

Board of Governors

Minutes of the meeting held on 15 May 2018

Present:

Andrew Scarborough (Chair)

Rafael Garcia-Krailing

Richard Horsley

Sylvia Hughes

Lee Machado

Mark Mulcahey

Nick Petford

Nick Robertson

John Skelton

Apologies:

David Baker, Sue Dutton, Sara Goodwin, Jeff Halliwell, Frank Jordan, Martin Pettifor, Nick Pitts-Tucker, Danjie Zhong

In attendance:

Nick Allen (Executive Officer), Jane Bunce (Director of Student and Academic Services), Emma Finlay (Governance Assistant), Wray Irwin (Head of University Centre for Employability and Engagement), Kathryn Kendon (Deputy Director of Student and Academic Services), Miriam Lakin (Clerk)

81/18 Welcome, Apologies and Quorum

81.1 The Chair welcomed those present and noted apologies. It was confirmed that the meeting was not quorate as there was not a majority of independent members amongst those governors present. The Chair advised the Board that they had authorised the Chair to take action to approve documents relating to the University's application for registration with the Office for Students (OfS) on its behalf, at the last Board meeting (Minute 62.2).

82/18 Declarations of Interest

82.1 No declarations of interest were received in addition to those held on file by the Clerk's Office.

83/18 Application for Registration with Office for Students

83.1 The Board received Paper A, details of the application for registration with the Office for Students (OfS), along with draft supporting documents.

83.2 Appendix A: Access and Participation Plan

The Director of Student and Academic Services advised the Board that the Access and Participation Plan (Appendix A) was a significant part of the application. The Head of Employability and Engagement advised the Board that the Access and Participation Plan replaced the previous Access Agreement and was very similar.

83.3 The Head of Employability and Engagement advised the Board that the OfS already had much of the relevant access and participation data, and therefore wanted HEIs to interpret the data according to criteria set by the OfS. He stated that the OfS' evaluation would be risk-based in that the OfS would complete a risk assessment against the Plan. The OfS had indicated that they would focus more strongly than previously on evaluating the impact of the University's access

and participation work which was designed to increase equality of opportunity for under-represented groups.

83.4 The Head of Employability and Engagement advised the Board that the OfS would focus particularly on element funded through tuition fees, and how the University spent those elements to address the important issues.

83.5 The Head of Employability and Engagement advised the Board that the University's priorities and strategies for access, progression and attainment remained the largely the same. The ambition was to be on target to achieve the set milestones by the end of 2020.

83.6 Members asked whether the Access and Participation Plan would be reviewed annually. The Head of Employability and Engagement advised the Board that annual review was expected. He stated that the OfS was using 2018/10 as a transition year and were reviewing the entire process, therefore the process be different in future. He stated that he was working with the finance team to plan two years ahead.

83.7 It was confirmed that the OfS would review the Access and Participation and the other documents submitted as part of the application by September 2018. They may choose to ask supplementary questions in the interim. By September, HEIs would need to advertise their fees for the following year, and therefore confirmation of their addition to the OfS register of providers would be needed.

83.8 Members discussed access to the University amongst under-represented groups. The Vice Chancellor stated that the University was in the top five universities for BME recruitment. Members commented that the University was very good at recruiting BME students, but there needed to be more focus on activities to promote attainment. Members recommended that the Access and Participation plan drew attention to the University's success in promoting access and participation amongst groups who were normally under-represented at

HEIs, including BME and white students from low participation neighbourhoods. The Head of Employability and Engagement agreed to review the language used in Appendix A.

Action: Head of Employability and Engagement

83.9 Members commented that some sections in Appendix A would benefit from further editing to ensure that they contained details of next steps and action plans.

83.10 The Chair asked the President of the Students' Union to comment on the Access and Participation Plan. The President of the Student's Union stated that the Student's Union had been involved throughout the application process and he stated that the document provided an honest picture of the current situation.

83.11 Members asked about the response from other institutions. The Head of Employability and Engagement had attended a national conference regarding the preparation of Access and Participation plans. Access and Participation plans would be made public after approval by the OfS. However, until then, little was known about the approach taken by other institutions.

83.12 It was confirmed that a full widening participation action plan was in place to underpin the Access and Participation Plan.

83.13 The Chair reported on a recent conference at which the Chief Executive of the OfS had spoken, and had emphasised the focus the OfS would have on the quality of delivery and value for money for students, especially those from poorer backgrounds, who had chosen to take on debt.

83.14 Members commented that some sections of the plan contained less data than others, particularly with regards to students from service families and care leavers. Members asked how progress in these areas could be judged. The Head of Employability and Engagement advised the Board that there would be more data regarding certain groups in the next few months, and therefore the review process should be robust.

83.15 Members referred to page 1 of Appendix A and stated that this section of the document could include more detail regarding activities to promote success in and progress from HE. The Head of Employability and Engagement advised the Board that the document set out the general direction of travel rather than being specific in order to ensure that there was no commitment to activities that did not add value. The Head of Employability and Engagement had been in contact with the OfS to advise them that this approach would be taken. He was now working to ensure that specific activities were planned and documented and could be explained to the OfS in the event of a request for further information.

83.16 Appendix B: Self-Assessment on Guidance on Consumer Protection Law

The Director of Student and Academic Services advised the Board that the Deputy Director of Student and Academic Services was responsible for completing Appendix B, regarding compliance with consumer protection law.

83.17 The Deputy Director of Student and Academic Services advised the Board that the University had undertaken a self-assessment exercise to determine its level of compliance with CMA (Competition and Markets Authority) guidance to HE Providers published in 2015. The University had therefore been working on this agenda over the past three years.

83.18 The Deputy Director of Student and Academic Services advised the Board that the OfS had indicated that they would focus on miss-selling and how the University manages complaints. There would be a full report on complaints to the next Board meeting.

83.19 Members referred to current marketing literature and emphasised the importance of checking that it was accurate and did not make promises that could not be fulfilled. The Director of Student and Academic Services advised the Board that the University constantly reviewed course and promotional

information and there were annual checks of policies and procedures. Student terms and conditions were also being checked. It was agreed that this was an area which required constant vigilance.

83.20 Appendix C: Student Protection Plan

The Director of Student and Academic Services advised the Board that Appendix C, the Student Protection Plan was a new requirement which assessed the risks of whether a course could be delivered. The Student Protection Plan was a Public document which addressed how risk was mitigated. The Deputy Director of Student and Academic Services advised the Board that the Director of Finance had reviewed the Student Protection Plan from a financial perspective.

83.21 The Board reviewed the Student Protection Plan and recommended certain changes to the wording.

Action: Deputy Director of Student and Academic Services

83.22 Appendix D: Self-Assessment on Management and Governance

The Clerk advised the Board that where a document was already public, for example the Annual Report and Accounts, the OfS did not require a lengthy explanation as part of the self-assessment. Members noted the positive contribution of the recent Board Effectiveness Review.

83.23 Summary

The Chair confirmed that there were no major concerns regarding the Application for Registration with the OfS. He reiterated the agreed actions in respect of the documents the Board had reviewed. The Chair confirmed that with these actions, the Board was content to approve the application to register with the OfS.

84/18 Tuition Fee Policy

84.1 The Board received Paper B, the Tuition Fee Policy.

84.2 The Director of Student and Academic Services advised the Board that the amended policy included an additional section on refunds (Section 11) and had been approved by Senate.

84.3 The Board approved the Tuition Fee Policy.

85/18 Any Other Business

85.1 Fit and Proper Person Tests and Data Processing Consent

The Clerk advised the Board that there were three outstanding Fit and Proper Person Tests that needed to be included in the Application for Registration with the OfS.

86/18 Confirmation of Availability of Papers

86.1 The following papers were confirmed as confidential to the meeting:

Paper A – Application for Registration with Office for Students

87/18 Dates of Forthcoming Meetings

87.1 Board of Governors, 23rd May 2018

Court Event, 6th June 2018

Development Committee, 12th June 2018

Audit Committee, 13 June 2018

Board of Governors, 20th June 2018

Nominations Committee, 20th June 2018