

- a) the matters discussed by Governance & Nominations Committee (GNC) at its meeting on 15 November 2024, including amendments to its Terms of Reference;
- b) GNC had considered the DSU's Annual Assurance 2023/24, endorsing it for approval by Council.

**Agreed:**

- a) the Committee's Terms of Reference;
- b) the DSU's Annual Assurance 2023/24.

**47. HR Report on Key Staffing Matters (C/24/41 Confidential)**

**Noted:** the report for information

**48. Dates of Future Meetings**

**Noted:** 25 February, 20 May, and 15 July 2025