



The
University
Of
Sheffield.

Minutes Meeting of Council

Date: 08 February 2021

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

Secretary: Dr Strike

In attendance: Ms Jones; Mr Swinn; Mr Weir; Mr Borland (items 1-12 and 19-23), Ms Sullivan (items 13-18); Mr Rob Sykes (items 13 and 14); Professor Hounslow and Ms Morgan (item 14); Mr Harris (item 15)

Apologies:

Welcome

The Chair welcomed Mr Rodrigo to his first meeting of Council.

1. Declaration of Conflicts of Interest

1.1 No conflicts were declared in addition to those disclosed previously.

2. Minutes of the Previous Meeting

(Meeting held on 14 December 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 set out in the related paper, including the following:

- (a) Minute 14 Equality, Diversity and Inclusion: The University had responded to the Secretary of State to confirm that Council had agreed to adopt the IHRA definition of anti-Semitism. The decision had been communicated to relevant staff and student groups who contributed to the consultation, together with the rationale for the decision and the further actions planned, including strengthening the terms of reference of certain committees of the Senate with reference to academic freedom. Council's decision had been welcomed by a number of staff and student groups. However, it was reported that UCU remained opposed to the decision and had sought assurances that Council had taken its members' views into account in making its decision. The Minutes relating to that item and the associated paper would be shared with UCU to demonstrate the comprehensive information and careful consideration which Council had applied to the matter. It was also reported that wider staff communications would be circulated following Senate in March, including an update on the broader consultation about the Religion and Belief

Equality Strategy, which was being undertaken by a task and finish group for the Council Equality, Diversity and Inclusion Committee.

4. Health and Safety Update

- 4.1 Council received and noted the update. It was clarified that the small number of Professional Services departments who were yet to have returned their updated risk assessments to the central repository had been asked to confirm that this was because they not resumed any on-campus activities.
- 4.2 Clarification was also provided in relation to actions to encourage and ensure that students behaved responsibly in accordance with the national lockdown restrictions. Matters of concern or instances of illegality were being referred to the police. In addition to continued and strengthened student communications and engagement, which were supported by the efforts of the SU, the University's Discipline Regulations contained provisions that would enable it to take action against individual students who were identified as having breached lockdown rules. However, it was important to recognise that the vast majority of students were following the rules, and the University was also increasing its efforts to ensure that the significant positive contribution that students were making to the local and national effort were sufficiently visible.

5. Approval of Category C Matters

- 5.1 Council considered Category C business, as set out in Minutes 19-23, 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) Interim Vice-President Appointments: Council approved the extension of the terms of interim appointments for the Vice-President for Education and the Vice-President and Head of the Faculty of Medicine, Dentistry & Health, both to 31 July 2022. Members also noted the intention to seek an interim appointment as Vice-President & Head of the Faculty of Engineering from 1 September 2021 to 31 July 2022 when Professor Hounslow retired from the role. It was clarified that consideration was also being given to identifying a new Executive sponsor for the Student Lifecycle Project (see also Minute 14, below).
 - (b) New National Lockdown: The new national lockdown, announced on 4 January, was similar to the lockdown in March 2020. Students not studying exempt courses were advised not to travel back to university, unless they had already done so, and teaching would be delivered online. The restrictions would be reviewed on 22 February but would not be eased until at least 8 March. Pending receipt of further guidance from DfE, the University was planning for a number of alternative scenarios to ensure that colleagues were prepared to respond accordingly. The University continued to work with others in the sector, and the SU, to lobby for greater information and clarity about the remainder of the academic year and beyond. It was concerning to note that messages to students from the DfE regarding the return to campus risked creating the perception that any further limitations on face to face provision was the fault of universities, who were simply implementing Government guidance and adhering to pandemic-related restrictions.
 - (c) University Accommodation and Rent: The University had agreed not to charge rent to students who were unable to make use of their University owned accommodation between 4 January and 8 March 2021, pending further updates and

guidance. All students experiencing financial difficulty as a result of the pandemic could apply for support from the £3m Covid-19 Support Fund, which would be supplemented by a further £265k from the recently announced central Government scheme.

- (d) Testing: Students returning to University had been asked to book two Covid-19 tests three days apart at the Testing Centre, and were advised to minimise all social contact until they had received two negative test results. If students did not take up the offer of a test then they were required to self-isolate for ten days before returning to Sheffield. Students living in an area that offered local community testing were asked to seek a test before they returned, in line with the locally targeted programmes. It was recognised that the decision to access testing facilities was a matter of choice, and it would be unlawful to introduce any requirement for mandatory testing.
- (e) Staff Wellbeing: The latest national lockdown was proving to be particularly challenging for many staff. As a result, and recognising that under the furlough rules it was not necessarily possible to furlough staff who were struggling to balance personal and work commitments, the University had increased the flexibility available to managers to support staff to balance these responsibilities and help preserve wellbeing. Specific guidance for managers had been developed to support this approach, alongside the existing package of wellbeing support and resources, and seeking input from staff to establish what they needed to help them through the lockdown period. These measures had been well received by staff. Council recognised that, as a result of these measures, it was necessary to accept that there may be a short-term decline in overall institutional performance in order to protect core activities and safeguard the welfare and continued goodwill of staff. Council endorsed this approach, noting that it would help to ensure that the University was well-placed to achieve its longer-term objectives.
- (f) Higher Education Policy Announcements: It was reported that there had been a significant amount of recent policy announcements that affected HE, which were detailed in the written report. In particular, a consultation had been announced relating to renewed efforts to introduce a system of Post Qualification Admissions, which would have profound implications for admissions and the academic cycle; significant changes to the structure and timings of the Teaching Excellence Framework; an Interim Conclusion to the Augar Review on Post 18 Education and Funding; and changes to the teaching grant, which would increase the University's allocation by c.£2.4m.
- (g) Office for Students: The OfS had asked all universities to undertake a review during the first half of the spring term of their compliance with consumer law and provide assurance to the governing body of ongoing compliance with ongoing condition C1 (guidance on consumer protection law). This followed the Minister asking universities to maintain the quality, quantity and accessibility of their provision and to inform students about their options for refunds or other forms of redress where it had not been possible to provide what was promised to them. Council would receive a report at its next meeting, in April.
- (h) Philanthropy: Council was pleased to note the recent announcement of a £5.85m donation from the Law Family Charitable Foundation, which was the largest single donation in the University's history. £2.85m would support widening participation and action initiatives with £3m to support medical research into gene therapy for rare diseases.
- (i) Research: It was noted that the position regarding PGR applications was particularly complex due to UKRI priorities and policies, and funding issues, in addition to Covid-related uncertainties. Nevertheless, the Government's stated interest in attracting high quality global talent was positive. In addition, a number of internal initiatives

that sought to enhance the competitiveness of the University's PGR provision were in progress. With respect to research development and innovation, it was suggested that the membership of relevant committees or advisory groups may be enhanced by the addition of external expertise, e.g. to support research income generation. Furthermore, the dedicated Vice-President roles for Research and for Innovation had strengthened the University's ability to respond to opportunities in this area.

7. Closed Minute and Paper

8. Council Effectiveness Review

- 8.1 Council considered and approved an action plan in response to the recommendations of the review, which had been developed following initial consultation and feedback with Members of Council and the Task and Finish Group. Council also agreed to request a report on implementation of the actions described for November 2022, and that the next Effectiveness Review should take place in 2023-24 in line with the new CUC HE Code of Governance (see also Minute 10, below).

9. Council Standing Orders

- 9.1 Council considered and approved new Standing Orders, which had been drafted in response to a recommendation in the Council Effectiveness Review. It was noted that these were a reflection of current practice and were consistent with the Regulations and related policies and procedures. Clarification was provided about the nature of the University's Information Classification and Handling Scheme, which would be shared with Council for information.

10. Assessment of Compliance with the CUC Higher Education Code of Governance

- 10.1 Council received and noted an assessment of institutional compliance with the new CUC Code, and endorsed the proposed actions and next steps. Compliance with the Code was voluntary and the Code operated on an "apply or explain" basis. A public statement of compliance with the Code, or an explanation of any areas of non-compliance, was a requirement in the Annual Report's Corporate Governance Statement.
- 10.2 It was pleasing to note that the University was largely compliant with the Code's provisions and could provide robust evidence for this in the majority of areas, although a small number of provisions had been identified that required a qualitative assessment, which was more difficult to evidence. With respect to culture, Council would receive further proposals in the context of KPIs under the One University pillar of the Vision and an update following future internal audit work. Terms of reference in relation to academic freedom were being added to the terms of reference of key Senate Committees and would be reported to Council, and further consideration would be given to demonstrating how the strength of the University-SU relationship contributed positively to decision making. In addition, further thought may be required about how the University could demonstrate its regard to stakeholder interests in decision-making, including identifying stakeholders, communication and engagement. Clarification was provided that the duty to ensure academic freedom was enshrined in the Higher Education and Research Act 2017 and reflected in the University's Statutes and Regulations; Council agreed to receive a further update from Senate on this subject at a future meeting.

11. Annual Review of the Code of Ethics

- 11.1 Council received the annual report on the operation of the Code and approved a series of recommendations intended to enhance and strengthen the existing arrangements. It was pleasing to note that the review had not identified any material issues or matters of concern. Clarification was provided about the University's approach to security and

international collaboration whilst adhering to applicable legal requirements and guidance. It was noted that this area was subject to regular internal monitoring and review in recognition of the potential legal and reputational risks.

12. Governance Controls in Place Associated with Covid-19

- 12.1 Council received and noted an update on the University's approach to decision making, following previous updates to Council and Audit Committee, including a recent internal audit review. Following discussion, Council was assured that the current risk management and governance controls in place remained sufficient to navigate the risk of disruption and uncertainty during the duration of the Covid-19 pandemic, including protecting the safety of students and staff. Council approved a series of further actions, as set out in the related paper, in relation to Council, Senate and UEB and in conjunction with the SU where appropriate. Council would receive a further update in due course.

13. Access and Participation Plan Outcomes

(Mr Sykes in attendance for this item)

- 13.1 Council received an update on the University's Access and Participation activities. It was noted that, although the period associated with the most recent APP (2020/21-2024/25) had commenced, the OfS' reporting requirements in 2020/21 related to progress against the previous 2019/20 plan. Furthermore, the OfS had not yet released the necessary data by which the University would assess performance against the targets in the APP. Due to the OfS deadlines, the Chair of Council would be invited to approve the Impact Report for submission to the OfS before being shared with Council on 26 April, together with the supporting information.
- 13.2 During a related presentation from the Executive Director of Academic Services, attention was drawn to the changing Government policy approach to widening participation and access in the context of wider education policy and priorities; the effectiveness and interdependence of measures across the educational spectrum; specific OfS monitoring requirements; and institutional performance against those targets for which data was already available.
- 13.3 It was recognised that performance against targets should be considered in the context of wider institutional performance, strategic decisions and priorities, as well as wider economic and societal issues. With respect to 2021, it was noted that the approach to awarding school examination grades and the timing of results may adversely impact applicants from disadvantaged backgrounds. Clarification was provided about the nature and breadth of the University's access and participation initiatives, including extensive, targeted and strategic engagement with a number of partner schools in the region and nationally, and had invested in additional staff to support these activities. It was agreed that further information about the practical measures that the University was taking to widen access and participation would be provided alongside the OfS Impact Report in April.

14. Closed Minute and Paper

15. Annual Report on Fundraising, Campaigns and Development

(Mr Harris in attendance for this item)

- 15.1 Council received a presentation from the Director of Campaigns and Alumni Relations in which he set out: (a) the role of CAR in supporting strategic priorities; (b) relative performance in alumni relations and philanthropy and related future plans; and (c) set

out the ambitions, timescales, key initial milestones and leadership for a fundraising campaign that sought a significant increase in annual philanthropic income and engagement in support of strategically important projects and priorities. Council also commended the recent success in securing the significant donation from the Law Family Charitable Foundation (see Minute 6(h), above).

16. Capital Approval

- 16.1 Council considered and approved a request for release of funds in connection with the Social Sciences Hub, following approval by Finance Committee, and noted the future dependencies that would be subject to separate business cases and brought forward for approval in due course.

17. Update on Brexit Response

- 17.1 Council received and noted the update from the University's Brexit Co-Ordination Group following the UK and EU agreeing a Trade and Cooperation Agreement on 24 December 2020. Members noted a summary of the implications of the new Agreement for the University, areas of risk and opportunity and actions planned or underway in response. Particular attention was drawn to four areas: (a) the UK's continued participation in some EU research programmes as an associate member, notably Horizon Europe; (b) the end of UK participation in the Erasmus programme; (c) the absence of provisions for the mutual recognition of professional qualifications; and (d) the lack of an adequacy decision regarding data transfers. It was reported that the Co-Ordination Group remained active and continued to monitor developments and oversee the institutional response.

18. Report of the Council Nominations Committee

- 18.1 Council received and approved the Report, including appointments to the Council Audit Committee, and a minor amendment to one membership category; Research Ethics Committee; and other bodies.

19. Report of the Senate

- 19.1 Council received and approved the Report, including the following recommendations:
- (a) International Faculty: The amendment of Regulation X from 1 July 2021 to remove mention of City College, Thessaloniki, as an International Faculty of the University; and the revocation of the associated delegated powers from 1 July 2021, as set out in Regulation X, paragraphs 3.1.5 to 3.1.8, which were now governed by a contractual validation arrangement through the period University of Sheffield students are taught out.
 - (b) Reconfiguration of Departments in the Faculty of Science: To reconfigure the three departments of Animal and Plant Sciences, Biomedical Science, and Molecular Biology and Biotechnology to create a single new School of Bioscience from September 2021; and the amendment of Regulation IX (2.1.6.) relating to the composition of Senate, to reflect the merger and the establishment of a new School of Bioscience.
 - (c) Semester dates: To delegate to the President & Vice-Chancellor the facility to change the 2020-21 semester dates for students, by Faculty or by Department, if required, within the parameters set out, informed by the requirements of Departments. It was noted that this flexibility was provided as means of additional mitigation to ensure the delivery of learning outcomes, if this could not be achieved through other measures. It was also recognised that any decision to

change semester dates would take into account the potential impact on students, as well as staff, and supported by clear communications.

20. Report of the Finance Committee

20.1 Council received and approved the Report.

21. Reports of the Audit Committee

20.1 Council received and approved the Report.

22. Council Business Plan 2020-21

22.1 Council received and noted the latest iteration of the Business Plan.

23. Public Availability of Council Papers

23.1 Council approved arrangements for the online publication of Council papers.