



**The 273rd meeting of Council was held on Friday 24 November 2023
from 9am to 1pm in the Terrace Room, Bramber House**

MINUTES

Attendees: Rosmary Martin (Chair), Tony Bullman, David Curley, Susan Angoy, Miriam Zukas, Richard Zaltzman, Jane Parsons, Aleema Shivji, Mark Devlin, Stephen Caddick, Katie Ghose, Nick Watson, Sasha Roseneil, Sara Crangle, Kristine Hickle, Jo Moran-Ellis, Pippa Robinson, Gordon Finlayson, Charlotte Skeet, Josh Francis and Rose Linehan

Apologies: Michael Luck and Paul O'Prey.

In attendance: Tim Westlake, David Ruebain, Allan Spencer, Robin Banerjee, Keith Jones and Sally Priddle, Marion Hamilton

PART 1 - PROCEDURAL MATTERS

1. Welcomes and apologies for absence

- 1.1 The Chair welcomed Josh Francis, Pippa Robinson, Miriam Zukas to their first formal meetings of Council.
- 1.2 Apologies had been received from Michael Luck and Paul O'Prey.
- 1.3 It was noted that the Pro-Vice Chancellors had been invited to attend Council to contribute to discussion on key items.
- 1.4 The Chair thanked the Business School for their tour and attendance at the Council dinner the previous evening.

2. Declarations of interest

- 2.1 There were no new declarations of interests to report.

3. Minutes

Resolved:

- 3.1 Council APPROVED the minutes of the meetings held on 14 July 2023 C-270-M as an accurate record.
- 3.2 Council APPROVED the minutes of the meetings held on 8 November 2023 C-271-M as an accurate record.

3.3 Council APPROVED the minutes of the meetings held on 8 November 2023 C-272-M as an accurate record.

4. Matters arising

4.1 It was noted that four actions remain open, these related to future briefing sessions or agenda items that would be built into agendas over the course of the academic year.

5. Chair's Action and Report

5.1 The Chair had requested that two additional meetings (C-271 and C-272) were scheduled to consider the West Slope Proposal.

5.2 The Chair was continuing to work with the Vice Chancellor and University Secretary to maximize the effectiveness of the Council meetings and this had included restructuring the agenda to focus on different themes of Council business.

PART 2 – KEY ITEMS FOR DISCUSSION

6. Vice-Chancellor's Report

6.1 Council considered an update from the Vice Chancellor. It was reported that the development of the University's next Strategy, Sussex 2035, was underway and open meetings had been held with a range of stakeholders. A range of consultations will be held around the underpinning Values, Mission, Purpose and Vision; the core themes; the enabling themes and the drivers for change.

6.2 Council noted that the University had moved up two places in The Times/Sunday Times Good University Guide 2024 to 48th and achieved Top 10 positions for American Studies (2nd), Animal Science (6th), History of Art, Architecture and Design (8th) and Education (10th). The University had moved up one place to 65th in The Guardian University Guide 2024 and achieved Top 10 places for Zoology (5th), History of Art (7th) and Medicine (10th). The University was ranked 54th in the first edition of the Daily and Sunday Mail league table. The University had moved up 22 places to 218th in the QS World University Rankings, this meant the University was in the top 15% globally. The University had held its place at 201-250 globally in the Times Higher Education (THE) World university Rankings and was up to 26th in the UK.

6.3 Council noted an update on Office for Students (OfS) investigation.

6.4 Council noted that the University had 122 Chevening Scholars studying at the University this year and they were studying a broad range of subjects.

6.5 Council noted that a new Chief Financial Officer had been appointed and would take up post in the Spring term. A new Dean of the Medical School and four new Executive Deans would be recruited over the Spring term.

6.6 Council noted an update on the University's estate and the plan to address the challenges caused through Reinforced Autoclaved Aerated Concrete (RAAC). RAAC is causing significant disruption in a number of key buildings of which a number are listed which adds a further level of complexity to addressing the challenges.

7. Senate Report

- 7.1 Council considered the Autumn term Senate report. The report provided Senate's assurance to Council on the University's compliance with the B conditions of registration and it provided the rationale for Senate's decisions including recommendation of the Research Integrity Statement 2023. It was reported that Senate had received an interim report on the impact of the Marking and Assessment boycott (MAB). Senate had noted that the effects of the MAB for students, academic staff and professional services were ongoing and would not be concluded for at least the remainder of the academic year. The final impact report would aim to assess the impact on academic quality, student experience and the financial impact for the University and students.
- 7.2 Council noted that Senate had approved changes to its Research and Knowledge Exchange Committee structure.
- 7.3 Council noted the Precautionary Action Report.
- 7.4 Council considered the Research Integrity Statement 2023. The annual Research Integrity Statement demonstrated the University's commitment to support research integrity and promote good research practice across the institution. The statement acts as evidence as of Sussex's commitment to the Concordat to Support Research Integrity and was a requirement of UK Research and Innovation and had to be signed off by the institution's governing body.
- 7.5 Council noted that Senate had approved changes to Regulation 15: Academic Titles and Regulations 16, 17, 20-24 which set out the academic appeals processes on different programmes. As set out in Regulation 8, Senate had the power to revise the regulations but the changes had to be noted at the following Council.

8. Focus on Students

- 8.1 Council considered an update from Student Experience Committee. It was noted that the Committee had received its first presentation from the new Pro Vice-Chancellor Education and Students and had welcomed a group of students who will support the Pro Vice-Chancellor Education and Students on the development of the strategy. The Committee had received reports on the new ways of working with the Students Union following the joint governance review, the University's commitment to University Mental Health Charter and the newly established Education and Students Leadership Team. Work was underway to join up all of the different ways the University engaged with students and ensuring there was a holistic approach. The Committee received an update from the Students Unions' on their work and priorities for the coming year. The Committee also received an update on the University's development of a new Access and Participation Plan and how the students voice would be integrated.
- 8.2 Council noted that the University had improved in the rankings for each theme within the NSS. It was positive to see the improvements but the University was not where the Executive were aiming to be.
- 8.3 Council considered an update from the University of Sussex Students Union (USSU). It was reported that there had been a 24% increase in the requests to the advice team, the largest number of questions were around cost of living challenges. The Students Union were working with the University on strategies to target the small issues students were facing, whilst lobbying on the national issues.

Focus on Finance and Risk

9. Financial Monitoring Report

- 9.1 Council considered the financial monitoring report including the 2022/23 accounts and changes to the capital plan.
- 9.2 Council noted a verbal update from the Chair of the Finance and Resources Committee. It was reported that the University was in a good financial position. The University faced some risks but these could be managed with robust financial reporting. Indications were that student numbers were lower than expected but this could be managed within the current year and actions were being considered to offset for future years; numbers would continue to change until census on 1 December 2023.
- 9.3 Council considered the Financial Return for submission to the OfS, the return included an extracts of the analysis of the accounts.
- 9.4 Council noted that the Treasury and Investments Policy would be updated partially due to the proposal to hold less cash and to reference monitoring financial risk. A deep dive on the approach would be presented to Finance and Resources Committee in March.
- 9.5 Council noted that the Committee had reviewed and approved the University's Transparent Approach to Costing (TRAC). The TRAC oversight group would strengthen collaboration between the Professional Services and academic colleagues and agree actions to provide better reporting and improve the accuracy of the return.
- 9.6 Council noted that the Committee had received an update on the revised capital plan, RAAC had a significant impact on the plan and the Executive was working to establish the quantum of the challenge.
- 9.7 Council discussed the scholarships and bursaries underspend, it was noted that the terms of funding were normally very specific and it meant it could not be repurposed.

Resolved:

- 9.8 Council APPROVED the minimum level of cash balances at the year end to £45m to provide working capital, meet OfS liquidity requirements and protect against financial shocks and volatility.

10. Institutional Risk Register

- 10.1 Council considered the updated Institutional Risk Register. It was reported that the Audit and Risk Committee had scrutinised the revised Institutional Risk Register and received assurance on the executive structures in place to oversee the monitoring of the risks and how the document was being utilised as a living document.
- 10.2 Council noted the Annual risk tolerance and appetite statement.

Annual Reports

11. Annual Accountability Return

- 11.1 Council considered the annual outturn 2022/23.
- 11.2 Council considered the Financial Statements 2022/23 and noted that the statements provided a summary of the University's business over the last academic year and a summary of the accounts. There were minor checks to be made by the External Auditors and these

would be concluded by 30 November 2023. Council welcomed the opening statement to the report.

- 11.3 Council considered the Going Concern report 2022/23 and noted that the External Auditors had assessed that the University was able to continue to operate as a going concern and that the financial statements were prepared on that basis.
- 11.4 Council considered the representation letter 2022/23 and noted that the Audit and Risk Committee had had an additional meeting on Thursday 23 November 2023 to consider the representation letter and hear from the External Auditors on the assessments undertaken. The Committee was assured of the financial controls in place and communication between the Financial team and the External Auditors.
- 11.5 Council considered the Head of internal Audit Report and noted that under new OfS guidance the report no longer had to provide an opinion but rather provided a detailed summary of the controls tested by the internal auditors and their assessment of the effectiveness of their operation within the areas Audit and Committee were responsible. The Audit and Risk Committee had received a report from the Internal Auditors and were assured of the controls in place; there were improved arrangements for the delivery of recommendations and prioritisation of work required.
- 11.6 Council considered the Annual Audit and Risk Committee report which provided Council with the Committee's opinion of the adequacy and effectiveness of the University's arrangements for risk management, control and governance, economy, efficiency and effectiveness (VfM) and the quality of data submitted to regulatory bodies. On the basis of the reports and assurances it has received from a range of sources including management, internal audit, external audit and others, the Committee believed the University had adequate and effective arrangements in place throughout the year and, by exception, to the date of this report for Risk management, control and governance; Economy, efficiency and effectiveness (VfM) and the quality of data submitted to regulatory bodies. The Committee's opinion had been concluded from active scrutiny of the reports received and challenge, to ensure the University was compliant with its regulatory and statutory responsibilities.

Resolved:

- 11.7 Council APPROVED the Financial Statements 2022/23.
- 11.8 Council APPROVED the representation letter 2022/23.
- 11.9 Council APPROVED the submission of the annual accountability return to the Office for Students.

12. Annual Prevent Return

- 12.1 Council considered the Prevent monitoring: accountability and data return 2023 and noted that the Prevent Risk Assessment and Action Plan had been provided to give Council assurance on the controls in place. The return, risk assessment and action plan had been scrutinised by Audit and Risk Committee who oversees the University's risk management, safeguarding and prevent controls on behalf of Council.

Resolved:

- 12.2 Council APPROVED the OfS Prevent monitoring: accountability and data return 2023 for submission to the OfS.

13. Annual Compliance reports

- 13.1 Council considered the annual OfS conditions compliance report and noted that the Audit and Risk Committee received interim updates on the University's compliance throughout the academic year and an in depth report at its Autumn meetings. The report provided assurance on the University's ongoing compliance with conditions of registration and the reports submitted to Council Committees and Senate to evidence the compliance. Council noted that the University was subject to an ongoing investigation into its compliance with E1 and E2 conditions. Council noted that there were potential additional conditions relating to tackling harassment, hate and sexual misconduct and Higher Education (Freedom of Speech) Act 2023 and updates would be provided to Council as appropriate.
- 13.2 Council noted that since the last report to Council, the University had submitted three reportable events: MAB, change of Prevent Lead and possible Prevent related serious incident.
- 13.3 Council noted that subject to any finding of the ongoing OfS investigation and on the basis of the information provided that, the Audit and Risk Committee were assured that the University remains compliant with all Conditions of Registration, with no material issues to raise.
- 13.4 Council considered the annual Philanthropic Report and that the report was provided in line with the University's Donations Policy. The report provided an update on fundraising and alumni engagement during the academic year 2022/23.
- 13.5 Council considered the annual anti-slavery statement. In 2015, the UK government passed the Modern Slavery Act in an effort to combat slavery and forced labour abuses, with the 'Transparency in Supply Chains' (TISC) clause of the Act specifically targeting corporations. Organisations can be implicated in modern slavery both directly and indirectly in a variety of ways: in their own operations, through their global supply chains and through their involvement with business partners. Audit and Risk Committee had reviewed and recommended this statement which set out how the University directly and indirectly mitigates risk.

Resolved:

- 13.6 Council APPROVED the annual anti-slavery statement 2022/23.

14. Focus on People

- 14.1 Council considered an update from the Pro-Vice-Chancellor Culture, Equalities and Inclusion and the annual Equality, Diversity and Inclusion Report 2022/23. The report was the first one against the refreshed strategy and highlighted the work undertaken last academic year and the priorities for the 2023/24 academic year. The University had achieved the Race Equality Bronze award which indicated a start of the journey to address the institutional challenges. The University had signed Gypsy Roma Traveller Pledge as part of its Widening Participation approach. The Religion & Belief Forum and Open Listening Programme had been established. The executive governance structures had been reviewed to improve the institutional oversight and coordination of equality, diversity and inclusion matters.
- 14.2 Council noted that next academic year the University's priorities included Stonewall Workplace Equality Index submission, submission of School Athena Swan awards, improved

use of institutional equality data. There was an institutional ambition to have Athena Swan department awards by 2025.

- 14.3 Council noted that the University would not meet the strategic gender pay gap target by 2025. Council also noted that there had been progress towards closing the awarding gap but it was mixed and work was continuing to address the challenges.
- 14.4 Council noted an update on the review and revision of a range of Equality, Diversity and Inclusion policies to ensure they met the University's Freedom of Speech and Academic Freedom obligations.
- 14.5 Council considered the annual Dignity and Respect Report 2022/23 which collated the activities to build and embed a culture of dignity and respect for all in the University community and the report collated data about staff, students and visitors regarding incidents of bullying, harassment and other unacceptable behaviours. Council noted that there had been a reduction of staff reporting via Report and Support, though an increase in named reports, and the most disclosed incident type was bullying and harassment. The University's staff survey showed that bullying was not always reported. Council noted that there had also been a reduction students reporting via Report and Support, though an increase in named reports, and the most disclosed incident type was sexual violence and misconduct, though there was a reduction from previous year.
- 14.6 Council noted the priority actions for the academic year were to harmonise different support routes with clear signposting, diversify recruitment of responder team and implement refreshed 'responding to sexual violence' training for student support staff.
- 14.7 Council considered the revised annual health and safety assurance report. The report covered 1 August 2022 - 31 July 2023 and included leading safety indicators (a metric that tracks the direction of travel - the proactive and preventative improvements that can be observed prior to an injury,) and lagging indicators (which show past safety performance such as incident reporting data). Council noted that the Audit and Risk Committee had received interim assurance reports on the progress of the implementation of the revised health and safety framework at each meeting and it had been assured the implementation was on track against the planned 'roadmap' to improve compliance and standards. Additional work had arisen from RAAC and DSEAR projects; both were managed through temporary increases in health and safety team resources and effective collaborative working across divisions and SEF to increase capacity.
- 14.8 Council considered the annual Remuneration Report 2022/23 which covered the financial year 1 August 2022-31 July 2023 and summarised the University's approach to Senior Staff remuneration and performance management of these staff. The report provided analysis and assurance of the Vice-Chancellor's remuneration. .

Resolved:

- 14.9 Council APPROVED the annual Equality, Diversity and Inclusion report for publication.
- 14.10 Council APPROVED the annual dignity and respect report.
- 14.11 Council APPROVED the annual remuneration report for publication.

PART 3- GOVERNANCE

15. Nominations Matters

Secretary's note: Tony Bullman left the room for this item.

- 15.1 Council considered the nomination of Tony Bullman for the role of Vice Chair of Council for a period of three years in line with the University's regulations. Council noted the Vice-Chair of Council Job Description.
- 15.2 Council noted the updated membership of Council's sub-committees and that the University would launch a recruitment round for independent members in January 2024. The skills audit would feed into the priority experience areas for recruitment. Council discussed the diversity priorities for recruitment.

Resolved:

- 15.3 Council APPROVED the appointment of Tony Bullman as Vice Chair of Council for a period of three years from 1 December 2023.

16. Updates from Chairs of sub-committees

- 16.1 Council noted an update from the Chair of Strategy and Performance Committee. It was reported that the Committee had received an update on the development of the strategy and the range of engagement routes for all university stakeholders. The Vice Chancellor had presented an interim set of Key Performance Indicators (KPIs) which would enable the Committee to effectively track performance until new KPIs were established for the new strategy. The Committee received an update against four of the KPIs- league table position, national student survey, graduate outcomes and financial surplus- there had been positive movement against all indicators.

17. Joint Brighton Sussex Medical School Board

- 17.1 Council noted the draft minutes of Joint Brighton Sussex Medical School Board the meeting held on 1 November 2023.

18. Any Other Business

- 18.1 No additional business was raised.

19. Dates of next meetings

22 March 2024

14 July 2024

November 2023