



The  
University  
Of  
Sheffield.

## Minutes Meeting of Council

**Date:** 14 December 2020

**Present:** Mr Pedder, Pro-Chancellor (in the Chair);  
Mrs Hope and Mr Mayson, Pro-Chancellors;  
Professor Lamberts, President & Vice-Chancellor;  
Mr Bagley, Mr Belton, Professor Brazier, Ms Brownlie, Ms Eyre,  
Dr David Forrest, Ms Hague, Professor Hartley, Professor Kirby, Professor  
Layden, Dr Nicholls, Mr Sly, Mr Sutcliffe, Treasurer; Mr Wray, Professor  
Valentine

**Secretary:** Dr Tony Strike

**In attendance:** Mr Swinn; Mr Weir, Mr Fleming (item 4), Mr Carlile (item 9), Professor  
Hounslow (item 11)

### Apologies:

#### 1. Declaration of Conflicts of Interest

1.1 No other conflicts were declared.

#### 2. Minutes of the Previous Meeting

(Meeting held on 19 October 2020)

2.1 The Minutes were approved as an accurate record.

#### 3. Matters Arising on the Minutes

3.1 Matters arising on the Minutes were noted as follows:

- (a) Minute 4, Health and Safety Update: The Annual Health and Safety Report would be provided in 2021 when the new Director of Health and Safety has commenced in role.
- (b) Minute 6, President & Vice-Chancellor's Report: Clarification was provided that the more detailed update on Access and Participation had been provisionally scheduled for Council's February meeting.
- (c) Minute 9, USS Consultation Response: The University response was submitted ahead of the 30 October deadline. UUK had subsequently responded the Trustee, expressing a number concerns, particularly proposals around the employer covenant and projected future contribution rates. It was reported that USS would launch an employer consultation in January and the University's draft response would be presented for approval to Council in February. That consultation would be followed by discussion in the Joint Negotiating Committee, with further updates expected in around June 2021.
- (d) Minute 10, Capital Report: Council had given offline approval to two time critical capital approval requests since the previous meeting, which were noted in the Capital report (see Minute 12, below). Future reports to Council (and Finance

Committee) would include additional detail and context in relation to IT expenditure, as part of the routine governance approvals and updates process.

- (e) Minute 11, Council Effectiveness Review: A draft high level action plan and priorities had been circulated and discussed. Members of Council were invited to send any further comments or suggestions to the University Secretary, to inform the preparation of a more detailed action/implementation plan to be presented to Council in February 2021.
- (f) Minute 12, One University – a Vision for our Future 2020-25: The new University Vision had been launched with a dedicated communication to staff from the President & Vice-Chancellor.
- (g) Minute 13, Sustainability Strategy: The new Sustainability Strategy had now been launched.
- (h) Minute 21, Students' Union Constitutional Review: Following approval by Council on 19 October, the first meeting of the Council Task and Finish, Chaired by Ms Brownlie and including Ms Eyre, had taken place on 3 December.

#### **4. Annual Report from the Director of Health and Safety**

(Mr Fleming in attendance for this item)

- 4.1 Council received an update from the Director of Health and Safety, which focused on managing risks relating to Covid-19. Attention was drawn to the phased approach to resuming priority activities, in line with government guidance and the staged approach to ensuring the safety of staff on and returning to campus, which had worked well. It was noted that there had been only one instance of staff to staff transmission, which was due to social distancing rules not being followed. Overall staff cases had remained very low, and lower than the regional average. Members noted the impact of the return of students on positive cases, but that all evidence suggested that student cases were the result of social transmission and not activity on campus. There was also no correlation between student cases and staff, which demonstrated the strength of the University's preparations and arrangements for safe face to face teaching. It was noted that the majority of staff cases were colleagues who had been working remotely and had not been on campus. Council also commended the University's efforts in successfully establishing a Testing Centre to support students to return home at Christmas, and to return to Sheffield in the New Year (see Minute 6.2(b), below).
- 4.2 Clarification was provided that the closure and subsequent limited opening of the campus had meant that reported incidents of more general health and safety measures, such as accidents and near misses, were minimal. An inspection regime had also been implemented to ensure the continued safety of areas that usually experienced high footfall, where lower usage increased risk. It was also noted that health and safety matters had been discussed frequently and on a regular basis with the Trade Unions throughout the period.
- 4.3 Council commended the University's work in ensuring the health and safety of staff and student throughout the pandemic and thanked Mr Fleming and colleagues for their efforts. Having noted Mr Fleming's forthcoming retirement from the University at the end of 2020, Council expressed its thanks and good wishes for the future.

#### **5. Approval of Category C business**

- 5.1 Council considered Category C business, which are covered in Minutes 17-22, below.

## 6. President & Vice-Chancellor's Report

6.1 Council received and discussed the President & Vice-Chancellor's report, in which he provided information on key current and forthcoming developments in the policy environment and against each of the themes in the University's Strategic Plan. The following points were noted:

- (a) New national lockdown: With guidance from the local public health team, the University had continued to deliver blended learning with existing risk mitigation measures retained. The University's libraries, essential support services, study spaces and hall of residences had remained open. In line with national and local restrictions, catering facilities had operated as a takeaway service only and Sports Sheffield had closed. There had been close collaborative working with the Students' Union to support enhanced provision of face-to-face social and physical activities on campus, within Covid guidelines, to maximise opportunities for students develop communities and friendships and to support wider wellbeing.
- (b) Mass testing and Christmas holidays: The DfE had announced a staggered system of student returns from 3-9 December with teaching provision moved online, in accordance with Government guidance, to enable the continued participation of all students for the remainder of the semester. Through the collective effort of a range of services, the University had set up mass testing facility in order to facilitate student testing before the beginning of the travel window. To date around 5k tests had been carried out, of which only about 30 positive cases had been identified. The University was actively planning for the return of students in the New Year and the continued operation of the Testing Centre for returning students, which would again be staggered over several weeks. Preparations for Semester 2 also included working with academic departments to gradually increase the level of face to face provision students were able to receive.

With respect to overseas students arriving in the UK from a country which was not on the exemption list, the University was facilitating access to the national test and release scheme, whereby they could obtain a test from a private testing provider after five days of self-isolation, with a negative result releasing students from the need to isolate for the remainder of the otherwise 14 day period.

- (c) Admissions: Despite the challenges presented by Covid-19 and the impact of late government policy changes over exam results, both undergraduate home and overseas registrations had exceeded the targets set this year. Home PGT recruitment for 2020 entry was slightly higher than target, including a higher proportion of recent alumni than in previous years. During discussion, Council noted the barriers to diversifying the international student population, which was challenging for the sector as a whole. Nevertheless, the University was taking steps to overcome these challenges, in conjunction with proactive and strategic actions to increase recruitment of home students.

Although the continued impact of Covid affected international registrations, the impact was considerably less than forecast and registrations had exceeded expectations. Nevertheless, overseas student registrations included a significant number of students who were attending remotely and had not yet travelled to Sheffield; the University was taking steps to mitigate the associated risks.

Clarification was provided about the actual registrations data for home and overseas UG and PGT students, compared to target.

- (d) AMRC: Council noted that the AMRC had developed a new strategy for 2020-2030, based around five key areas. The new strategy would sit alongside the existing strategies for the Nuclear AMRC and the AMRC Training Centre. The alignment of these strategies and their clarity of purpose provided a framework for activity

across the Group for the next decade that also supported the overarching University Vision.

- (e) International Faculty – City College: The announcement of the University's phased withdrawal and new City College partnership with the University of York was made on 8 December. It was pleasing to note the positive outcome that had been achieved in the interests of all parties, including safeguarding the interests of students affected by the change.

## **7. Annual Report and Financial Statements for the Year Ended 31 July 2020**

### **7.1 Financial Statements for the Year Ended 31 July 2020**

- 7.1.1 Council considered the financial statements for the year ended 31 July 2020 and received a presentation from the Chief Financial Officer in which she explained the updated financial forecasts for 2020-21 and forecast cash flows to 31 July 2022. The cash flow forecasts included downside scenarios used by the external auditor, adjusted for existing contingency, to ensure that the University would remain a going concern. Attention was drawn to the overall surplus, and extent to which this was subject to year to year volatility caused by large non-cash items; rates of growth in income and expenditure; underlying performance and available cash balances; and compliance with bank covenants. Further attention was drawn to additional budget allocations that been made available to support contingency planning and investment in essential priority operational activities.

Comment and clarification was provided as follows:

- The financial statements and forecasts had been considered in detail at a joint meeting of the Council Audit and Finance Committees on 16 November, with external audit representatives in attendance. The external auditor had subsequently confirmed that its audit opinion was unqualified.
- The net savings targets for 2020-21 had been reduced on account of higher year-end cash balances for 2019-20, actual 2020 student recruitment and the impact of previous cost reduction measures. It was noted that the University had acted with appropriate prudence in developing additional costs reduction measures by way of further contingency and mitigation, but had not needed to deploy them due to the success of other actions.
- Cash flow forecasts and the assessment of going concern was based on a scenario in which financial performance in 2021-22 followed the same trends as the 2020-21 forecast. It was recognised that in such a scenario, the University would act in-year to ensure that the financial impact was appropriately mitigated.
- The Financial Operating Strategy would be reviewed and updated for consideration by Finance Committee in March. This review would reflect on the University's cash resilience and ability to act in an agile manner to respond to financial challenges.
- The updated financial forecasts would be presented to Finance Committee and Council in January and February respectively, to inform the Annual Financial Return to the OfS (see also Minute 7.2.3, below).

- 7.1.2 Council recognised that the financial statements and audit had been conducted in extremely challenging circumstances given the impact of Covid-19 and additional stress testing for the going concern assessment. That the University had obtained an unqualified audit opinion, and the wider financial performance, was a reflection of the University's financial strength and resilience.

## **7.2 Annual Report**

- 7.2.1 Council considered the draft Annual Report, welcoming the contents and noting the additions that made in response to feedback from Council and auditors in previous years. It was suggested that where performance against strategic objectives was reported, that additional context and explanation might be helpful in future.
- 7.2.2 Council approved the Annual Report and Financial Statements for signature by the Chair of Council and the President & Vice-Chancellor, noted the External Audit Highlights Memorandum as set out at Appendix 4 of the related papers, and noted the latest financial forecast for 2020-21. Council also confirmed that it had considered cash flow forecasts to 31 July 2022, including taking account of downside scenarios, and that after reviewing those forecasts Council was of the opinion that, taking account of severe but plausible downsides, including the anticipated impact of Covid-19, the Group and parent University would have sufficient funds to meet their liabilities as they fell due over the period of 12 months from the date of approval of the financial statements.
- 7.2.3 It was noted that the OfS had allowed an additional two months for the submission of the Annual Financial Return, in recognition of the challenges providers may have faced in finalising their audited accounts this year. The OfS had confirmed that the University's deadline for submission was 1 March 2021 and the University was still required to publish the financial statements within two weeks of signing. It was also noted that both the OfS and the external auditor had confirmed that electronic signatures were acceptable in the current operating environment and arrangements had been made to provide the necessary signed documentation to both parties.

## **8. Other OfS Annual Accountability Information**

### **8.1 Annual Report of the Council Audit Committee for the year ended 31 October 2020, including the Internal Auditor's Annual Report**

- 8.1.1 Council approved the Annual Report of the Audit Committee for the year ended 31 October 2020 and noted the Internal Auditor's Annual Report, which confirmed the opinions set out in the Audit Committee's report. It was noted that the Committee had overseen a flexible approach to the internal audit plan to ensure that it supported the institutional response to the pandemic.

### **8.2 Letter of Representation**

- 8.2.1 Council approved the Letter of Representation to the University's external auditor, KPMG, and agreed to delegate signature to the Chair of Council.

### **8.3 Letters of Support**

- 8.3.1 Council noted that the University was asked to provide letters of support for TUOS Parking Limited and Unicus Sheffield Limited.

### **8.4 Senate Annual Academic Assurance Report**

- 8.4.1 Council considered the annual report from Senate, which had been proposed by the Senate Academic Assurance Committee (SAAC), discussed at Senate in October and updated following a meeting of the joint Council and Senate sub-group during November. Members welcomed the context that been added to the report, including additional information to explain the use of colour coding in areas where the University was meeting at least the minimum necessary standards but sought to enhance performance, and information about planned future actions to complement retrospective information. Council confirmed that the report, in conjunction with other relevant information provided by the Senate during the year, provided the necessary assurance for Council over the University's academic quality and standards.

## **8.5 Annual Report on compliance with the Concordat to Support Research Integrity**

- 8.5.1 Council received and noted the annual report and confirmed that the statement provided the necessary assurance. Council agreed that the statement should be made publicly available as evidence of the University's commitment to research integrity. It was noted that research culture and integrity were key priorities for UKRI but that the University already compared favourably to other institutions in these areas through the appointment of a designated Research Integrity champion and the Research on Research Institute.

## **8.6 Annual Remuneration Report and Statement**

- 8.6.1 Council noted that the report and statement, which had been considered and endorsed by Senior Remuneration Committee in compliance with the CUC HE Senior Staff Remuneration Code and would be published on the University web pages in due course. The report complemented the disclosures on senior remuneration required under the OfS Terms and Conditions of Funding contained in the Notes to the Financial Statements. Council approved the report and statement, noting that SRC had previously agreed that the University should seek to be an exemplar in this area and previous positive action had been developed further this year.

## **8.7 Prevent Monitoring during the 2019-20 Academic Year**

- 8.7.1 Council considered an update on the University's response to the Prevent Duty, approved the annual report for submission to the OfS, and authorised the Chair to sign the accompanying declaration on its behalf.

## **9. University Key Performance Indicators 2020-2025**

(Mr Carlile in attendance for this item)

- 9.1 Council considered a proposed new set of University KPIs and aspirational targets aligned to the new Vision, and noted a final report on performance against the KPIs under the previous Strategic Plan. The new KPIs and targets had been developed through consultation with individual members of the Executive, Professional Services Directors and data experts, and took into account previous feedback from Council and auditors. UEB had endorsed them. It was noted that the new KPIs were intended to enable the use of existing mechanisms and data, together with narrative elements, to provide a high level corporate overview that would be supplemented by more detailed and specific performance indicators in distinct areas. Clarification was provided that the KPIs and targets were expected to evolve over the period 2025 in response to achievements and challenges, external developments and initiatives, and the availability of new datasets in relevant areas.
- 9.2 Council welcomed the proposed KPIs, targets and the wider approach but offered feedback on a number of points that could inform further developments. The importance of the University's regional role and contribution as an anchor institution was recognised. However, the lack of directly applicable metrics meant that this would need to be captured through the narrative elements in the short-term, using related data where possible, but would be kept under review. Similarly, future improvements in graduate outcomes data may help to assess institutional performance in relation to skills acquisition and employability, but this would need reflecting in the narrative in the meantime. Further work was planned to connect performance monitoring to risk management processes, including evaluating the pace at which the University sought to achieve each individual target.
- 9.3 Where external metrics were not available or insufficient to facilitate regular performance monitoring and progress tracking, the University would use internal mechanisms and external benchmarking. The importance of culture and cultural change

was also recognised, notably around the One University Pillar, which was a key differentiator. Although this was particularly difficult to measure objectively, the University would be actively working to develop the means to make a meaningful assessment of performance and inform its approach.

- 9.4 Council approved the proposed approach, the KPIs and targets for the period 2020-25. Council also endorsed the final KPI report associated with the previous Strategic Plan.

## **10. Update on Brexit Preparations**

- 10.1 Council received and noted an updated from the University's Brexit Co-ordination Group, which was now Chaired by the Executive Director of Corporate Services. As the end of the transition period drew closer without a UK-EU deal having been reached, the Group was focusing on the impact of no deal or a narrow trade agreement that did not directly address key issues for HE. In addition to considering risks and mitigation across all areas of strategy and operations, the University had identified four principal areas of risk and mitigating actions: opportunities to ensure student mobility in the absence of an agreement over UK participation in Erasmus or an alternative government scheme; research funding and collaboration with EU partners; data protection; and the reclassification of EU students in the UK from home to international. During discussion, clarification was provided that earlier efforts to support UK staff travelling to the EU and EU staff in the UK had been beneficial in overcoming potential barriers, increasing understanding and alleviating concerns. More broadly, Members noted the importance of continued communications to emphasise that the University remained a global institution with a truly international community, e.g. through the Sheffield Made campaign.
- 10.2 It was reported that the Brexit Co-ordination Group would hold a further meeting on 17 December if required and that the University continued to monitor the situation proactively in order to act accordingly.

## **11. CLOSED MINUTE AND PAPERS**

### **12. Capital Report**

- 12.1 Council received an update on progress of projects in the capital programme, including projects recently considered and approved by ECSG, UEB and Finance Committee in accordance with the Council Scheme of Delegation. Council also noted a cash flow report and capital programme action tracker. Specifically, Council approved business cases in relation to: the development and funding arrangements for a Sustainable Aviation Fuels Centre and a replacement MOVPE reactor. It was noted that additional budget had been made available to support essential IT and estates infrastructure and that further work was planned to evaluate the University's priorities for capital investment.

### **13. Corporate Risk Register 2020-21**

- 13.1 Council received and approved the Corporate Risk Register for 2020-21 and noted an accompanying report from the UEB-Risk Review Group. It was noted that risks from the 2019-20 version had been retained, but with the separation of Education and Student Experience, in recognition of the differences and mitigating actions, and additional risks around ensuring regulatory and statutory compliance and supporting and improving staff wellbeing and resilience. It was recognised that the pace of change in the external environment made mitigation of certain risks challenging. Council noted that the UEB Risk review continued to oversee Brexit planning and the OfS Conditions Compliance Register.

## **14. Equality, Diversity & Inclusion**

- 14.1 Council considered a report which set out three options for how the University might respond to a letter from the Secretary of State for Education calling on universities to adopt the International Holocaust Remembrance Alliance's working definition of anti-Semitism or face potential regulatory or monetary intervention. It was recognised that this was a decision for Council, in accordance with Council's legal, regulatory and constitutional responsibilities to promote equality and diversity and freedom of expression, and to ensure academic freedom in relation to education and research. The matter had been discussed by the Council Equality, Diversity and Inclusion Committee (EDIC) and a number of other stakeholder groups. Council noted feedback to a University consultation in relation to the Secretary of State's specific request, which had set a deadline of Christmas for universities to respond. Particular attention was drawn to a decision of EDIC in 2019 to establish a wider University consultation on experiences of exclusion concerning race and ethnicity in relation to religion and belief, in response to an earlier Ministerial letter. That consultation had been paused due to the impact of Covid and was not due to complete until March 2021 but would inform further work, led by EDIC, to develop a comprehensive Religion and Belief Equality Strategy.
- 14.2 Council considered the matter, carefully noting all of the perspectives - both in support of and in opposition to the definition - that had been put forward through the consultation and the additional measures that could be taken to address the concerns raised. It was recognised that this was a complex and sensitive area and Members considered how key stakeholders might be affected by this decision. Furthermore, it was unclear how adopting the definition strengthened or enhanced the University's existing legal responsibilities, including under the Equality Act. Council also noted that this issue should be regarded as one element of a wider initiative to promote equality in the context of Religion and Belief and address any issues of exclusion or harassment, which it agreed was a vital piece of work that was to be welcomed.
- 14.3 Following discussion, Council agreed that the University should adopt the IHRA definition (i.e. that it would have regard to the definition in developing strategy, policy and procedures, in its actions and when dealing with complaints) but that the University should also put in place actions to mitigate concerns around academic freedom and the impact on other groups, as proposed in the related paper and reported in discussion. The University would respond to the Secretary of State's letter, and communicate with relevant staff and student groups, to explain Council's decision, the rationale for it, and the further mitigating actions planned.

## **15. Report of the Council Nominations Committee**

- 15.1 Council received and approved the Report, including that:
- a) Philip Rodrigo be appointed to Council with effect from 1 January 2021 to 31 July 2023;
  - b) Brian Gilvary be appointed to the Finance Committee as an external member from 1 January 2021, and to the Council from 1 August 2021 to 31 July 2024;
  - c) Alison Kay be appointed to the Audit Committee as an external member from 1 January 2021, and to the Council from 1 August 2021 to 31 July 2024;
  - d) David Bagley be re-appointed to Council for a third term, from 1 August 2021 to 31 July 2024.
- 15.2 Council was pleased to note the calibre of candidates and the Nominations Committee's regard to diversity in considering appointments to Council and Council committees. It was noted that the terms of office of the Pro-Chancellors, Mrs Hope and Mr Mayson would come to an end in July 2021 and, on behalf of Council, the Chair thanked them for their longstanding commitment and support for the University and to Council.



**16. Minutes of the Senior Remuneration Committee**

16.1 Council received and approved the Minutes, which included reference to the Annual Senior Remuneration Report and Statement (see Minute 8.6.1, above).

**17. Report of the Senate**

17.1 Council received and approved the Report.

**18. Report of the Finance Committee**

18.1 Council received and approved the Report.

**19. Report of the Audit Committee**

19.1 Council received and approved the Report, including minor amendments to the terms of reference.

**20. Council Business Plan 2020-21**

20.1 Council received and noted the Business plan which would be updated regularly to inform future agenda planning.

**21. Use of the University Seal**

21.1 Council received and noted a report on the application of the University seal since the previous meeting.

**22. Public Availability of Council papers**

22.1 Council received and approved recommendations concerning the publication on the web of papers presented at the meeting, in accordance with previously agreed proposals on the disclosure of information. It was noted that a number of papers were confidential and would not be made publicly available.