



## **Minutes Meeting of Council**

<b>Date:</b>	26 April 2021
<b>Present:</b>	Mr Pedder, Pro-Chancellor (in the Chair); Mrs Hope and Mr Mayson, Pro-Chancellors; Professor Lamberts, President & Vice-Chancellor; Mr Bagley; Mr Belton; Ms Brownlie; Ms Eyre; Dr Forrest; Ms Hague; Professor Hartley; Professor Kirby; Professor Layden; Dr Nicholls (items 6-17); Mr Rodrigo; Mr Sly; Mr Sutcliffe, Treasurer; Professor Valentine; Mr Wray
<b>Secretary:</b>	Dr Strike
<b>In attendance:</b>	Mrs Jones; Mr Swinn; Mr Weir; Ms Abrams and Ms Fraser-Krauss (items 7-8); Professor Hounslow and Ms Morgan (item 8); Mr Sykes (items 7-10 and 15); Mr Barcroft (item 10); Mr Smith; Ms Sullivan
<b>Apologies:</b>	Professor Brazier

### **1. Declaration of Conflicts of Interest**

- 1.1 The Report of the Council Nominations Committee (item 17) contained recommendations relating to a number of Members of Council, who did not take part in decisions relating to them. There were no other conflicts declared.

### **2. Minutes of the Previous Meeting**

(Meeting held on 08 February 2021)

- 2.1 The Minutes were approved as an accurate record.

### **3. Action Log and Matters Arising on the Minutes**

- 3.1 Council received and approved the new Council Action Log, which was proposed in response to recommendations in the Council Effectiveness Review as a means to ensure oversight and monitoring of both matters arising and actions agreed at previous meetings. It was agreed to supplement the existing information to highlight whether matters were overdue or proceeding as planned.

### **4. Health and Safety Update**

- 4.1 Council received and endorsed the update, which focused on key risks and mitigating actions. Attention was drawn to an update regarding an earlier outbreak of Covid-19 amongst security staff, and the implementation of recommendations following an investigation, and the positive outcome and feedback following an HSE spot check inspection of the Faculty of Engineering. Council noted the importance of staff taking any incidents and accidents seriously, which would be fed back to the Director of Health & Safety.

### **5. Category C Matters**

- 5.1 Council considered Category C business, which were covered in Minutes 18-28, below.

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

Council received and discussed the President & Vice-Chancellor's report, in which he provided information on key current and forthcoming internal developments and those in the policy environment. The following points were noted:

- (a) Easing of Lockdown: The further easing of lockdown restrictions from 12 April did not include provision for the return of more students to campus for in person teaching. Despite significant lobbying there would be no further student returns to in-person teaching until Step 3 of the roadmap (17 May at the earliest). This represented a highly challenging situation and, alongside UUK, the University continued to voice concerns regarding the impact on students. The Russell Group and others continued to push for all remaining students to be allowed to return on 17 May and seek a fuller explanation from government about its decision.
- (b) Research Funding: Following a government decision to reduce Official Development Assistance (ODA) funding, the BEIS ODA allocation to UKRI had led to a £120m gap between allocations and commitments, which affected Global Challenges Research Fund and Newton Fund grants. The University was working to ensure postdoctoral research assistants retained their positions and to ensure that commitments to partners in low and middle income countries were respected.
- (c) Student Recruitment and Admissions: It was likely to be another challenging summer for recruitment, although the current institutional position provided a positive foundation. The University continued to engage with government and sector bodies to ensure robust plans were in place to support applicants over the summer period and as they transitioned to start their courses in the Autumn, including the impact of disruption on A level studies. During discussion, clarification was provided about the extent of efforts to enhance student recruitment, using the results of an institutional brand tracker and work with city partners to raise the profile of Sheffield as an attractive destination for study and more generally.
- (d) Research Excellence Framework: The institutional REF2021 submission was made on 25 March, following an enormous effort across the institution and coordination by REF Steering Group. The University was confident that its submission was as optimal as possible. Research England would consult the sector on future iterations of the exercise later this year.
- (e) Knowledge Exchange Framework: Research England had published the first Knowledge Exchange Framework (KEF) in March 2021. The KEF compared institutions on a like-for-like basis in clusters and the University was placed with other very large, very high research intensive and broad-discipline universities undertaking significant amounts of excellent research. The University was one of the top 10% of universities in England for: collaborating with businesses and working with the public and third sectors; for public and community engagement; and for commercialising research and IP. This was a pleasing result, but the University would seek to build on this success and enhance KE performance. Clarification was provided about the nature of the clusters used and the methodology used to produce the KEF.
- (f) Pay and Pensions: Members noted the detailed updates on the latest position regarding the national pay negotiations and the USS and USPS valuation processes. It was reported that a draft position on the consultation based on feedback from staff and the University's USS Working Group would be shared with Finance Committee for a steer ahead of UEB. The draft University response to the latest USS employer consultation would

be shared with Council for comment at an additional online meeting in May, for submission later that month, with the final draft being circulated to full Council for agreement before submission.

- (g) Planning for the return to campus- future working arrangements: Taking into account lessons learned during the period of remote working due to the pandemic, the University was consulting over plans to introduce a “hybrid approach” for many colleagues from the summer of 2021. This process includes establishing organisational principles, tools and support, and culture change.
- (h) Annual Planning Cycle: The use of the new Strategic Framework for planning had received positive feedback from across the Faculties, with some suggestions for future cycles. UEB members would work to review the plans, including discussion at a June UEB Away Day prior to reporting to Council in July.
- (i) Student Population 2025: This was an important long-term, strategic piece of work to consider strategic aims for 2025, led by a task and finish group, chaired by the P&DVC. The work was considering both the size and shape of the student population and recruitment markets, the quality and number of students that help maintain an exceptional student community and the financial implications of different student populations.
- (j) Media coverage: It was noted that the University had been subject to media criticism for its approach to free speech, in a recent newspaper article which erroneously implied that its approach to decolonising the curriculum would remove references to Sir Isaac Newton. It was important to note that this was not the case, and the purpose of the initiative was to add historical context to specific subject matter, and that the work had been taken in collaboration with students and the SU in response to demand from students themselves to include less high profile and more diverse figures in teaching material. The University and SU remained committed to this work and had issued an appropriate response to the recent articles but this would be supplemented by additional efforts to increase understanding of the wider project amongst key stakeholders, notably students themselves and applicants. With respect to communications in general, it was clarified that the University continued to adopt a proactive approach.
- (k) Student Occupation: It was reported that a small group of students had occupied the Arts Tower as part of coordinated action with groups at Sheffield Hallam, Nottingham and Manchester to argue for a full rent rebate for students affected by the pandemic. It was unfortunate to note that the greatest impact of the occupation would be on students themselves, who could not access departmental space to complete assignments and projects. Members noted that the University had already committed not to charge students in University-owned accommodation rent for any period in which they were not resident and had established a generous dedicated fund for all students experiencing hardship. The University had applied for a Possession Order and the SU President and Director of Infrastructure had met with the occupiers to ensure their wellbeing and safety.
- (l) Sustainability: Council noted that the University had joined the UN Framework Convention on Climate Change Race to Zero campaign, to achieve net-zero carbon emissions by 2050, and suggested that wider public policy may lead to increased institutional opportunities in this area. It was noted that Council might consider a further detailed update at a future

meeting, in the context of the University's Sustainability Strategy, which included ambitious targets.

## **7. Technology Enabled Strategic Framework**

Ms Abrams and Ms Fraser-Krauss in attendance for this item

- 7.1 Council received a presentation on the future development and implementation of the Technology Enabled Strategic Framework, also noting the approach to business case approvals in the context of previous agreement and approvals by Council and Finance Committee. Particular attention was drawn to the nature of the Strategy itself and IT Services role as a delivery partner; the five specific roadmaps, which broadly corresponded to the strategic Pillars of the University Vision, and their respective leadership; delivery and expenditure across each roadmap during 2020/21. An overview of the purpose of Phase 3 was described ahead of a formal budget approval request being made to Council in July; alongside related considerations in relation to the Student Lifecycle Project.
- 7.2 During discussion, clarification was provided about the separate governance and oversight arrangements for TEF and the SLP, including the respective roles of UEB, and Finance Committee and Council, where applicable. In response to questions Council heard the two initiatives should be seen as complementary and not in tension or opposition with one another. Council also asked about the extent of work to reinforce existing student systems to enable the later implementation and subsequent integration of key elements of the SLP. Although significant work had been undertaken to increase and extend the resilience of the existing system, to provide up to four years further life, stopping SLP would still carry significant and inadvisable risks. Assurance was given that undertaking TEF projects alongside continuing the SLP would not risk diverting IT and organisational resources from SLP and would enable the University to deliver the intended objectives under the various TEF roadmaps without adversely affecting delivery of the SLP.
- 7.3 With respect to the overall balance of investment in the University's digital and physical infrastructure, Council noted that the use of roadmaps and Phases in the TEF would facilitate annual consideration of the resource requirements for particular areas, taking into account the relative risks, specific need and any interdependencies. It was suggested that Council may need return to a more detailed, strategic consideration of the balance and prioritisation of infrastructure spending in due course.

## **8. Closed minute and paper**

## **9. Compliance with Consumer Law**

Mr Sykes in attendance for this item

- 9.1 Council received and noted a report on the outcome of an assessment of the University's compliance with consumer law. The review had been conducted following the OfS having written to all HEIs asking them to undertake a review of their compliance with Condition C1 in order to provide assurance to their governing bodies during the spring term. The scope of the review had been broadened to maximise its value and the findings had concluded that the University was not at risk of breaching registration condition C1. Therefore, Council agreed that there was no requirement to report the outcome to the OfS. However, some areas had been identified for further mitigating action by management, which were being followed up. It was also noted that the success of planned mitigating actions were variously dependant on the progress of national Covid restrictions being lifted.

## **10. Access and Participation**

Mr Sykes and Mr Barcroft in attendance for this item

- 10.1 Council received and noted an update on progress against the University's Access and Participation Plan 2020-25 and the 2019/20 Monitoring Return, which had been submitted to the OfS. As previously noted, the return would be used by the OfS to trial reporting arrangements for future years; to gather information regarding the impacts of Covid 19 on access and participation activities; and to capture any enhanced monitoring requirements stated as part of the approval of the 2020-25 APP. For the first time, the Students' Union had also been invited to make a parallel submission, which Council also received.
- 10.2 During a related presentation, attention was drawn to the University's Widening Participation aims; the political, policy and regulatory and institutional landscape, and the availability of data; the University's performance against the targets in its 2019-20 APP; particular areas of success; challenges; and future plans. During discussion, it was noted that in evaluating the relative success of the University's various different interventions and support, consideration was given to how to maximise the impact of these initiatives on all under-represented groups and that related activity occurred regularly across the wider Student Support Services, including supporting transition, academic and practical skills, and wellbeing. It was pleasing to note that the Student Wellbeing Service offered a sector leading approach to identifying and supporting the most vulnerable students.

## **11. Closed minute and paper**

## **12. Review of the Students' Union Constitution**

- 12.1 Council received the final report of the review of the Students' Union constitution, which had taken place to discharge Council's obligations under the Education Act 1994. The review had been undertaken on the terms agreed by Council in October 2020, including oversight by a Task a Finish Group, chaired by Ms Brownlie, and external advice from Smita Jamdar, Shakespeare Martineau LLP. Council noted the recommendations and that UEB had also considered the report, including areas for executive action and additional matters identified that required separate consideration outside the formal scope of the review.
- 12.2 In particular, Council noted the conduct of the review and that the findings provided assurance as to the extent of legal compliance with the Education Act. Council also agreed to adopt the specific recommendation in relation to SU external affiliations; noted the action being taken to discharge Council's obligation to draw certain matters in to the attention of students; and noted additional suggested actions and advice, for the SU and UEB to consider further, in particular supporting the SU's decision to seek legal incorporation. Clarification was provided about the University and SU's continued commitment to collaboration in relevant areas, notably Health and Safety, whilst taking steps to clearly distinguish their respective legal responsibilities. It was recognised that the two organisations would likely need to work closely together on the issue of free speech in light of proposed new legislation (see also item 14, below).

## **13. Capital Report**

- 13.1 Council received an update on progress of projects in the capital programme and a further addendum report, including projects recently considered and approved by ECSG, UEB and Finance Committee in accordance with the Council Scheme of Delegation. Specifically, Council approved recommendations relating to the Norton Playing Fields and the Sustainable Aviation Fuel Innovation Centre.

## **14. Freedom of Speech and Academic Freedom**

- 14.1 Council noted an updated on recent policy announcements relating to free speech and academic freedom, following the Government's announcement that it intended to introduce new legislation relating to HE providers and SUs. Members noted a summary of the proposals and their implications, alongside Council's existing duties and legal protections. Council also noted details about examples from Sheffield that were provided alongside others in the sector as evidence that further legislative protection was required. Having noted that the legislative regime was likely to become more complex and the importance of compliance, in terms of updated policies, procedures and contracts, Council endorsed a proposal to receive a briefing at its July meeting, delivered by an external expert.
- 14.2 During discussion, it was noted that the SU Trustee Board had considered a similar briefing and was keen to work in collaboration with the University in response to any new legal requirements. Members also noted related developments in the US and Australia, which could inform work in the UK HE sector. UUK had established a working group with a view to developing voluntary measures which institutions could adopt and implement.

## **15. Student Discipline**

Mr Sykes in attendance for this item

- 15.1 Council received and noted an update on the University's approach to managing non-adherence to Covid-19 restrictions by students, including data in relation to any disciplinary proceedings and the broader context, including comparisons across the sector. It was noted that the University had been proactive in communicating expectations and requirements to students and had sought to respond to instances of non-compliance in a balanced way, recognising the related reputational risks.

## **16. Corporate Risk Register**

- 16.1 Council received and approved the latest iteration of the Corporate Risk Register and noted the accompanying report from the UEB Risk Review Group.

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

Council received and approved the report, including the following:

- (a) That Alison Hope be appointed for an exceptional one year term as a Pro-Chancellor from 1 August 2021 to 31 July 2022, given the exceptional circumstances created by the pandemic and the need for wider stability and continuity on Council as part of wider succession planning.
- (b) That Claire Brownlie be appointed as a Pro-Chancellor from 1 August 2021 to 31 July 2025.
- (c) That Alison Hope be appointed for an exceptional one year term as Chair of the Council Audit Committee from 1 August 2021 to 31 July 2022, given the exceptional circumstances created by the pandemic and the need for wider stability and continuity on Council as part of wider succession planning.
- (d) That Claire Brownlie be appointed to the Audit Committee for the period 1 August 2021 to 31 July 2024, as an additional member from the Council,
- (e) That Dr Jonathan Nicholls be appointed as the Senior Independent Governor from 1 August 2021 to 31 July 2023, extendable consistent with his term on Council.

- (f) That Philip Rodrigo be appointed to the Council Senior Remuneration Committee in the category of 'one lay member of the Council' for the period 1 August 2021 to 31 July 2024, subject to his continued membership of the Council.
- (g) That Philip Rodrigo be appointed to the Universities of Sheffield Military Education Committee in the category 'One lay member as approved by the Council of the University of Sheffield' for the period 1 August 2021 to 31 July 2024.

## **18. Minutes of the Senior Remuneration Committee**

Council received and approved the Minutes.

## **19. Report of the Senate**

- 19.1 Council received and approved the Report, including approval of Semester dates for the period 2024/25 to 2027/28. In response to a written question in advance of the meeting, clarification had been provided regarding the process for disseminating information and learning points from student complaints.

## **20. Report of the Audit Committee**

- 20.1 Council received and approved the Report.

## **21. Report of the Finance Committee**

- 21.1 Council received and approved the Report. It was reported that the University had now concluded the sale of its shares in IP Group plc in accordance with the parameters agreed by Council.

## **22. Report of the Estates Committee**

- 22.1 Council received and approved the Report. Clarification was provided regarding the alignment of the redesigned Social Sciences Hub with One University principles and the academic requirements for teaching and research in the Social Sciences.

## **23. Office for Students**

### **23.1 Update on OfS Regulatory Requirements**

- 23.1.1 Council received and noted an update on the OfS' regulatory requirements, which demonstrated the high volume of regulatory activity and related consultations.

### **23.2 Conditions Compliance Register**

- 23.2.1 Council received and noted the register of compliance with ongoing registration conditions and reportable events. In particular, Council noted the new OfS statement of expectation and call for providers to review sexual misconduct and harassment policies by this summer and to ensure that appropriate governance structures were in place to enable reporting to governing bodies. A route had been agreed and Council would receive an annual report from the UEB sexual misconduct and harassment sub-group through the Council Equality and Diversity Committee. Council also noted that the OfS had raised formal queries relating to changes to the Masters in Landscape Architecture, following student notifications. Having assessed the relevant information, OfS had confirmed that they had no further queries at this time.

## **24. Report on Action Taken**

24.1 Council noted and endorsed action taken on behalf of Council since the previous meeting.

## **25. Council Business Plan 2020-21**

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

## **26. Use of the University Seal**

26.1 Council received and noted a summary of the application of the University Seal since the previous Council meeting.

## **27. Public Availability of Council Papers**

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

## **28. Other Business**

28.1 Council Away Day, 15 June 2021:

Having noted that the pandemic had meant that Council had been unable to hold an Away Day in 2020, and that pre-meeting information sessions and dinners had not been possible since February 2020, Council agreed to a proposal to hold the scheduled 15 June Away Day in person, in a Covid-secure environment on campus, if possible. This was not work that could be undertaken remotely and also provided an opportunity for greater informal interactions between members, particularly those had joined Council during the past year and if possible provide part of the induction of the two incoming members.