



BUCKINGHAMSHIRE
NEW UNIVERSITY
EST. 1891

MINUTES FOR COUNCIL (BUSINESS MEETING)

Open Minutes of the meeting held on 18 April 2023 in G5.05, High Wycombe campus and on Microsoft Teams.

Present:

- Maggie Galliers (Independent [Chair])
- Andy Cole (Independent [Deputy Chair])
- Professor Nick Braisby (Vice-Chancellor)
- Irene Kirkman (Independent)
- Dr Annet Gamell (Independent)
- Anthony Murphy (Independent)
- John Smith (Independent)
- Supriya Sobti (Independent [Chair of Audit Committee])
- Jackie Westaway (Independent)
- Dr Susan Rosser (Independent)
- Justin Sullivan (Independent)
- Emma Binnie (PSE Representative)
- Hilary Mullen (Senate Representative)
- Professor Karen Buckwell-Nutt (Senate Representative)
- Charlotte Leighton-Woods (Students' Union President)

In attendance

- Professor Rachel Cragg (Senior Pro Vice-Chancellor (Education and Digital))
- Ellie Smith (University Secretary and Clerk to Council)
- Trevor Gabriele (Chief Finance Officer)
- Professor Paul Morgan (Pro Vice-Chancellor (Student Experience));
- Ian Harper (Commercial and Business Development Director)
- Matt Hiely-Rayner (Director of Strategic Planning and Change) – for the item on Thrive28 KPIs onl
- Ashley Church (Director of Academic Portfolio Development) – for the item on Academic Portfolio Development only
- Dr Emma Tomsett (Minute Secretary)
- Wendy Binmore (Committee Officer)
- Ciara Walsh (Committee Officer)

Welcome / Apologies for Absence

23.44 The Chair welcomed members to the meeting and noted the following apologies:

- Anna Crabtree (Independent [Chair of Resources Committee])
- Ze'ev Portner (Academic Representative)

Academic Portfolio Development (Deep dive)

- 23.45 Council considered a presentation on academic portfolio development from the Director of Academic Portfolio Development (APD). Council's attention was drawn to what APD would enable the University to achieve; BNU's approach to developing its portfolio; and plans for the new School of Engineering and the Built Environment, which would be launched in September 2023 and be accommodated in a new space at the centre of the High Wycombe campus, and Higher Technical Qualifications (HTQs).
- 23.46 Council welcomed the presentation and agreed that the plans outlined were exciting. In response to queries, the Director of APD confirmed:
- funding from the Office for Students (OfS) was being used to establish the new School
 - the University would connect with key employers across Buckinghamshire, and employers would be key in shaping the new School's curricula and recruiting students
 - the Buckinghamshire Local Enterprise Partnership would also be key to the planned developments as its Local Skills Improvement Plan would help shape the skills the University delivered and as a source of funding
 - the School's Engineering programmes would align with the hallmarks and design principles of the Curriculum23 programme
 - the new School's income and student number targets were predicated for 2028, although the Director expected the final figures to be higher. Students would be recruited through a variety of methods: Degree Apprenticeships; Level 4 and Level 5 HTQs informed by employers; traditional Undergraduate degrees and Postgraduate degrees. It was also anticipated that opportunities in micro-credential provision would emerge
 - the University would work across several markets to develop the new School: it would leverage existing relationships with employers to support new Apprenticeships; Engineering was also enjoying a resurgence in popularity with Undergraduates so BNU aimed to capture this growth; it would seek to recruit students from local community; and professional markets also offered exciting opportunities
 - it was anticipated that there would be many synergies between the new School and existing Schools
 - the challenges and risks in launching a new School would be mitigated by developing strong programmes that met the needs of employers and students, and by phased development of the School. It was anticipated that additional courses would need to be developed and existing programmes amended over time. It was striking that employers were not proving a challenge; they had been extremely positive about the School
 - BNU had received 38 applications to date for the School's seven new programmes launching in September 2023.
- 23.47 The Vice-Chancellor commented that recruitment for the new Head of School had presented the strongest field of candidates he had seen for such a post at BNU. There was a great deal of enthusiasm amongst the candidates who had recognised that BNU was on a positive journey and due to the opportunity to build the School.

Declaration of conflicts of interest

- 23.48 Independent Member Dr Annet Gamell declared a conflict of interest in relation to the University's plan to purchase Alexandra House in High Wycombe as she had an association with Kingfisher Court.

Minutes of the previous meeting

- 23.49 The Open and Reserved Minutes of the Business meeting on 29 November 2022 were approved as an accurate record of the meeting without amendment.
- 23.50 The Open and Reserved Minutes of the Strategic meeting on 7 – 8 February 2023 were approved as an accurate record of the meeting without amendment.
- 23.51 The Chair noted that there had been discussion at the February meeting regarding whether Council had approved the Thrive 28 Key Performance Indicators, but that these had been received at the meeting on 29 November and Council had accordingly approved them at the November meeting.
- 23.52 In response to a query on minute 23.09, the Vice-Chancellor advised that it had not yet been determined if the new Deputy Vice-Chancellor (DVC) would be taking responsibility for International Student activity, but it was expected that the DVC would be involved with it.

Matters Arising / Status of Actions

- 23.53 Council noted the status of the actions as outlined on the action sheet.
- 23.54 It was confirmed that the University Secretary and Clerk to Council would provide a paper on the University's English language requirements during the current academic year. The University Secretary advised that BNU had raised its requirements after the United Kingdom Visas and Immigration (UKVI) compliance inspection in April 2022, but had subsequently slightly relaxed them. The Chair requested that the paper also included information on the University's support for International Students.

Action: University Secretary and Clerk to Council

Chair's Action

- 23.55 There were no Chair's Actions to note.

Vice-Chancellor's Report

- 23.56 Council received a report from the Vice-Chancellor. The following points were noted:
- the anticipated amendment or abolition of government rules preventing students getting Student Finance for Equivalent or Lower Qualifications could be beneficial in increasing numbers of Part-Time students
 - the University and College Union (UCU) had recently achieved another national mandate to continue action short of a strike and strike action as part of its ongoing dispute with employers

and was calling for a marking and feedback boycott. The University welcomed the pragmatic approach of its UCU Branch and did not expect to be impacted by the new boycott

- BNU continued to outperform the sector on recruitment of Home students for September 2023, but was seeing a downturn in International Student applications
- the University was undertaking demand analysis on its student accommodation, considering the long-term future of existing accommodation and the need for expansion of provision
- BNU was close to signing the lease for the Brunel Engine Shed in High Wycombe
- a way to progress with the purchase of Alexandra House regarding the ransom strip had been identified.

23.57 Council commented that the work underway on student accommodation was important given the challenges some BNU students experienced in finding accommodation and that developing an accommodation strategy would be helpful. It was noted that a report on this work would come to Council when completed.

23.58 Independent Member Mr Murphy commented that it could be advisable for the University to investigate the work of some of the think tanks surrounding the Labour Party to identify the party's approach to Higher Education in anticipation of a possible change of government in 2024.

Students' Union President's Report

23.59 The Chair commented that, following the results of the Students' Union (SU) elections, Council would be sorry to see the current SU President leave, but welcomed the fact that Ms Leighton-Woods would probably remain at the University. Council looked forward to welcoming the new SU President, Brandon Tester.

23.60 Council received a report from the SU President. Council noted:

- the outcomes of the student leader elections held in March had yielded a more diverse Sabbatical team for 2023-24
- the SU had provided over 4,000 free meals to over 1,000 students across its three campuses, and thanked the University for its support with this initiative
- engagement with the SU's activities was on track to be the highest it had ever been (70% of students)
- the President was working with Thames Valley Police and students on their concerns about safety in High Wycombe
- the report highlighted several concerns, but many of them had been actioned by the University or were going through the proper processes to be resolved.

23.61 The Senior Pro Vice-Chancellor (Education and Digital) informed Council that the University had a meeting scheduled with the SU Executive team to discuss the issues raised. It was also noted that some of the issues raised had been considered by the Student Experience Committee and would be addressed in the new Student Experience Forum.

23.62 The Chair of Council thanked the SU President for the report and the pro-active work being undertaken, but requested that future reports were briefer.

University Matters

Annual Quality and Standards Report 2021-2022.

23.63 Council considered a report on quality and standards for the 2021-22 academic year. The report had been prepared as part of the University's Annual Monitoring process following consideration of reports by BNU's Education Committee at its meeting on 9 November 2022, including earlier consideration of School reports by BNU's Quality and Enhancement Committee (QEC) on 20 October. The report confirmed that such processes were regularly reviewed and enhanced in response to internal and external drivers. The report recommended to Senate and Council that quality and standards for academic provision at the University had been maintained for the reporting cycle.

23.64 The Senior Pro Vice-Chancellor (Education and Digital) advised Council that:

- the report had always been presented to Council as part of its Quality Assurance and confirmed BNU was managing quality and standards through the proper processes, but the process and the report would now be revised to align with the OfS B Conditions on Quality and Standards, which presented a new view of quality and standards that was focused on student outcomes
- the new process would be data-driven and take an evaluation-based approach, and a bi-annual report would be produced for Council
- during the 2021-22 academic year, BNU had been emerging from the pandemic and had had considerable reliance on Associate Lecturers, but had since targeted recruiting more permanent staff
- BNU, and the sector, had seen an increase in academic misconduct cases during the year, but BNU had undertaken work to raise students' understanding of the need to maintain academic integrity
- BNU had established a Retention and Engagement team to address concerns about progression and retention
- increased External Examiner training was now been offered
- BNU had been amongst the lowest in the sector for awarding Good Honours degrees so had undertaken work on its degree classification algorithm.

23.65 Council held a robust discussion of the report from which the following key points emerged:

- the Red-rated partners identified in the report were the Amsterdam Fashion Academy, for whom an action plan was in place, and Magna Carta College, with whom the University had terminated its partnership and would have no more registered students after July
- the report highlighted issues within the School of Business and Law that might not have been as strongly highlighted to Council in relation to the OfS investigation as the Annual Report sought to be as critical as possible of the University's provision to maintain rigour when assessing the maintenance of quality and standards. It had a different purpose to the report on quality and standards the Pro Vice-Chancellor (Student Experience) had produced as part of preparation for the OfS investigation, which was to assess whether BNU's Business and Management programmes met the OfS B conditions (quality) and in which the Pro Vice-Chancellor had concluded on balance that they had
- issues in the School of Nursing and Midwifery / Allied Health had stabilised, with staff turnover falling and being carefully managed by the new Head of School and the School Leadership Team

- the new process for assessing quality and standards for the 2022-23 academic year would be launched at the start of the next year; Council would receive an initial report in the autumn term, including an update on the status of areas identified as needing enhancement
- the University had started to educate students on how to correctly use Artificial Intelligence
- the University Secretary and Clerk to Council would update the paper for Council outlining how Council received assurance on quality and standards.

Action: University Secretary and Clerk to Council

23.66 Council was assured that quality and standards had been maintained at the University through the 2021-22 academic year and approved the report.

Key Performance Indicators

23.67 Council received a report on the Thrive 28 Key Performance Indicators (KPIs), which outlined each KPI, and a ‘deep dive’ into the KPIs on the Commercial Income and Enterprise Revenue. As this was the first iteration of the KPI updates and the available data at the time of writing had related to the period proceeding Thrive 28, no KPI status updates had been provided. The Director of Strategic Planning and Change informed Council that new sector data had now been released on the B3 metrics and Graduate Outcomes which would enable an update to be provided at the next meeting.

23.68 In response to Council’s queries, the Director of Strategic Planning and Change clarified that:

- the Commercial Income KPI focused on income rather than profit or contribution in part to enable comparisons with the sector
- accommodation income had fallen due to rents being reduced during the Covid-19 pandemic and remaining low since. BNU’s contract with the National Citizenship Service, which had provided 90% of BNU’s commercial income from its student residences, had also been ended by the pandemic. The Commercial and Business Development Director advised that BNU’s 42-week accommodation contract was sometimes also a barrier, as some summer schools liked to start earlier than BNU was able to accommodate, and BNU had been unable to provide on-site catering, but the new Refectory would change this
- BNU was capturing all Enterprise Income data when assessing performance against the KPI.

23.69 The Chair commented that the Commercial Income KPI could benefit from an underpinning narrative which highlighted contribution levels.

Financial Position Update

23.70 Council received an update on the University’s performance in the financial year to date. The Chief Finance Officer (CFO) advised Council that the high-level results were looking strong with the Q2 Forecast reporting a surplus of £9.0m, although there remained an underlying operating surplus of £5.0m, and total overall income ahead of Budget and Prior Year. Cash receivable had also increased due to higher interest rates. This financial year would also include a one-off gain from the Chalfont overage payment. BNU was closely monitoring staff costs, which had increased by 22% Year-on-Year as a result of an investment budget. Overall, the University maintained its strong cash position and was covering all covenants comfortably.

23.71 In response to a query regarding why Core Student Income was forecast £(3.3)m adverse to Budget, the CFO advised Council that Home student recruitment was looking positive and acceptances were up Year on Year. If the University could recruit approximately 1,700 students for September 2023 it would match recruitment for 2022. The University was also exploring International Recruitment further, but it was too early to report on this to Council as it needed to be reported by Home, EU and non-EU students. It was agreed that the report would also include Continuation data.

Action: Chief Finance Officer

23.72 The Chair commended the good performance so far but noted some of this was due to outlying factors and so receiving recruitment numbers was important.

High Wycombe Development Programme Update

23.73 The Chair advised Council that the budget position was broadly on track for the main project, but the High Wycombe Development Oversight Group had agreed Council should receive an update on additional costs.

23.74 The Vice-Chancellor informed Council that there had been a slight variance to the £15.9m budget meaning the original works under the contract sum was anticipated to be £16.0m, but the project would deliver what the University had assured Council it would. In addition, the University had taken the opportunity to commission other works to a cost of c. £4.0m, including roof works to the old workshop buildings and additional window replacements, to both further enhance the campus and perform needed maintenance. These works would bring the anticipated expenditure for the main scheme and enhancements to a combined total of £20.0m (including VAT). The additional elements of the scheme had been earmarked from BNU's capital budget and approved by the Capital Project Group (CPG) within approved limits of delegated authority.

23.75 In response to questions from Council, it was clarified that

- there was a possibility that the additional £90,000 in the Main Contract could increase, but the project team had been tasked with value engineering and were intent on keeping the cost to £16.0m.
- the additional works, although paid for from the Capital Project Group, were attached to the Main Contract
- some of the additional works had been opportunistic rather than overlooked at the original design phase but lessons would be learned to avoid 'scope creep' in future projects; a paper on all lessons learned would be brought to Council in the autumn
- it would be beneficial to also now review the University's overall campus maintenance and renewal plan.

23.76 The Vice-Chancellor thanked Council for its comments and agreed the University would learn how to deliver such projects even better. The Vice-Chancellor commented that campus maintenance had been limited during previous years of financial challenge, so it might be helpful to allow a contingency for unexpected maintenance costs in future projects.

23.77 Council noted the minor variance to the main contract sum for the High Wycombe Development Budget and the additional items for which the University had separately allocated a budget.

UKVI Inspection

- 23.78 Council received and noted the outcome of the UKVI Student Route Compliance Inspection (January 2023) from which the UKVI confirmed the University “had met the requirements of the previously issued action plan and therefore are to be returned to the normal allocation cycle”. The remainder of the University’s 2022/23 Confirmation of Acceptance for Study (CAS) Allocation request had been subsequently released; a new request for CAS allocation would be submitted in August 2023 in line with the normal allocation cycle.
- 23.79 UKVI had also confirmed that the High Wycombe, Uxbridge, Aylesbury, Pinewood Studios and Missenden Abbey sites were listed on the University’s licence so recruitment of International Students to all these locations was permitted going forward.
- 23.80 It was expected that the UKVI would inspect BNU again in the short-term and that this would probably be an unannounced inspection. Oversight of UKVI Compliance currently remained with the University Secretary and Clerk to Council but recruitment for a Head of UKVI Compliance would commence shortly. A new Head of International Recruitment had recently commenced in post and was preparing a revised International Strategy for consideration by the University Executive Team. The Chair requested clarification on who would be responsible for UKVI Compliance at University-level going forward.
- Action: The Vice-Chancellor**
- 23.81 In response to comments from Council the University Secretary advised that BNU wanted to expand international recruitment again steadily.

Apprenticeship Assurance

- 23.82 Council considered and received a report on apprenticeship assurance including an overview of the obligations of governors under the Education Inspection Framework (EIF) and a summary of the University’s attached Self-Assessment Report (2021/22) (SAR) which outlined the University’s belief that its provision was ‘good’ and identified areas of key strengths and areas for further improvement.
- 23.83 The Chair queried whether the University’s Apprenticeship Board reporting into Education Committee and Senate or Council was considered to be the main governance structure. The Senior Pro Vice-Chancellor (Education and Digital) advised Ofsted would likely regard Council as the highest level of governance. Council requested further guidance to ensure it is delivering its governance responsibilities in accordance with best practice.
- 23.84 The Commercial and Business Development Director informed Council that it was essential that Council members completed all apprenticeship-related training, and that they were familiar with the SAR, as Ofsted would wish to speak to Council members during an inspection. Council members were also required to have observed programme delivery and tri-partite reviews and met learners since apprenticeships are an important and growing part of BNU’s provision. The Apprenticeships Hub had drafted a schedule of immersive activities involving the Chair and Independent Member Irene Kirkman. It was agreed that immediate action would be taken to ensure all Council members have completed all necessary training.

Action: University Secretary and Clerk to Council / University Secretariat Manager

23.85 Council agreed that it needed increased oversight of the details of Apprenticeships, including BNU's strategic plan. It needed to approve both top-level targets and the targets that underpinned them. The Chair requested that targets on improvements in attendance, progression and continuation were presented at the next meeting.

Action: Commercial and Business Development Director

23.86 It was noted that the University was in discussion with the Education and Skills Funding Agency regarding outcomes for 19–23-year-old Apprentice learners as 31 duplicate records that had been necessarily deleted were being counted in BNU's data as leavers and were accordingly negatively impacting BNU's success rate for 2021-22.

23.87 It was confirmed that the reduction in the weekly off-the-job training to six hours was not affecting BNU's curricula or staffing. The Apprenticeship curriculum offering was also currently being reviewed.

23.88 The Pro Vice-Chancellor (Student Experience) informed Council that the OfS was also consulting on a proposal that Apprenticeships would be a more visible mode of delivery in the National Student Survey.

23.89 Council received the SAR, noting much positive activity, but some concern at overall outcomes for some groups of students, notably the 19–23-year-olds. In spite of the data being skewed by duplicate records, Council drew attention to the need to understand better why this group was not achieving better outcomes and to act on this understanding.

Use of the University Seal and Coat of Arms

23.90 Council noted that the University Seal had been used once since the previous Business meeting to sign a standard contract with a flight training school.

Report from Governance Committee

23.91 Council received the summary of the work of the Governance Committee since the previous meeting of Council, including the minutes of the meeting held on 7 March 2023. The Chair of Governance Committee noted:

- the Committee had held a robust discussion of Pay Gaps at BNU 2022 Report, which it had recommended to Council for approval
- it had recommended that Independent Members Andy Cole, Dr Annet Gamell and Supriya Sobti be reappointed to Council for a second term of office
- it had recommended that Council approve the Calendar of Council Meetings 2023-24.

23.92 Council approved the Pay Gaps at BNU 2022 Report.

- 23.93 Council approved the reappointment of Independent Members Andy Cole, Dr Annet Gamell and Supriya Sobti for a second and final term on Council (1 August 2023 to 31 July 2027), subject to all three members confirming they wished to be reappointed.
- 23.94 Council approved the Calendar of Council meetings for 2023-24.
- 23.95 The Chair thanked all members who had participated in her appraisal; she had been pleased to learn that Council was happy with her performance.

Report from Audit Committee

- 23.96 Council received the summary of the work of the Audit Committee since the previous meeting of Council, including the minutes of the meeting held on 21 February 2023, without comment.

Report from Resources Committee

- 23.97 Council received the summary of the work of the Resources Committee since the previous meeting of Council, including the minutes of the meeting held on 17 January and 21 March 2023.
- 23.98 Council was advised that the CFO would receive a draft of the new Financial Regulations shortly, which would be presented to Resources Committee and Council.
- 23.99 BNU had recently received its Local Government Pension Scheme (LGPS) pension valuation. The current recommendation was that it would not be advisable to introduce a Defined Contribution (DC) scheme as this could have a negative impact on BNU's LGPS valuation and increase the costs, defeating the cost saving driver for introducing a DC scheme.
- 23.100 It was confirmed that the University would continue to occupy its existing building in Uxbridge following the conclusion of lease renegotiations, and the next break was in 2028.

Alexandra House

- 23.101 Council received a verbal update on the purchase of Alexandra House. Council was informed that the purchase was still being pursued, but separately from discussions regarding the ransom strip. The CFO commented that it might be possible to add an easement clause to give the access required.
- 23.102 Council expressed some concern that the issue regarding the ransom strip had not been identified as part of due diligence. The CFO advised that the vendor had not informed BNU's lawyers that they did not fully own the site/ransom strip.

High Wycombe Development Oversight Group Minutes

- 23.103 Council received the reserved minutes of the meetings held on 1 December 2022 and 11 January and 6 February 2023.

Report from Student Experience Committee

Chair's Summary Report

- 23.104 Council received the summary of the work of the Student Experience Committee since the previous meeting of Council, including the minutes of the meetings held on 28 February 2023. The Chair of the Committee advised Council had had some robust discussions last summer with the University and the Students' Union about work the Committee had requested but which had not been done and how that could be improved going forward. The proposal to establish a Student Experience Forum, which would focus upon operational detail with the Committee retaining an assurance role, had arisen from those discussions.

Reserved Business: Office for Students

- 23.105 This item was considered under Reserved Business. See Reserved Minutes.

Reserved Business: Honorary Awards Committee Report and Recommendations

- 23.106 This item was considered under Reserved Business. See Reserved Minutes.

Starred Item: Minutes from the University Committees

- 23.107 Council received the minutes from recent meetings of Senate (7 December 2022 and 22 March 2023), and its Education (18 January and 15 March 2023) and Research and Enterprise Committees (2 November 2022 and 9 March 2023) without comment. These items had been deemed starred items which would only be discussed if the Minute Secretary received comments before the meeting; no comments had been received.

Date of next meeting

- 23.108 Council noted that the investiture of the University's first Chancellor, Jay Blades MBE, had been an extremely successful event, with the Chancellor making a significant impact on BNU during the two days he was on campus. The Chair congratulated the team involved in organising the events.
- 23.109 The date of the next meeting was confirmed as 23 May 2023.