



Minutes

Meeting of the Senate

Date: 13 December 2023

Present: The President & Vice-Chancellor in the Chair

Professor P Bath, Professor S Beck, Professor S Bhaumik, Professor R Blakeley, Professor A Blom, Professor L Brooks, Professor C Buck, Dr J Burr, L Byrne, Professor M Carre, A Clements, Professor J Derrick, Professor M Dickman, Professor S Fitzmaurice, Professor J Flint, Dr J Forstenzer, Professor G Gee, Professor M Gilbert, Dr L Gray, Dr S Hale, Dr V Halliday, Professor R Hand, Professor S Hartley, Professor P Hatton, T Hodgson, Professor J Hodson, M Jones, Professor V Kadirkamanathan, Dr I Kersbergen, Professor J Kirby, Professor R Kirkham, Professor W Kitchen, Professor D Lambert, Professor R Lawthom, M Lourido Moreno, Dr A Majid, Dr S Marsh, Professor M Marshall, Professor M Mayfield, Professor C Miller, Professor N Morley, Professor D Mowbray, Dr C Nic Dháibhéid, Dr S D North, Professor C Ó Brádaigh, Professor J Oakley, Professor G Panoutsos, Dr L Preston, Dr B Purvis, Professor L Robson, T Rocha, Professor S Rushton, H Sadiq, Dr R Simpson, Professor M Strong, N Stubbs, R Sykes, Professor C H Tan, Professor K Taylor-Jones, Professor G Valentine, Professor M T Vincent, Dr N Walkinshaw, Professor C Watkins, C Williams, Professor L Wilson, Professor H Woolley.

Secretary: J Strachan

In attendance: M Borland, S Callan, A Carlile, K Clements, A Colley, B Cook, A Davison, A Morgan, K Sullivan, D Swinn.

Apologies: The Senate received apologies from 16 members.

Welcome

The President & Vice-Chancellor (P&VC) welcomed members to the meeting. There were 2 new members of Senate. Al Carlile and Alix Morgan were in attendance for item 4, Final Structural Proposals.

Members of Senate were reminded of the purpose of Senate. The statutes were clear that Senate, subject to the Statutes and the control and approval of Council, oversaw the teaching and research of the University and admission and regulation of students. The remit of Senate was teaching, research, admissions and regulations.

1. Declaration of Conflicts of Interest

1.1 It was recognised that there would be a number of actual, potential or perceived conflicts of interest arising from item 4, below, and, while Individual members were invited to declare any such conflict if they wished, the Chair acknowledged the matter as potentially affecting all staff and student members of Senate. It was agreed that all members could participate in the discussions and decision making process.

1.2 No further conflicts were declared.

1.3 Pre-Submitted Questions

1.3.1 It was highlighted that twelve questions had been submitted in advance of the meeting, which would be covered under the relevant items.

1.3.2 It was noted that there had been a request from Dr S Marsh to bring the minutes of the previous meeting forward to the start of the meeting, to address several points he had raised relating to the minutes. The email was read out in full, at the request of Dr Marsh.

1.3.3 The points raised in the email would be addressed before the business of the meeting and the minutes would be agreed at the end of the meeting, in line with the order of business. The following was noted:

1.3.4 Dr Marsh had made a request to reword a paragraph in minute 4(a) and to move a section of minute 4(a) to appear in the context and place in which the matter had been discussed.

1.3.5 Senate approved the suggested changes to the minutes, noting that the changes had been accepted by the Chair prior to the meeting; the passage referred to in minute 4(a) would be moved and the passage referred to in minute 4(g) would be amended as per Dr Marsh's suggestion. **[Action by: JS]**

1.3.6 During discussion, Dr Sam Marsh raised a further point about the accuracy of the passage referred to in minute 4(a), which reflected comments made to clarify that that it was up to Council to decide what form the advice from Senate should take (in the context of the Structural Proposals). It was noted that Dr Marsh did not agree that the discussion reflected in that minute took place.

2. President & Vice-Chancellor's Report to Senate

The President & Vice-Chancellor (P&VC) presented the report and provided updates:

- a) External Environment – International Students and Staff - Since the time of reporting, the government had announced measures to reduce legal migration to the UK. Details of the measures were shared with Senate. An update was shared on the details of the measures. Included in the announcement was a review by the independent Migration Advisory Committee of the Graduate visa route to ensure that it "works in the best interests of the UK" and to "prevent abuse". It was also announced that the skilled worker salary threshold would rise from £26,200 to £38,700 from next spring, along with

the spousal visa income threshold by the same amount. In addition, the planned restrictions on all but research postgraduate students bringing dependents would come into force in January 2024.

The measures announced had the potential to damage the perception of the UK as a welcoming destination for international staff and students. The University would continue to highlight to the government and the opposition the economic, social and cultural contribution that international students and staff made to the sector. The University was engaging with sector representative bodies to understand the impact of the changes and to call for an immigration system that allowed the University to recruit the talent and skills it needs. The University had written directly to colleagues who may be affected and was sharing updates with international students.

- b) Registration of New Students – An update was shared on the number of new students registered since the time of reporting. As of 1 December 2023, the University had under-recruited against its undergraduate overseas (UGO) target. Falling out of the QS Top 100 was one factor accounting for this shortfall in addition to difficult economic conditions in key overseas markets. The University was taking steps to mitigate against this and to ensure that the University regained its place in the Top 100, however targets for 2024/25 onward were expected to be revised downward. A report on the QS Top 100 and its impact would be shared at the next Senate meeting. **[Action by: AC]**

In response to a question about the extent to which the University was experiencing a decline in the recruitment of overseas students compared with others in the sector, it was noted that this information was not readily available and while there was a general sense that the direction of travel existed, it was not possible to confirm this.

3. Matters Requiring Approval

Senate received and noted a summary of the matters for which Senate's formal approval was sought.

4. Final Structural Proposals

- 4.1 Further to an update received in October 2023, Senate received and noted two reports which outlined the proposal and case for moving to a school structure. Senate was reminded of the process by which this point had been reached, clarification on how Council wanted to receive advice from Senate and details of next steps. It was noted that three members had submitted nine questions in advance of the meeting in relation to this agenda item. Senate received responses to these questions and was then invited to share views on the case and proposal for moving to a schools structure.

4.1.1 Process and Next Steps

Since the October meeting, a lot of feedback had been received from across the University on the composition of the proposed new schools. In a number of areas, staff agreed that the initial plan presented the best and/or most viable option. However, in other areas, alternative ideas were suggested and these were discussed and considered by faculties and departments. Faculties had reviewed all the feedback they had received and used this to

inform their final recommendations to UEB. UEB had met to consider this and had agreed a proposal for consideration by Council, which was now the subject of discussion at Senate in order for it to provide advice to Council on the matter.

It was highlighted that, at Council's previous meeting, Council had agreed how it wished to receive advice from Senate. Council had asked for Senate members' advice, and specifically sought academic advice on the proposal. Council sought views from Senate in a number of different ways because they wanted rich, in-depth advice and the agreed approach was informed by what Council had found most useful on previous occasions when Senate's advice was needed to inform a decision.

The advice from Senate to Council would include:

- Receiving the views expressed by Senators at the 13 December (this) meeting.
- A questionnaire would be issued to all members of Senate, to be completed anonymously and on an individual basis by all members of Senate if they wished to do so. Responses would be collated and provided to Council in full to provide the rich source of advice that Council had requested.
- The Senate Education Committee and Senate Research and Innovation Committee had already discussed the plans in the context of Research and Education and the minutes of those meetings would be shared with Council.
- All members of Council would have the opportunity to meet with representatives from those committees to gain a deeper understanding of those Committee's respective perspectives.

4.1.2 In order for there to be enough time for Senate members to be able to submit their views and for Council to have adequate time to consider these, a new timeline had been agreed. Council would still meet in December as planned to discuss the advice they had received to date but Council had decided to hold a further meeting on 24 January 2024 to consider the formal decision. This would facilitate the provision of more comprehensive and detailed information to Council, including through the Senate members questionnaire, and allow Council members additional time to consider the related papers in advance.

4.1.3 Submitted Questions

Before moving to the debate, responses were provided for the nine questions submitted in advance of the meeting.

- a) In response to a submitted question, which noted that the Department of Lifelong Learning would cease to exist as a distinct entity under the new school structure and which sought assurance that the provision for mature, non-traditional undergraduate students from the Sheffield City Region would continue to be equitably resourced and effectively supported, across the widest range of disciplines possible, it was clarified that the University's offer to mature non-traditional undergraduate students, along with the Access and Participation Plan and Foundation Year would remain a very important part of the University's offer.
- b) In response to a submitted question about whether Council's decision to seek advice from Senate in the format described stemmed from a recommendation from the University Secretary, it was noted that, at the request of Council, the University

Secretary had provided a range of options as to how Council could seek the advice of Senate, and certain committees, based on previous practice and feedback from Council members and the process of engagement being followed over the proposed Schools structure. After discussion, Council agreed to seek advice in the ways reported to Senate. Senate was reminded that there were three members of Senate appointed to Council following election by the Senate, who would be able to confirm this.

- c) In response to a submitted question about whether the papers submitted to Senate on this matter were a) for note, b) for assurance, c) for report of decisions taken where it is a delegated matter, or d) for recommendation and decision (as stipulated in the Senate Standing Orders), it was clarified that Senate was being asked to note the proposals and was invited to share views on the case and proposal for moving to a schools structure.
- d) In response to a submitted question about why the Equality Impact Assessment (EIA) included in the papers, did not reflect that the schools proposal would have a disproportionate impact of redundancies on women (specifically departmental managers), and highlighted that Senate and Council should both factor this into their decision making, it was clarified that the EIA available on the new schools Google site related to the overarching proposal to move to a school structure. UEB recognised that further EIAs would need to be prepared to consider the implications of specific proposals, such as the process of appointing School Managers to the new Schools. It was noted that the proposed school structure itself did not impact disproportionately on any protected characteristic. However, UEB recognised that the implementation / process of moving from the existing to the new structure may impact on some protected characteristics, for example that most existing Department Managers were women. An overview of planned actions to mitigate the impact of this was shared with Senate, which included committing to no redundancies until July 2025 at the earliest, committing to honouring existing flexible working patterns in the new structure so that no existing Department Manager felt unable to apply for a School Manager role and ensuring that the selection process used to appoint School Managers did not disadvantage any individual on the basis of their protected characteristic(s). The member who submitted the question welcomed that this would be considered at the next stage but indicated that it should be recognised that the decision to proceed with the schools structure could not be completely mitigated by these factors, in their view, and that this should be recorded.
- e) In a pre-submitted question, it was highlighted that a chart in the papers displaying positivity vs population size for the National Student Survey (NSS) theme of "organisation and management", appeared to show a negative correlation and a request was made for Senate to be provided with similar charts for all seven NSS themes, ideally with correlation statistics. It was noted that all the NSS data was available on the reporting service via the NSS results dashboard, and a highlights pack was also available. Regarding the negative correlation in relation to the NSS theme of "organisation and management", it was reported that this correlation was

found to be weak due to one department skewing the data; when this department was taken out the correlation was relatively inconsequential.

- f) In a pre-submitted question, a point was made that there was no reflection on lessons learned from the School of Biosciences. In response to a question about why this was the case and whether this could be provided, it was noted that the Faculty Vice President (FVP) for Science had shared insights from experience of Biosciences as part of UEB's discussions about the case for change. Colleagues in Biosciences were still working hard on maximising benefits from their restructure and had pulled together their reflections into a draft report which would be shared formally with Trade Unions (TUs), as part of the post change review process at a meeting of the JUCC Employment Security Sub-Group on 20 December 2023. Once shared and discussed in that forum, a version would be made available for wider circulation as appropriate. It was highlighted that the draft report drew out a series of positives in terms of the activity helping to enrich the educational offer and enabling the school to enhance research activity (including the clearer presentation of areas of excellence). It also recognised that there was still more work to be done on academic line management and research clusters.

A follow up question was raised about how students had been involved in the change review process and lessons learned and concern was raised that the feedback shared with Senate did not square with feedback from students on the ground. It was agreed to come back to this point later as part of the response to a question already submitted by the Students' Union (see question at 4.1.3g).

- g) In response to a submitted question from the Students' Union (SU) about how the experiences of the students in the Biosciences School had been taken into account when creating the new structure and how the SU could assure students that any negative impacts experienced in the establishment of the Biosciences School would not be repeated as part of the proposed schools structure, it was noted that the wider matter of student voice work, including with regard to the schools structure, would be shared as part of the Governance Presentation (see minute 4.2 below), a more comprehensive and contextualised answer would be provided at that point.

During discussion about the point raised about Biosciences specifically, it was highlighted that there was strong student input and engagement through recent workshops and that the student voice agenda had been the subject of significant work in the School over recent years. While the University recognised that there may be issues that needed to be considered, no significant issues had been raised through these fora. It was also noted that the NSS results showed a good return from Biosciences (available on the reporting service via the NSS results dashboard).

It was again highlighted that this did not align with feedback the SU had received from students. Therefore, it was agreed that the SU would share its reflections and student feedback with the Vice President for Education, for further consideration.

[Action by: SU/MV]

- h) A submitted question from the SU highlighted that it had received feedback from some students in the Medical School about their frustration that they had seen no

positive change in terms of student experience and that the restructure had been ineffective for them. The SU asked for assurance that this would not be the case with the wider proposed schools structure. During discussion, it was highlighted that this restructure was at a very early stage and that it was a key aim at this stage to minimise disruption to students, which could account for little change having been experienced yet. It was also highlighted that as part of the restructure, meetings had taken place with over 1000 students. NSS scores for the Medical School had been declining steadily for several years, the University talked to students before the restructure and they were overwhelmingly supportive of moving to a school structure. An overview of some of the improvements, particularly in terms of arrangements and relationships with NHS partners, was shared. While the University recognised that improvements may not yet be felt consistently by all students, it remained confident that that restructure would deliver positive results for students across the Faculty of Health.

- i) A submitted question from the SU asked how students could be assured that they were protected under Competition and Markets Authority (CMA) conditions in the context of the proposed schools structure. Specific examples included students joining programmes that had been marketed in a certain way, and Landscape Architecture and Automatic Control and Systems Engineering (ACSE) students who may have chosen the university because of the independence of those departments. It was highlighted that the CMA guidance made clear that the University must provide prospective students with information on the course of study and this included, but was not limited to, the content of courses, fees and course duration. It was important to note that the student contract was with the University, not with any individual School or department.

During wider discussion on this matter, the following additional points were raised:

- While it was the case that, in strict legal terms, the contract with students was with the University and not the department, it was important to recognise that the information provided to prospective students, for example at open days, did not currently reflect the impact of the proposed new school structure and the University should be mindful of this. It was noted that several other Russell Group (RG) Universities had been through a similar process and had not experienced any issues in terms of CMA compliance. However, it was accepted that this was an area that merited further thought.
- A question was raised by the SU about whether the proposed school structure would lead to a new funding model for programmes, in order to achieve equitable student experience and if not, how the University would ensure equity for students. It was clarified that the University had no plans to introduce differential fees across programmes, even where this was possible under the current funding regime. The University was committed to continuing to work to ensure equitable overall excellence in what it delivered and the best student experience and value for money for students.

4.1.4 Discussion on Proposal and Case for moving to a Schools Structure

Senate noted and was invited to share views on the case and proposal for moving to a schools structure. During discussion the following points were raised:

1. A point was made that with regard to the planned Senate questionnaire on the proposals, the individual views of Senators should not be seen to constitute a consensus view from Senate and should not be presented to Council in a way to suggest this. Senators were assured that the responses to the questionnaire would be presented as the individual views of members, and while themes may be identified, the responses would not be presented as a view formed by Senate as a body.
2. It was highlighted that Council was not seeking a decision from Senate on the proposals, but rather wished to receive rich, in-depth feedback from Senators. While Senate could not speculate on the impact of a recommendation to Council, there was nothing to prevent Senate from expressing a consensus view if it so wished. However, the final, formal decision over the proposals was a matter reserved to Council.
3. Regarding the questionnaire, there was concern that the Christmas Break meant there would be insufficient time to contribute. Members were assured that the questionnaire would be circulated immediately after the meeting with a month given to contribute. Later in the meeting, it was clarified that the questionnaire was set up to allow free text responses and the word count for each question was double that of the last questionnaire that Senate members had been invited to complete.
4. A member invited Senators to reflect on whether, considering the information shared with Senate so far, they felt in a position to give a consensus view on the proposals as a recommendation to Council. It was noted that if Senate could formulate a motion that was sufficiently clear, the Chair would not oppose such a motion, nor would such a motion replace the questionnaire requested by Council. This led to discussion on the matter of Senate taking a vote during the meeting, during which the following was clarified:
 - a) Any vote(s) would be conducted online and would be anonymous.
 - b) Systems and processes were in place to conduct a vote during the meeting if required.
5. Members discussed the proposals and case for change and reflected on the extent to which they felt in a position to offer a view to Council. The following key points were raised by individual members:
 - a) While the academic case presented provided some assurance, there was not enough information at this stage to form a final view either way on the proposals and further discussion on the academic case would be welcomed.
 - b) Concern was expressed about Senate expressing a consensus view / making a recommendation on the matter when not all members felt ready to form a final view on the proposals. This was reiterated by several members during the meeting.

- a) Concern was expressed (by the SU) that there had been insufficient engagement with students, particularly minority groups, on the schools proposal. The SU asked for assurance that students would have appropriate opportunities to be involved going forward. It was noted that the Student Voice would be essential to the implementation phase and this work would start immediately if Council decided to approve the proposals. The Governance Review, which had been undertaken to understand the supporting structural changes that would be required to support the proposed move to a Schools based model, set out the student voice workstream in detail.
- b) It was not yet possible, from the proposals presented, to assess whether or not one of the key aims of the proposal, in terms of a positive and equitable impact on staff workloads, would be achieved, given that workloads across disciplines were so varied. A key challenge was a lack of clear information and limited examples / evidence on how this would be achieved.
- c) It was welcomed that Council had agreed to take more time to allow Senate and Council to consider the proposals but it was still felt amongst some colleagues that the process was being rushed. More information was needed and more time should be allowed to ensure buy-in from staff and students and Council should carefully consider the implications of any decision on staff and student morale.
- d) It was important for schools to retain some autonomy in order to achieve some of the benefits and there was concern that some of that autonomy could be lost through a move to a more centralised structure. UEB had agreed this was an important point, which it recognised and was considering.
- e) There would be increased risk in terms of decision making capacity within the new structure and it was important to show how the University intended to develop effective local leadership across the organisation.
- f) It was stated that, while Senate may not be able to reach a consensus on the proposals at this time, it should aim to do so and Council should wait to make a final decision until Senate felt placed to make a recommendation. During discussion, it was noted that this approach would essentially make Senate the gatekeeper of proposals to Council, which was unworkable and did not reflect the constitutional position. Senate was assured that Council recognised the complexity and importance of the proposals and was not seeking a binary view. Council had sought views from Senate in a number of different ways because it wanted rich, in-depth advice.
- g) While some departments had challenges to work through, other departments would see potentially significant benefits, particularly smaller departments and it was highlighted that the proposals were not universally unpopular.
- h) Some members felt the proposals were the right thing to do and, while it was recognised that some aspects were yet to be finalised, some members were supportive of moving forward sooner rather than later.

- i) It was highlighted that the UCU survey showed that less than 7.7% of respondents felt confident that the proposed restructure would be positive for the university as a whole. It was important to engage with and garner the support of staff with such a major organisational change and the announcement on the school structure at the start of the semester had demoralised many colleagues, leaving them with a sense of loss of agency.
- j) Following widespread consultation, on a 1:1 basis, with different groups and through various fora, across the organisation there had been significant opportunities for staff to share their views and the level of opposition described during the meeting was not recognised. On the contrary, FVPs had seen widespread support for the proposals with some staff expressing concern that delaying the process would prolong uncertainty for staff.
- k) While the SU recognised that major reform may be required to achieve the desired improvements and benefits, it was important to recognise that academic and teaching excellence were intrinsically linked to student experience and student wellbeing and the University needed to be able to assure students that the restructure would result in the planned benefits.

4.1.5 Reflections

There was a clear difference of views on the substantive proposals. Although a potential motion had been articulated and the option of a vote was open to Senate, some members had expressed concern about making a decision at this time. It was noted that while there was no urgent need for Senate to make a decision, out of respect for the autonomy and authority of Senate, the Chair invited Senate to consider whether it should take an initial vote on whether Senate wished to vote on the motion proposed during the meeting in relation to the substantive proposals themselves; this was agreed.

4.1.6 Voting

In the event, two votes were undertaken.

67 members of Senate attended the meeting and were invited to vote. This included the Chair, who opted out of the voting process and waived his right to a casting vote. One further member opted out of the voting process, having left the meeting prior to the voting process, so in each instance 65 votes were cast out of 66 eligible voters. The vote was agreed and undertaken as follows:

Vote 1

Senate agreed to vote on the following motion:

Does Senate seek a vote on the schools proposal? (Members could answer 'Yes', 'No' or 'Abstain')

The votes were carried out anonymously during the meeting using OpaVote and only Senate members in attendance at the meeting were invited to vote.

65 votes were cast, with 64 members voting on the OpaVote system and one member choosing to vote verbally to the Governance Team due to a technical issue. The Result was:

- 33 voted Yes; 32 voted No; and 0 abstained

Vote 2

Ultimately, a second vote was held on the substantive motion, as follows:

Senate recommends the School Structure to Council? Members could answer 'Yes', 'No' or 'Abstain' and 65 votes were cast on the OpaVote system. The Result was:

- 37 voted Yes; 22 voted No; and 6 abstained

The result of this vote would be shared with Council to be considered alongside the other forms of advice that Council had sought to inform its formal determination of the proposals in January 2024.

4.2 Governance Review

4.2.1 Senate received and noted a presentation on a review of the governance landscape across the University. It was highlighted that the review sought to: understand the changes that would be required to support the proposed move to a Schools based model; ensure that governance arrangements meet external legal and regulatory requirements and mitigate associated risks (this had particular relevance for Education governance); ensure that governance arrangements continue to meet the needs of the business and ambitions as stated in the University Vision Strategic Delivery Plan.

4.2.2 It was noted that the proposed restructure offered an opportunity to reconsider local governance arrangements. This was a complex task, because the University's highly devolved structures meant that there was very little comparability between departments, even within the same faculties. This meant that simply rolling out good practice was not a realistic option. The University was lagging behind the expectations of the regulator and this had created a pressing regulatory risk that must be addressed. Given this regulatory risk, together with the complexity of the task, UEB had agreed to involve an external consultant to support the work around local committee structures and appropriate governance routes.

4.2.3 A detailed update on the work was provided, which included the following key themes:

- Wider Governance Work
- The Student Voice Workstream
- The parameters of the review including:
 - Public Interest Principles
 - Committee of University Chairs (CUC) Higher Education Code of Governance
- Good Governance and Fostering Good Governance at Sheffield
- Principles of Accountability and Engagement
- Governance that works for our Students

The presentation would be shared with members after the meeting. **[Action by: JS]**

4.2.4 In terms of Student Voice, it was highlighted that the Student Voice workstream would look at student experience in recent restructures, how schools should look to access that student experience and student voice, during the periods of transition and most importantly how to embed the student voice in the new schools and their governance. It was noted that a key expectation of the regulator was that students should be involved. Furthermore, the governing body (Council) also needed assurances that the collective interest of current and future students was driving decision making and growth and innovation throughout the institution. It was not just that the University needed to do this (which it did), but that it needed to show it and to demonstrate that decisions were being taken in the best interests of students, consistently and according to the same criteria, across the institution.

4.2.5 During discussion the following points were highlighted:

Professor Mary Vincent, Professor Graham Gee and Jeannette Strachan extended an invitation to members to meet and discuss any aspect of the Governance Review, should they wish to do so.

In response to a request from the Students' Union (SU) for assurance that it would be kept up to date and that the SU would continue to have a shared system of academic reps, it was noted that the University would continue to engage with the SU on this work. In terms of academic reps, there was some work to do to clarify how this was working at a local level. The University would continue to work with the SU to ensure it was capturing student voice across the organisation.

4.3 Minutes of the Senate Education Committee and Senate Research & Innovation Committee Meetings on 11 October 2023

Senate received and noted the Minutes of the Senate's Education (SEC) and Research & Innovation Committees (SRIC) relating to their respective consideration of the proposal to move to a Schools-based academic structure, which had been shared with Senate verbally by the Chairs of the respective committees at the October 2023 Senate meeting.

5. Governance Matters

5.1 Code of Practice on Freedom of Speech & Academic Freedom

5.1.1 Senate received and noted an update on the new University Code of Practice on Freedom of Speech & Academic Freedom, which was due to be proposed to Council in February 2024. Immediately ahead of the meeting, Senate had received a briefing on the government's Higher Education (Freedom of Speech) Bill, which had now become law. This put new duties on universities, colleges and their students' unions, and gave the Office for Students (OfS) an enhanced role in promoting free speech. In response to this, the University had developed a new Code of Practice, overseen by a working group, with advice sought from the Free Speech Group and University lawyers. It was noted that as the OfS developed its regulations the Code may need slight revisions. The SU would be developing its own Code, which would need to be in place for 2024-25.

- 5.1.2 A pre-submitted question from the Students' Union (SU) highlighted that, while the SU welcomed the University's commitment to proactively encouraging the free exchange of ideas, especially on contentious issues, it was concerned that there were students going through disciplinary procedures for peaceful protesting, with information from social media posts being extracted and used in these proceedings. The SU sought clarification on how misconduct was defined and how the university intended to uphold and proactively encourage the tenets of freedom of speech. Concern was also raised about historical instances where protests on campus had been met with heightened levels of securitization.

During discussion, it was noted that the University Regulations clearly set out the definitions of misconduct. The University was committed to upholding free speech and had never, to the knowledge of the executive, pursued a case of misconduct against a student for peaceful protest. The University's Security staff had a role in ensuring legitimate peaceful protests were conducted safely and where any risk was identified it may be necessary to increase security on campus.

5.2 Senate Code of Conduct

- 5.2.1 Senate received and approved the revised draft of the Senate Code of Conduct noting that at its meeting in June 2023, Senate considered an earlier draft. Several questions and queries about the initial draft had been raised and, while Senate agreed with the principle of a Code of Conduct, it did not approve the draft Code at that time. Instead, it agreed to convene a Senate Working Group to develop a new draft. The Working Group had met twice to consider and refine the Code, taking into account earlier feedback from Senate and the findings of equivalent or similar examples in other universities. The revised Code presented to Senate was more focused, with additional changes made to make the tone positive and clarify certain points. It was also noted that, the working group agreed that provisions in the original draft relating to members leaving the Senate, would be more appropriate in the Standing Orders, subject to revised wording to address queries and comments made at Senate and in the working group's discussions (see minute 5.3). The draft text had also been reviewed by a HE specialist from one of the University's legal panel firms.

- 5.2.2 In response to a question about managing interests, specifically point 1.3 of the Code, which set out that members should not put themselves in a position where their personal interests conflicted with the duty to act in the interests of the University, it was clarified that this did not preclude members from joining a committee of a Trade Union.

- 5.2.3 Senate approved the new Senate Code of Conduct.

5.3 Senate Standing Orders

- 5.3.1 Senate considered a number of revisions to the Senate Standing Order, noting that through the discussions at the Senate Working Group established to propose the revised draft members Code of Conduct (see minute 5.2.1), it was agreed that provisions in the original draft, presented in June 2023, relating to members leaving the Senate, would be more appropriate in the Standing Orders subject to revised wording to address queries and comments made at Senate and in the working group's discussions. One additional provision

was also thought to be necessary, to reflect the related provision in the Code of Conduct regarding the removal of a member of Senate. Like the Code of Conduct, the proposed amendments had been reviewed by an HE specialist from one of the University's legal panel firms.

- 5.3.2 Concern was raised about the proposed process for the removal of a member from Senate, which was felt to put too great a level of influence on the University Secretary. During discussion, it was agreed to amend the wording and it was clarified that Standing Orders did not empower the University Secretary to make a decision about the removal of a Senator from Senate; that power was reserved for the Senate (or the Council) on the recommendation of the Senate Nominations Committee (SNC), following a thorough review by the SNC.
- 5.3.3 Senate approved the revised Standing Orders, subject to amending the first sentence of 7.3 of the Standing Order to say 'The Senate or the Council may remove a member from Senate for conduct which, in the reasonable opinion of the Senate or the Council, is inappropriate to membership of the Senate.'

REPORTS FROM STATUTORY BODIES

6. Report on the Proceedings of the Council
(Meeting held on 5 October 2023)

Senate received and noted the Report on the Proceedings of the Council.

REPORTS FROM COMMITTEES OF THE SENATE

7. Report of the Senate Academic Assurance Committee
(Meeting held on 14 November 2023)

Senate received and noted the Report of the Senate Academic Assurance Committee noting that there were no specific matters requiring approval.

8. Report of the Senate Education Committee
(Meetings held on 11 October and 9 November 2023)

Senate received the report, noting that it included an update on the 2023 National Student Survey. Senate approved the following:

- (a) New, significantly amended, and closed programmes, title changes and new exit routes approved by Faculties between 27 September 2023 and 30 November 2023.
- (b) The recommendation to disband the Extra Faculty Education Committee and a related recommendation to Council that Regulation XI be removed.

9. Report of the Senate Research and Innovation Committee
(Meeting held on 11 October 2023)

Senate received and noted the Report of the Senate Research and Innovation Committee noting that there were no specific matters requiring approval.

10. Report of the Senate University Research Ethics Committee
(Meeting held on 15 November 2023)

Senate received and noted the report of the University Research Ethics Committee, noting that there were no specific matters requiring approval.

OTHER MATTERS

11. Student's Union Annual Report: Complaints and Discipline 2022-23

Senate received and noted the Students' Union Annual Report on Complaints and Discipline 2022-23.

12. Report on Action Taken

It was noted that no action had been taken on behalf of Senate since the last meeting.

13. Major Research Grants and Contracts

- 13.1 A report listing major research grants and contracts awarded since the last meeting of the Senate was received and noted.

- 13.2 In a pre-submitted question, the SU raised concern that there had been an investment into the Nuclear AMRC for a project which was linked to organisations, which were linked to aiding armed conflict and oil industries. The SU sought assurance that the research being undertaken was not in breach of University policy, which prohibited direct investments in the manufacture or sale of armaments.

It was highlighted that the project referred to did not involve the Nuclear AMRC. It was funded by the Engineering and Physical Sciences Research Council and awarded to the Blast Group in Civil Engineering and the aim of the project was to understand how to reduce the harm from blasts in a range of complex situations. In response to further concern raised by the SU about who the findings of this project would be made available, to and other potential uses for the project findings, it was agreed to provide a comprehensive update directly to the SU.

14. Minutes of the Previous Meeting
(Meeting held on 18 October 2023)

Subject to the amendments agreed earlier in the meeting (see minute 1.2.5), the Minutes of the meeting held on 18 October 2023 were approved.

15. Matters Arising on the Minutes

Updates were provided on matters arising from the Minutes of the previous meeting, not covered elsewhere on the agenda:

- 15.1 Minute 4g - Schools Proposals - In response to a question about how the proposals would impact the English Language Teaching Centre (ELTC), it was noted as part of their commitment that all programmes of study are delivered through Schools, UEB had confirmed that all language teaching should be delivered through Schools. This had led to a recommendation that the English Language Teaching Centre become part of a School.
- 15.2 Minute 6.3 - Process / Governance - In response to points raised about transparency of changes to the regulations, it was noted that the University Calendar webpage had been updated to better signpost people to previous versions of the calendar.
- 15.3 Minute 6.3 – MAB - As agreed, full details of the concerns raised and the response from the University Secretary was shared with members on request (3 members had requested this information).
- 15.4 Minute 8 - SAAC Report – Professor Graham Gee had confirmed that SAAC had actioned the request to broaden the scope of its work to include a holistic look at the International Student experience, including transitioning from the USIC.
- 15.5 Minute 9 - SEC Report – It had been agreed to share reports received by SEC on the National Student Survey 2022-23 and on Enhancing Education Governance. An update on NSS has been shared with the December SEC report to Senate. Regarding Enhancing Education Governance, this work is in train and would be shared later in the year as part of a planned update (expected to come to Senate in March 2024).

16. Any Other Business

- 16.1 Good Governance – Senate received an update from the University Secretary on new guidance, developed with advice sought from University lawyers, to support members of Senate in respect of governance concerns relating to a matter that had arisen recently. It was highlighted that good governance was one of the Office for Students (OfS) conditions of registration. The guidance, which included details of the concerns raised, would be circulated after the meeting.
- 16.2 It was Professor Gill Valentine’s last meeting before she stepped down as Provost and Deputy-Vice-Chancellor at the end of 2023. Gill had served 11 years on Senate, six of those as Provost & Deputy Vice-Chancellor and five years prior to that as Pro-Vice-Chancellor and Head of the Faculty of Social Sciences. On behalf of Senate, the Chair thanked Gill for her tremendous contribution to Senate and wished her all the best for the future.