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COUNCIL

Unreserved minutes of the meeting held on 11 July 2022

Present: Vice-Chancellor, Ms Wendy Becker, Professor Sir Rory Collins, Professor Patricia Daley, Sir Chris Deverell, Fra John Eidinow, Professor Fabian Essler, Professor Cécile Fabre, Mr Charles Harman, Mr Nicholas Kroll, Professor Kia Nobre, Professor Alex Schekochihin, Professor Anne Trefethen, Head of the Humanities Division (Professor Daniel Grimley), Head of the Medical Sciences Division (Professor Gavin Screaton), Head of the Social Sciences Division (Professor Timothy Power), Chair of the Conference of Colleges (Baroness Jan Royall)¹, Senior Proctor (Professor Jane Mellor), Junior Proctor (Dr Linda Flores) Assessor (Dr Richard Earl)².

Student Member Representatives and representative of the Early Career Research Staff: Devika Devika (*vice* Shreya Dua VP Graduates), Jade Calder (VP Access and Academic Affairs) and Dr Hilary Wynne (Representative of the Early Career Staff)

Apologies: Mr John Bowers, Professor Richard Hobbs, Professor Aditi Lahiri, Professor Diego Sánchez-Ancochea, Head of the Mathematical, Physical and Life Sciences Division (Professor Sam Howison), Pro-Vice-Chancellor (Research), the Head of GLAM, and the SU President.

Officers in attendance: Registrar, Pro-Vice-Chancellor (Development and External Affairs), (Pro-Vice-Chancellor (Education), Pro-Vice-Chancellor (Planning and Resources), Pro-Vice-Chancellor (Innovation), the Chief Financial Officer, the Director of Public Affairs and Communications, the Director of Legal Services and General Counsel, the Head of Governance, the Assistant Registrar (Governance).

In Attendance:

Lukasz Bohdan - item 9 University Risk Register

Introductory matters: the Vice-Chancellor welcomed everyone to the last meeting of Council for the academic year noting that this would be the last meeting for John Bowers, Fabian Essler and Aditi Lahiri.

Mr Tom Fletcher would replace John Bowers in MT22.

Professor Proochista Ariana had been appointed to the lapsed Medical Sciences/MPLS vacancy on Council and would join in MT22.

The main themes of the meeting were: capital projects, financial items, the IT Strategic Implementation Plan, the Race Equality Taskforce, the University Risk Register and Guidelines for acceptance of funding from fossil fuel companies. There were also a number of important items on the reserved agenda.

Item 9 was considered after item 10 due to availability of presenter.

Declarations of interest: Council members were reminded to declare any interest that could give rise to conflict in relation to any item on the agenda. These would be noted in the footnotes of the minutes.

ORDINARY BUSINESS

(A) Unreserved

- 1. Unreserved minutes of the meeting held on 20 June 2022 (C(22)li-lxii)
 - (a) Unreserved minutes

The unreserved minutes were approved.

- (b) Matters arising from the unreserved minutes of the meeting held on 20 June 2022 not otherwise on the agenda
- (i) Minute 1a: Meeting held on 20 June 2022 Unreserved minutes

¹ Not present for all of item 6. Returned 16:05

² Left 16:34 (during item 9). Returned 16:37 (under item 11)

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Council **noted** that the title of item 8 on 9 May 2022 Council agenda had been amended to read "Reward and Recognition".

(ii) Minute 5: Report on the University's Finance Committee: review of the financial statements of Oxford University Press for the year ending 31 March 2022

Council noted the final financial statements of the Press for the year ending 31 March 2022.

(iii) Minute 12: USS Update (C(22)108)*

The Vice-Chancellor informed Council that the advisory committee had met on 4 July 2022. The Group had discussed how it would operate and what information it required in order to complete its work. The Group would analyse the information over the summer and meet again in September; consultation with various stakeholders would then take place with the intention of having a discussion at Council in week 4 of MT22. The Advisory Group would then be able to synthesise all the information and return to Council, ideally in week 8 of MT22.

In discussion Council members agreed that the paper presented was helpful in setting out how the current situation had arisen. They also discussed how issues including conflicts of interest and quoracy would be managed. The Chair of the Advisory Group was clear that the group wanted to be as helpful as they could to Council and that there would need to a detailed discussions with Council in MT22 before any recommendation was made. It was though a matter for Council to make a decision. It was noted that no-one on the Advisory Group had a conflict of interest³.

It was **agreed** that the Registrar and General Counsel would consider and recommend options to address the tensions between conflict of interest and constitution for Council to make a decision and that a detailed discussion should be held in MT22 which could encompass the role of being a Trustee of the University, where responsibility for taking any decision lay and how the Advisory Group could help with the decision making process. Council members had a responsibility to make a difficult decision.

Council **approved** the terms of reference and membership and **endorsed** the proposed next steps.

(iv) Reserved minute 25: Employer-Justified Retirement Age (EJRA) 10 Year Review (C(22)83)

It was noted that this was originally discussed as a 'Reserved' item, however proposed draft legislation would appear in the *Gazette*.

Council **approved** the annexed amended draft legislation for onward submission to Congregation.

CONFIDENTIAL 2. The Vice-Chancellor's unreserved business (above the line)

The Vice-Chancellor gave an oral report.

- The turbulent political situation which had resulted in three different Secretaries of State for Education in three days.
- There remained concerns about the UK's membership of Horizon Europe Sir Paul Nurse had made a strong case that morning that the funding already set aside was potentially vulnerable. It was unlikely that a decision would be made before the autumn.
- A number of government policies, some of which had involved little or no consultation, were likely to present challenges for this and other universities:
 - o Commitment to reversing pandemic grade inflation
 - o OfS requirement that exam assessments be retained for five years
 - Warnings to reconsider participation in equality schemes due to concerns about free speech and value for money.
- The freedom of speech bill was currently under consideration in the House of Lords.
- A number of supplementary questions had been asked of the question on freedom of speech
 at the Congregation meeting held in June. Responses were currently being drafted and
 would be shared with Council shortly⁴.
- UUK had launched a consultation on the governance review of USS a draft response would be circulated for comment over the summer. Also on USS, the Aon modelling was currently being analysed.

³ One member of the Advisory Group stood down as they declared a conflict of interest.

⁴ Draft responses were circulated on 13 July 2022. Final approved replies appeared in the Gazette on 21 July 2022.

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 On cycling, the joint group referred to at Council's last meeting had been constituted – further information would be provided to Council in due course.

- 16,272 staff would receive the Staff Thankyou payment of those, 1,246 had diverted the payment (2% to college hardship funds, 6% to University hardship funds, 915 into their pensions 85% USS, 15% OSPS).
- Professor James Maynard had been named one of four recipients of the 2022 Fields Medal, the most prestigious award in mathematics for those under 40.
- The new Pandemic Sciences Institute had been formally launched last week, and on 12 July, the new Institute of Developmental and Regenerative Medicine would be officially opened.
- On Friday, two weeks of celebrations would begin to mark the 400th anniversary of the Botanic Garden.

3. Finance White Paper (C(22)84)

The Pro-Vice-Chancellor (Planning and Resource Allocation) introduced this item informing Council that it had been subject to extensive discussions and was now being operationalised following a final round of consultation.

Council:

- Approved the Finance White Paper for adoption from the start of the financial year 2023/24.
- ii. **Approved** the proposed new governance arrangements and changes to regulations from 20 September 2022 (as set out in Annex B) including:
 - a. the establishment of the Budget Planning Subcommittee, Estate Investment Subgroup, Services Subcommittee, and the Contribution Working Group
 - b. the abolition of the Budget Subcommittee and Capital Steering Group
 - c. the amendments to the terms of reference of PRAC, BESC, and the Financial Regulations

In addition, the Chair of the Conference of Colleges had requested, via the Chair of PRAC, that the Chair of the Estates Bursars' Committee be added to the membership of the Budget Planning Sub Committee.

- d. Council **approved** the addition of the Chair of the Estates Bursars' Committee to the membership of the Budget Planning Sub Committee as set out in Appendix B of the paper.
- iii. **Noted** the following points of change to the previous draft approved for consultation:
 - a. The membership of the Services Subcommittee had been expanded to include an external member of PRAC who would chair the group when the three year settlement proposal was being decided upon.
 - b. Terms of Reference of the Services Subcommittee to include a strengthened clause on the need to enable efficient and effective provision across all levels of the University ensuring that services were based at the most appropriate level of the University, in line with the principles of subsidiarity and sustainability.
 - c. GLAM to be allocated a pre-populated cash-backed reserve set at 2% (£1.5M) (this updated point 6.6 of the original FWP.
 - d. The description of how the three year settlement would operate had been expanded to clarify that UAS as a whole (including Estates) would be able to carry forward modest amounts of over or underspend forward from year to year within the three years of each settlement. This was an addition to point 6.3 of the original FWP.
- 4. Report from the meeting of Finance Committee held on 30 June 2022 **
 - (a) Digital Transformation: Foundations for Digital Transformation phase (C(22)85)

Ref No COU/1 C(22)lxx

The Pro-Vice-Chancellor (Planning and Resources) introduced this item. He explained that, in considering this proposal and the following two items, Finance Committee and Strategic Capital Steering Group had asked for some tightening up of the proposals.

On the basis that a decision on this project at this meeting would not preclude decisions on other pressures at a later date, Council:

- approved the release of these funds for the first phase of the Foundations for Digital Transformation;
- (ii) **noted** that the budget was profiled for expenditure over two academic years; and
- (iii) **approved** the 2022/23 operating cash budget as the most appropriate source of funding for the non-capitalised expenditure on this project;
- (iv) **approved** the SRO return to Finance Committee with a presentation of specific milestones and timetables in a format that would facilitate monitoring of progress;
- (v) **approved** that Finance Committee would be provided with:
 - a. a prioritised list of the various deliverables;
 - b. further details of the investigative element of the project, with particular reference to how value for money will be achieved.

RESTRICTED

(b) Le Gros Clark (C(22)86)**

The Pro-Vice-Chancellor (Planning and Resources) introduced this item, explaining that it was proposed to refurbish the Le Gros Clark building for the relocation of the School of Anthropology and Museum Ethnography (SAME) and the MPLS and Social Sciences Divisional Offices.

Council took the actions set out in the report

RESTRICTED

(c) Information Sciences on the ROQ (C(22)87)**

The Pro-Vice-Chancellor (Planning and Resources) introduced this item, explaining that this project involved the re-housing of the Department of Computer Science, information engineering groups from the Department of Engineering Science, and part of the Nuffield Department of Primary Care Health Sciences (Digital Health).

Council took the actions set out in the report including:

- Approved the project as passed, through Gateway 1;
- ii. **Approved** the appointment of Prof Andrew Martin as SRO for the Informatics component, and Prof Richard Hobbs as SRO for the Digital Health component;
- iii. **Approved** referral to Congregation: 'That the 'Plot K' site, approximately 6,328 sqm, on the Radcliffe Observatory Quarter be allocated to the Mathematical, Physical, and Life Sciences Division for the construction of a new building for the departments of Computer Science and Engineering Science. This allocation to take effect following completion of the Life and Mind Building'. This allocation would be subject to the temporary buildings currently on the site being vacated.

5. Annual Report of the Registrar

The Registrar gave a presentation highlighting the following:

- UAS had 1550 staff with a budget of £180.7m. There continued to be close working with an increasing number of divisional and departmental activities. A third of the budget came from philanthropy and outreach work; with some from charging for services.
- The break-even budget target for 2022/23 had been met through a consultation exercise with her Senior Leadership Team (absorption of £1.8m with no shift of burden to Divisions or

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departments). There continued to be a growing demand on services at the same time as a tightening on costs which meant that not everything that was requested could be delivered.

- Priorities for 2022 and beyond.
 - There had been a 7% growth in undergraduate students and a 15% growth in graduate students over the past five years. This continued to challenge a number of services as they attempted to manage a growth in volume and while increasing student support services.
 - Targeted investment had taken place in services for sexual violence and mental health support; in addition a review of the University's staff-student relationship policy had started alongside a review of University Consent Training with a new model of facilitated workshops being piloted in MT22.
 - The Captial Projects Programme had given support to the Schwarzmann Centre, the Life and Mind Building and the Begbroke expansion. This had increased demand for specialist expertise in legal services, procurement, project management as well as health and safety.
 - The growing volume and complexity of research activities meant that ways were being sought to streamline processes in order to be able to scale the provision of support, whilst attracting and retaining staff with the most appropriate skill sets.
 - Investment in wellbeing as well as health and safety had taken place over the past 12 months. Both recruitment and retention environments had been significantly impacted over the past two years. A new Wellbeing Strategy was being formulated by the Wellbeing Programme Board (Chair Chris Conlon) to focus upon how we both work and plan, alongside improvements to services, processes and data
 - The threat landscape continued to evolve and grow, as did the regulatory and compliance burden with data returns to the Office for Students, export controls, counter fraud and information security challenges.
- The need to think differently about the delivery of services in the light of the Finance White Paper and the Professional Services Strategy would be vital. Professional Services Together provided a collective vision for how professional services should operate in support of Oxford's core mission with its focus upon collaboration, quality and our people.
- There would be a need to have a wider conversation about how we might do things
 differently, taking burden out of the system whilst ensuring there was clarity over who was
 responsible or accountable for decision making and delivery of services. The Focus Team
 would continue to facilitate various departments and services streamline their processes.

Council members thanked the Registrar for her update and asked what issues there were in recruiting and retaining professional services staff, how the Finance White Paper would impact upon service delivery and what feedback mechanisms were in place for the Professional Services Strategy.

The Registrar indicated that the cost of living in Oxford was a consideration for all staff however it did not seem to be that pay was the only determinant of whether a job offer was accepted or someone stayed in post. Post pandemic other Russell Group Universities were encountering similar issues and flexible remote working was important to people. Some functions were finding recruitment more difficult. The White Paper would introduce a transparency that had not been previously possible and it was hoped that it would inform discussions about the provision, physical situation and operation of services. Positive feedback was starting to come through from Communities of Practice.

Report from the Planning and Resource Allocation Committee on 28 June 2022

CONFIDENTIAL

(a) Q3 Forecast 2021/22 (C(22)88)**

The Chief Financial Officer introduced this item.

Council took the actions set out in the report

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RESTRICTED

(b) University Budget 2022/23 (C(22)89) **

The Chief Financial Officer introduced this item

Council took the actions set out in the report.

i.

(c) Strategic Plan Programme Board; TT2022 (C(22)90)*

The Pro-Vice-Chancellor (Planning and Resources) introduced this item, pointing out that funding for graduate scholarships continued to be an issue.

Council noted:

- i. the report on the meeting of the SPPB on 6 June; and
- ii. that the annual report on the implementation of the Strategic Plan 2018-2024 would be published on the University website (behind single sign on).

OPEN 7. University IT Strategic Implementation Plan (C(22)91)

The Pro-Vice-Chancellor (People and Digital) introduced the paper and informed Council that this was an annual look back, measuring the actions that had been taken. In future the plan would be to look at how items should be re-prioritised in order to make align it with the proposed Digital Transformation Plan.

Council **noted** the report; in particular the relationship between the implementation of the IT Strategy and the proposed Digital Transformation Plan.

8. Race Equality Taskforce Strategy (C(22)92)

The Pro-Vice-Chancellor (People and Digital) recapped on progress including the discussion held at the Council Away Day in September 2021 and the on-going work of the Race Equality Task Force. 1,167 responses had been received in response to the MT21 consultation on 71 measures. The clear directions received from the consultation responses were being translated into an action plan, which had been seen by all divisions and was aligned with Athena SWAN. The new strategic plan would also be informed by the consultation information.

Following the 2021 Away Day three strands of work had started (i) on Leadership, the University would be interviewing for a Chief Diversity Officer on 13 July 2022 (time limited to five years in the first instance), (ii) on our Workplace Strategy positive communications on activities were already underway and (iii) initial steps had been taken to form a joint committee and in the new year Council would be asked to give this further consideration.

Council welcomed the progress made and looked forward to the establishment of the joint committee in the new year.

Council:

- (i) **noted** the update on the work of the Race Equality Task Force;
- (ii) approved the resulting strategy (annexed at A); and
- (iii) **noted** that the strategy would be delivered through the Race Equality Charter action plan (annexed at B) which was under consultation at present and would be presented to Council for approval in Michaelmas Term 2022.

RESTRICTED 9. University Risk Register (C(22)93)** Taken after item 10.

The Director of Assurance presented the report, highlighting a number of points including

Unsurprisingly, the top two risks related to inflation.

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• GPC was now actively engaged in consideration of risks and Audit and Scrutiny Committee regularly considered the risk register.

During discussion, the following points were raised:

- It was suggested that, given Oxford's Covid response and its expertise in vaccine development, a pre-emptive approach to future pandemics or a flu epidemic (which was likely) could be helpful in avoiding further disruption in the autumn. Central government guidance was unlikely to be available and Oxford could lead the way in preparing itself and helping others to prepare. A list of experts to approach would be provided to the Chair. It was noted that the crisis management structures, put in place during the pandemic, had been put into hibernation and could be resurrected as and when necessary.
- Further consideration would be given to the risk rating of the research funding risk and to how inflation was affecting students
- The current risk assessment methodology scored risks according to likelihood and impact, resulting in a Red/Amber/Green indicator.

The Chair thanked the Director of Assurance for the progress made in this area.

Council **noted** the updated University Risk Register.

10. Reports from Education Committee meetings held on 26 May 2022 and 16 June 2022

CONFIDENTIAL

(a) Permanent Private Halls Supervisory Committee Annual Report 2021/22 (C(22)94)**

The Pro-Vice-Chancellor (Education) introduced this item.

Council **noted** the annual report and the actions agreed by Education Committee.

(b) Joint Supervisory Committee for Visiting Student Annual Report 2021/22 (C(22)95) **

The Pro-Vice-Chancellor (Education) introduced this item. Council considered the Joint Supervisory Committee's report on the academic year 2021/22.

11. Committee to Review Donations and Research Funding (CRDRF) and the Research and Innovation Committee (RIC): Guidelines for acceptance of funding from fossil fuel companies (C(22)96)

The Pro-Vice-Chancellor (Development and External Affairs) introduced this item, explaining that draft guidance had been developed to provide a framework against which CRDRF could appraise research funding or donation proposals from companies or individuals linked to the fossil fuel sector. The guidance document, which was intended to be concise and readable, had been widely consulted upon and would align with the University's commitment (2020) to divesting its endowment from fossil fuel companies.

During discussion, Council expressed its support for the guidelines, noting that it would be important to ensure that any greenwashing or lobbying was identified when the research on potential funders was carried out and that fossil fuel funders would be reviewed every three years (or earlier if required).

Council **approved** the guidelines for acceptance of funding from fossil fuel companies as set out in Appendix A of the paper.

Items approved and reported without discussion ('below the line') are listed below.

12. The Vice-Chancellor's unreserved business (below the line) (C(22)97)

Council noted:

- (i) the notice of appointments;
- (ii) the OfS publications; and
- (iii) the UUK Press Statements.

CONFIDENTIAL 13. Unreserved report from the Audit and Scrutiny Committee's 16 June 2022 meeting (C(22)98)

Council:

(i) **noted** the unreserved report.

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(ii) **approved** the proposed external audit fee of £2,032k (excluding VAT and expenses) for the audits of the University, the Press, OUem and subsidiaries for the year ending 31 July 2022.

CONFIDENTIAL

14. Recommendation of Council's Audit and Scrutiny Committee and the Finance Committee of the Delegates of the Press for the reappointment of the external auditors (C(22)99) **

On the recommendations of Council's Audit and Scrutiny Committee and the Finance Committee of the Delegates of the Press, Council **approved** the reappointment of Deloitte LLP as external auditors of the University and the Press for the audit for the year ending 31 July 2022.

15. Reports from the Planning and Resource Allocation Committee on 28 June 2022

RESTRICTED

(a) Joint Student Number Planning Sub-Committee Annual Report 2021/22 (C(22)100)

Council **approved** the JSNPSC Annual Report 2021/22 as set out in the paper, which included the Collegiate University's student number plans until 2024/25. In approving the report Council and Conference also **approved** the Divisional intake targets for 2022/23 and 2023/24 as set out under section (e) of the paper.

(b) Space Allocation from BESC (C(22)101)*

Council approved for onward referral to Congregation:

- i. the extension of an allocation of approximately 825 sqm net usable area (NUA) in the Alden Press Annexe (building number 848) to the Gardens, Libraries and Museums Division, for occupation by the Ashmolean Museum, the Museum of Natural History, the Pitt Rivers Museum and the History of Science Museum, for a further period of approximately three years from 1 October 2022 to 30 November 2025, or until the site is required as part of the wider redevelopment of Osney Mead or the transfer of Museums items to alternative longterm storage, if sooner;
- ii. the allocation of approximately 707 sqm net usable area (NUA) within the Biochemical & Biological Sciences Teaching Centre (building number 614), to the Department of Biochemistry, for an ongoing period of approximately three years, from 31 October 2022 until 30 September 2025 (subject to planning permission), or until completion of the Centre for Life and Mind Sciences (building number 269), if sooner;
- iii. the allocation of approximately 699 sqm NUA within the Biochemical & Biological Sciences Teaching Centre, to the Department of Biology, for an ongoing period of approximately three years, from 31 October 2022 until 30 September 2025 (subject to planning permission), or until completion of the Centre for Life and Mind Sciences (building number 269), if sooner;
- iv. the allocation of approximately 2,155 sqm NUA within Biology Mansfield Road (building number 615), to the Department of Biology, for an ongoing period of approximately three years, from 31 March 2023 until 30 September 2025 (subject to planning permission), or until completion of the Centre for Life and Mind Sciences, if sooner;
- v. the allocation of approximately 1,594 sqm NUA within the Anna Watts Building (building number 616), to the Department of Experimental Psychology, for an ongoing period of approximately three years, from 31 January 2023 until 30 September 2025, or until completion of the Centre for Life and Mind Sciences, if sooner;
- vi. the allocation of approximately 1,433 sqm net usable area (NUA) within the Robert Hooke Building (building number 160), to the Department of Physics, for an ongoing period of five years, from 1 October 2022 until 30 September 2027.
- 16. Unreserved report of the meeting of the General Purposes Committee on 27 June 2022 (C(22)102)
 - (a) Office for Students: Annual Compliance Report 2021-22 Council:
 - (i) **noted** the details set out in section (d); and

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(ii) **noted** the information on how the University continued to comply with the OfS ongoing conditions of registration.

(b) Updated Tax Strategy

Council approved the revised Tax Strategy.

(c) Introduction of the University Modern Slavery policy

Council approved the University Modern Slavery Policy.

(d) Review of core compliance policies (Anti-Bribery; Anti-Fraud; Whistle-blowing) and new Business Continuity policy

Council:

- (i) **adopted** the revised Anti-Bribery Policy, attached at Annex A;
- (ii) adopted the revised Anti-Fraud Policy, attached at Annex B;
- (iii) **adopted** the revised Public Interest Disclosure (Whistleblowing) Code of Practice, attached at Annex C;
- (iv) **noted** the reporting and investigation procedure, attached at Annex D;
- (v) adopted a new business continuity policy, attached at Annex E; and
- (vi) **agreed** in principle that the University staff should complete key compliance training on joining the University and 'refresher' training at regular intervals.
- (e) Proposed Changes to the Selection of OSPS Member-Nominated Directors*

Council:

- (i) supported the proposed changes; and
- (ii) delegated authority to the Vice-Chancellor to review and sign the required formal documentation.
- (f) Professor of Poetry: proposed amendments to the Regulations for Convocation Elections

Council **approved** the proposed amendments to Council Regulations 8 of 2002, concerning Convocation Elections, attached at Annex A to give effect to the recommendations made by the Professor of Poetry Review Group and approved by Council in Hilary Term.

(g) Wytham - Creation of a Trust Fund*

Council resolved that:

- (i) the University shall hold the funds on trust for the purposes set out in the Trust Regulations set out in Annex A and that GPC should be instructed to make these regulations;
- (ii) the fund shall be held in the form of expendable endowment, to provide the University with the ability to invest the funds as capital without imposing a permanent restriction on the ability to spend the funds; and
- (iii) that in respect of the investment, the funds would be placed in OEF units at the earliest opportunity, save that a portion of the funding might be held in the Strategic Capital Account or the Deposit Pool where the demand profile for the funds requires. The Pro-Vice-Chancellor (Planning and Resources) and the Pro-Vice-Chancellor (Research) shall have authority to approve the demand profile for the funds.
- (h) Proposed amendment to the title of the Beit Professor of the History of the British Commonwealth*

Council **approved** for submission to Congregation and thereafter to Her Majesty in Council, the legislative proposal at Annex A to change the name of the Beit Professor of the History of the British Commonwealth to the Beit Professor of Global and Imperial History.

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17. Any other unreserved business

There was none.

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