

<b>Minutes:</b>	Board of Governors
<b>Time and date:</b>	10:00, Thursday 10 March 2022
<b>Location:</b>	The Yard, rooms 3.02 and 3.05
<b>Present:</b>	Ian Squires (Chair), Catherine Clarke (from item 87), Phil Clarke, Peter Collyer, Jon Lees, Jonathan Mills, Katie Normington, Sara Pierson, Sardip Sandhu, Bev Shears, Richard Snape, Peter Tansley (from item 85), Dan Toner and Paul Woodgates
<b>In attendance:</b>	Alasdair Blair, (Associate Pro Vice-Chancellor Academic) (item 87), Simon Bradbury (Pro Vice-Chancellor International and Dean of Arts, Design and Humanities) (items 89-90), Janine Brennan (Executive Director of People and Organisational Development) (item 93), Andy Collop (Deputy Vice-Chancellor), Pete Cross (Chief Finance and Resource Officer), Helen Donnellan (Pro Vice-Chancellor for Business Innovation and Regional Development) (items 88-89), Shreeya Paudel (Governor Apprentice) (from item 83), Nikki Pierce (Registrar (Academic) and Secretary to the Board), Sam Weston (Corporate Governance Manager)
<b>Secretary:</b>	Nick Jeffs; <a href="mailto:nick.jeffs@dmu.ac.uk">nick.jeffs@dmu.ac.uk</a>

*CONFIRMED*

### **078 Apologies for absence**

Apologies for absence had been received from Fiona Cownie, Lisa Capper, Sharon Manikon-Deane, and Aashni Sawjani. Apologies for late arrival had been received from Catherine Clarke and Peter Tansley.

### **079 Declarations of any pecuniary, family or other personal interests**

No declarations of pecuniary, family or other personal interests were made in respect of any items on the agenda.

The university maintains a Register of Interests, which records standing declarations of pecuniary, family or other personal interests from all members of the Board of Governors and the University Leadership Board.

### **080 Minutes of the previous meeting**

The minutes [80] of the 13 January 2022 meeting of the Board of Governors were approved.

### **081 Matters arising**

All of the matters arising [81] had been completed prior to the meeting or were scheduled to be considered by the board at a future date.

## 082 Chair's update

The Chair of the Board delivered an update concerning a range of issues:

- i. The Chair welcomed the new approach that had been taken regarding the meeting papers, which were now more concise than they had been at times in the past.
- ii. Following a conversation with the Chair, Sharon Manikon-Deane had indicated her intention to step down from the board due to the difficulty in juggling the demands of her job with her duties as a governor. The Chair had discussed the matter with the Nominations Committee, who had indicated that they would welcome Ms Manikon-Deane's application to re-join the board should she wish to apply again in the future.
- iii. Rob Hull had stood down as a governor due to the potential for a conflict of interest **[Redacted]**.
- iv. Lisa Capper had indicated that she would likely need to stand down in the near future due to the pressures of her new role as Principal of Stoke-on-Trent College.
- v. The loss of both Dr Hull and Ms Capper would leave the board short of governors with experience of Ofsted. However, it was hoped that an imminent governor recruitment exercise would help to bolster the board's expertise in this area.
- vi. The departures of Dr Hull and Ms Manikon-Deane would leave the Audit Committee with only two members, including the Chair. It was proposed that persons external to the university with relevant expertise might be co-opted onto the committee and that, in the meantime, Professor Cownie would be approached with a view to her re-joining the committee as a means of bolstering its membership.

RESOLVED:

That the updates be noted.

## 083 Report of the Vice-Chancellor

The Vice-Chancellor (VC) delivered an update concerning a range of recent developments in relation to the university and the higher education sector as a whole. Key developments included:

- i. As of 24 February 2022, domestic legal restrictions in England relating to COVID-19 had ended, and students and staff at English universities were no longer required to undertake twice weekly asymptomatic testing. Ministerial guidance had indicated that teaching should be delivered face to face wherever possible, and the university's students and staff had been advised that this would now be the case at DMU.
- ii. The Office for Students (OfS) had launched a consultation on the future of the Teaching Excellence Framework (TEF), which included the proposal that an institution's performance might affect its ability to charge students a higher rate of tuition fees. The consultation, and its implications for DMU, would be discussed in greater detail at item 87.
- iii. The Government had published its response to the 2019 post-18 review of higher education and funding (the 'Augar Review'). Two of the more notable proposals were the establishment of minimum entry requirements for access to student loans, and the introduction of student number controls for so-called 'poor-quality, low-cost courses'.
- iv. Domestic student recruitment continued to be challenging, although the number of firm acceptances had increased by 8% when compared to the same point in

the previous cycle. Overseas recruitment, however, was proving to be buoyant across the sector, with a year-on-year increase in undergraduate applications to DMU of 18% and postgraduate applications of 103%.

- v. The results of a recent staff pulse survey had suggested that only c.66% of staff felt that DMU was a 'good place to work'. The survey had identified a number of issues about which colleagues were concerned, and these would be discussed in detail by the University Leadership Board before the results were shared more widely with staff.
- vi. A number of developments relating to the University Leadership Board had taken place since the previous meeting of the board, including the appointment of Tracey Jessop to the role of Chief Transformation Officer (CTO), and the recruitment process for the Deputy Vice-Chancellor getting underway.
- vii. In light of the Russia's invasion of Ukraine, the university had reviewed its operations and was able to confirm that it had no recent or existing investments or contracts with Russian companies or universities.

Arising from the discussion of this item, and questions from governors, the following points were highlighted:

- viii. It was suggested that, should the university achieve a 'silver' or 'bronze' award in the TEF, there would be little impact on its marketing strategy given that the OfS had directed institutions to withdraw their existing TEF ratings from marketing materials in 2021.
- ix. It was recognised that the Government's proposed changes to the TEF, as well as further ongoing consultations around quality and standards, had the potential to place greater demands on universities in terms of their data. At DMU, this demand would be felt most keenly by the Strategic Planning Service and, as a result, the director of that function had been invited as an observer to meetings of the University Leadership Board.
- x. The university would be providing a response to the consultations on the TEF and quality and standards across the sector. It was felt that the establishment of minimum entry requirements for access to student loans would have little impact at DMU but that the proposed introduction of student number controls would be more significant given that many of the university's programmes of study might not necessarily lead to a 'well-paid graduate level' job immediately after graduation, and that this would often be due to the nature of the industry rather than the quality of the course.
- xi. It was suggested that the lower threshold for the repayment of student loans would have little discernible impact on an applicant's decision to apply for university.
- xii. The uplift in overseas student recruitment originated predominantly from India and Nigeria, and was focussed primarily around business, law, and engineering-related programmes of study.
- xiii. It was recognised that the results of the pulse survey had been disappointing and that the university would need to continue to listen to its staff with a view to understanding the issues that had been identified, and exploring ways in which they might be addressed. It was agreed that it would be useful to introduce milestones to measure the progress that was being made in terms of cultural change at DMU, and that the experience of staff at DMU was just as important to the university's success as the experience of its students.
- xiv. In terms of staff morale, it was suggested that the remainder of 2022 would continue to be challenging for a number of reasons, including the university's financial position. However, it was hoped that 2023 would see an improvement in staff morale, particularly if the university's performance in the National Student

Survey (NSS) improved alongside a concomitant improvement in DMU's league table position.

RESOLVED:

- a. That the report be noted.
- b. That the results of the staff pulse survey be explored with the board in greater detail at its meeting on 12 May 2022.

**084 Delivering Business Sustainability**

The Chief Finance and Resources Officer (CFRO) delivered a presentation concerning the university's Delivering Business Sustainability (DBS) programme. The Chair of the Finance and Performance Committee also provided the board with a summary of the committee's discussion of this issue at its meeting on 17 February 2022. Arising from the discussion of this item, and questions from governors, the following points were highlighted:

- i. It was recognised that it was difficult to anticipate how the university's competitors might be addressing the challenges faced by the sector and the extent to which their approaches might impact upon the DBS programme. However, the university remained confident that it was crafting a unique and attractive offer via the Education 2030 programme.
- ii. The 10 DBS themes that had been identified would cut across all of the pillars of the university's strategy.
- iii. **[Redacted]**
- iv. It was agreed that, given the timings around the recruitment of a new Director of Estates and Facilities, it would be useful in the meantime to seek some external advice on the use of the university's estate.
- v. Given the concerns highlighted in the pulse survey, particularly around workload, it would be important to ensure that the university continued to consult with staff around the implications of the programme, and that the outcome of these engagements would be reflected in its implementation.
- vi. It was recognised that it would be valuable to take a view from the sector on how best to realise the goals of the DBS programme, and it was suggested that the experience of the new Registrar (Academic) and Secretary to the Board, and the incoming CTO, would be key to this end. It would be important to identify opportunities for the university to work differently, both internally and with external partners, whilst mitigating the risks posed by sector-wide challenges such as the lower relative value of tuition fees, which would remain frozen at £9,250 until at least 2024/25.
- vii. It was recognised that the CTO's oversight of the university's systems would enable the role holder to identify areas that would benefit most from additional investment, although it was acknowledged that the resource for such investments was likely to be limited in the short term.
- viii. **[Redacted]**
- ix. It was recognised that the detail of the DBS programme was still being developed and that it had not yet arrived at its final position. It was agreed that the board would be provided with a further update at its meeting on 12 May 2022, ahead of consideration of the 2022/23 financial forecast by the Finance and Performance Committee and Board of Governors at their 16 June and 7 July 2022 meetings, respectively.

RESOLVED:

- a. That the presentation be noted.
- b. That the board would be provided with a further update regarding DBS at its meeting on 12 May 2022.

**085** [Redacted]

**086** **University Pension Schemes**

The CFRO introduced a report [86] concerning the proposed introduction of a defined contributions pension scheme at DMU, as well as notice that Leicestershire County Council would be undertaking a formal assessment of the university's covenant with the Local Government Pension Scheme. Arising from the discussion of this item, and questions from governors, the following points were highlighted:

- i. [Redacted]
- ii. It was agreed that it would be important for the position to remain neutral in its adoption of the defined contribution scheme, and that it should not be promoted to employees over and above any of the existing schemes.

RESOLVED:

- a. That the introduction of a defined contribution scheme at DMU be approved.
- b. That the formal assessment of the university's covenant by Leicestershire County Council be noted.

*[In approving the introduction of the defined contribution scheme, the objections of the academic and professional services staff governors were noted on the basis that they felt it to be of financial benefit to the university rather than to members of staff.]*

**087** **DMU and OfS consultations: TEF and student outcomes**

The Associate Pro Vice-Chancellor Academic introduced a report [87] concerning the OfS' consultation on the TEF and student outcomes. Arising from the discussion of this item, and questions from governors, the following points were highlighted:

- i. It was felt that the strength of the university's narrative statement in support of its TEF data would be a key difference between DMU being awarded a 'bronze' or 'silver' award. It was felt that the university had the potential to craft a strong narrative, particularly in terms of its student outcome data, but that there would be some challenges given its poor result in the 2021 NSS.
- ii. It would be important to manage the internal narrative around the university's results, once they had been published. It was agreed that it must be recognised that the university was on a journey in terms of addressing the issues that had been raised by students in the NSS, and that the outcome of the TEF, as a snapshot in time, would not necessarily represent the culmination of that journey.

RESOLVED:

- a. That the board's consideration of the university's engagement with, and response to, the OfS consultations be noted.
- b. That the implications of the minimum quality and standards requirements, as set out in the 'Regulating Student Outcomes' consultation, be noted.

- c. That the potential impact of the TEF proposals on a future TEF rating for the university be noted.
- d. That the establishment of the TEF Steering Group be noted.
- e. That the outcome of the TEF for DMU would be shared with the board once available.

## **088 Levelling Up White Paper**

The Pro Vice-Chancellor for Business Innovation and Regional Engagement introduced a report [88] concerning the Levelling Up White Paper, which had been published on 2 February 2022, and its implications for DMU.

RESOLVED:

- a. That the board's consideration of the summary information and analysis presented in the report be noted.
- b. That the board's consideration of the implications for DMU of the UK Shared Prosperity Fund be noted.
- c. That governors would identify to the university any opportunities of which they might become aware for DMU to enter into partnerships with local businesses and other entities.

## **089 Strategy implementation plan: 'Partnerships with Purpose'**

The Pro Vice-Chancellor for International and Dean of Arts, Design and Humanities (ADH), and Pro Vice-Chancellor for Business Innovation and Regional Engagement, introduced a report [89] concerning the implementation plan for the 'Partnerships with Purpose' cross-cutting strategic theme of the 'The Empowering University' strategy. Arising from the discussion of this item, and questions from governors, the following points were highlighted:

- i. In terms of the prioritisation of the proposed strategic objectives underpinning the implementation plan, it was suggested that developing a targeted approach to securing regional development funding, ensuring that partnerships aligned with DMU's strategic priorities, and developing and growing the university's overseas partnerships, would be key to the success of this area of the strategy.
- ii. Following a 2020 internal audit report that had been critical of DMU's way of dealing with local partnerships, the university now felt that it had developed a more consistent approach in this area across all four faculties. However, it was recognised that there were still some improvements that might be made, particularly in terms of the monitoring of partnership quality.
- iii. It was noted that further implementation plans would be submitted to the board at its meeting on 12 May 2022. It was hoped that these would include: 'Sustainability'; 'Financial Strength'; 'Empowering People'; and 'Knowledge Creation'.

RESOLVED:

That the implementation plan for the 'Partnerships with Purpose' cross-cutting strategic theme of the 'The Empowering University' strategy be approved.

## 090 Faculty update: Arts, Design and Humanities

The Pro Vice-Chancellor for International and Dean of ADH provided governors with an update as to the faculty's recent performance across a range of areas, including knowledge creation, partnerships, and finances. Arising from the discussion of this item, and questions from governors, the following points were highlighted:

- i. It was noted that a number of colleagues from the faculty had left, or would be leaving, under the recent voluntary severance scheme. This reduction in teaching staff would be manageable due to a reduction in the sizes of the student cohorts that were entering years two and three. Heads of Schools and subject leads would be working with their colleagues to ensure a positive transition to the new size and shape of teaching teams within the faculty.
- ii. The faculty's key strategic ambition for the next three years was to maintain the breadth and quality of its current portfolio despite the challenging financial position in which the university found itself currently.
- iii. The faculty would also be focussing on diversifying its income streams and seeking to take advantage of appropriate commercial opportunities.

RESOLVED:

That the presentation be noted.

## 091 Member's updates

Members of the board provided updates on key items of business that had been discussed at their most recent meetings:

### i. Audit Committee

The committee had met twice since the previous update to the board: an extraordinary meeting on 10 January 2022 to consider the annual accounts and associated external audit work, and an ordinary meeting on 7 February. Items of note from both meetings were as follows:

- It was hoped that the circumstances around the external audit that precipitated the extraordinary meeting on 10 January would not be repeated for the 2021/22 audit.
- Key internal audit reports had focussed on financial controls, the People and Culture Committee, and graduate outcomes.
- Staff members' compliance with Prevent-related mandatory training continued to increase.
- A new risk framework would be developed that would align with the university's new strategy and the Education 2030 programme.
- Cyber security remained an area of particular risk across the sector and the committee were comfortable with DMU's approach to managing this risk.
- The committee had noted the positive outcome of the university's UKVI Basic Compliance Assessment (BCA) for 2020/21. The results of the BCA had been shared with the full board prior to the meeting.

ii. Finance and Performance Committee

The committee's most recent meeting had focussed primarily on the [Redacted] proposals around the university's pension scheme, which had been discussed by the board earlier in the agenda. The committee had also received an update on the performance of the university's investments with JP Morgan which, owing to global geopolitical events, had fluctuated. However, such fluctuation was to be expected and the committee remained comfortable with the way in which the university's investment was being managed.

iii. People and Culture Committee

Items of note from the committee's most recent meeting were as follows:

- The committee continued to support the development of the university's strategy, particularly the implementation plan for the 'Empowering People' cross-cutting strategic theme.
- The committee had authorised the university to sign up to a national pledge to end the use of non-disclosure agreements to silence victims of abuse.
- A recent health and safety inspection had determined that DMU was not a 'high-risk' institution.
- [Redacted]

iv. Ofsted and skills

There was no report to deliver at this meeting.

v. Academic Board

Items of note from the board's most recent meeting included:

- Academic Board (AB) was working with the students' union to ensure that all programmes of study had course representatives.
- AB had received a detailed report on Education 2030, and governors were assured that AB continued to monitor robustly the implementation of the programme.
- Nominations for the university's Staff Assembly remained open until 11 March and it was hoped that the assembly's first meeting would take place at the earliest opportunity thereafter.

vi. De Montfort Students' Union

There was no report to deliver at this meeting.

RESOLVED:

That the updates be noted.

**092 Constitution of the Remuneration Committee**

Members considered the constitution of the Remuneration Committee of the 2021/22 academic year, which had been approved by that body at its meeting on 20 September 2021.



RESOLVED:

That the constitution be endorsed.

**093 Annual report of the Remuneration Committee**

The Executive Director of People and Organisational Development introduced the annual report of the Remuneration Committee for the 2020/21 academic year, appended to which was a draft, revised version of the university's 'Guidance for Remuneration Committee: University Leadership Board Members' Remuneration and Severance Arrangements'.

RESOLVED:

- a. That the report be noted.
- b. That the revised Guidance for Remuneration Committee: University Leadership Board Members' Remuneration and Severance Arrangements' be approved.
- c. That, in future, the report would be submitted to the board's November meeting so that it could be considered by governors closer to the end of the academic year that was being discussed.

**094a Minutes of the 15 November 2021 meeting of the Audit Committee**

The minutes were noted.

**094b Minutes of the 10 January 2022 meeting of the Audit Committee**

The minutes were noted.

**095 Risk Management Committee – biannual report on the strategic risk register**

The report was noted.

**096 Recruitment and admissions update**

The report was noted.

**097 Minutes of the 1 December 2021 meeting of the Academic Board**

The minutes were noted.

**098 Items placed under the university seal since the previous meeting**

The report was noted.

**099 Review of the board's performance**

Members were content that the board had been effective in discharging its responsibilities, and that all present had been enabled to be effective in their contribution. It was noted that, as per the recommendations of the most recent Governance Effectiveness Reviews, the board would continue to consider ways in which it might bolster the effectiveness of its review of its performance.

**100 Date of the next meeting**

The next meeting of the Board of Governors will take place at 10:00 on 12 May 2022 in The Yard, rooms 3.02 and 3.05.

**101 Any other business**

No items were raised.

*Meeting duration: 10:00-14:28*