



Minutes: Council

Time and date: 13:00 on Wednesday 7 August 2024

Location: Faculty of Medicine and Health Sciences, Chandos Road Building, Chandos Road, Buckingham, MK18 1EG / Virtually via MS Teams

Present: Mr Mark Qualter (Chair of Council), Ms Anthea Bailey (Professional Services), Ms Kristina Church (Independent), Mr Toby Corbett (Students' Union President), Professor Harriet Dunbar-Morris (Pro Vice-Chancellor (Academic) and Provost), Mr Andy Dunkley (Independent), Professor Tim Evans (Independent), Sir Francis Habgood (Independent), Mr Chris Hollis (Independent), Mr Graham Jones (Senate), The Lord Peter Lilley (Independent), Mrs Sarah Myhill (Senate), Ms Katie Nykanen (Independent), Professor Jacqueline O'Dowd (Senate), Mr Toluwani Osamolu (Student), Professor Göran Roos (Independent), Mrs Milly Soames (Vice-Chair), Ms Nadia Stone (Independent), Professor James Tooley (Vice-Chancellor), Mr Phil Wolfenden (Independent)

In attendance: Mr David Cole (Chief Financial Officer), Mrs Maureen Hampson (Governance Secretary), Ms Joanne Harris (Dean of the Faculty of Medicine and Health Sciences), Mr Chris Payne (Registrar and Chief Administrative Officer), Ms Alison Sealey (Director Academic and Student Support Services), Mr Harin Sellahewa (Dean of Computing, Psychology and Law)

Secretary: Mr Sam Weston, Secretary to Council
Tel: +44 (0)1280 820166 (Internal Ext 2166)
Email address: Samuel.weston@buckingham.ac.uk

37 Apologies for absence

There were apologies from Mr Nick Hillman and Ms Josephine Mbuya.

The Dean of the Faculty of Medicine and Health Sciences and the Dean of Computing, Law and Psychology attended as observers to the meeting.

38 Declarations of interests in respect of items on the agenda

There were no declarations of interest in respect of items on the agenda.

Trustees were reminded to notify the Secretary to Council should there be any changes to their entry on the Register of Interests, which was included in the supporting papers pack.

39 Minutes of the previous meeting

The minutes of the Council meeting held on 20 May 2024 and proposed redaction for publication were approved as a correct record subject to the following amendments:

- [Redacted]

40 Matters arising

There were no matters arising.

41 Approvals between meetings

A decision had been taken to withdraw the request for trustees to approve adoption of a Code of Practice for Freedom of Speech and Academic Freedom, required by the Higher Education (Freedom of Speech) Act 2023 following an announcement by new Education Secretary, Bridget Phillipson, MP, to put this matter 'on' hold'.

Though the University remained committed to the principal of a Code of Practice (a requirement that may cease altogether should the Act ultimately be repealed), the Vice-Chancellor had opted to withdraw this matter pending a review and a further proposal being brought to Council at a later date.

42 Chair's welcome and introduction

Faculty of Medicine and Health Sciences site visit

The Chair thanked the Faculty of Medicine and Health Sciences for hosting today's Council meeting and for facilitating informative and interactive workshops during the morning, bringing to life some of the work being taught with medical students. The visit had been a welcome opportunity for Council members and staff to engage informally and learn more about both the working of the faculty and the role of Council and its members.

There were plans for the other faculties and departments to host similar events as a means of increasing Council members' understanding of the University's teaching and operations and increasingly trustee visibility on campus. Trustees were asked to provide any feedback they might have that could be incorporated into future planning.

Sector head winds

The climate of the higher education sector was becoming increasingly challenging, with areas of uncertainty and some political risks emerging. The Executive Group had taken decisive action in response to the student recruitment challenges currently being faced at the University.

More generally, the sector landscape was evolving, with an increasing undergraduate appetite for alternate career pathways, in part being driven by emerging innovative technologies but also the cost of living crisis. One example cited in respect of some of the challenges universities faced came from the Australian market, where considerable financial losses had been experienced as a result of a significant decline in their international recruitment, primarily from China, who now had better access to equally good options closer to home. There were further challenges in the sector which the new Labour government would be required to tackle, including the financial sustainability of several UK universities that were known to be close to collapse.

Chair of Finance and Resources Committee

The Chair of the Finance and Resources Committee, Sir Francis Habgood, had indicated his plans to depart his trustee role at the University toward the end of 2024. This matter had been considered at the inaugural meeting of the Nominations and Governance Committee held on 3 July 2024. A process would follow to identify any interest from among the independent trustees to serve in this role going forward. If so, the committee would consider any nominations received and make a recommendation as appropriate thereon Council. Should no internal interest emerge, an external process would need to be conducted.

New Office for Students Condition of Registration

The Office for Students (OfS) had notified providers of a new Condition of Registration that would come into force in August 2025 related to Harassment and Sexual Misconduct. The Registrar and Chief Administrative Officer provided reassurance that the University was largely already compliant in anticipation of the new Condition though there was a small piece of work related to the 'Staff / Student Relationship Policy' that needed to be undertaken however this would be completed in advance of the new condition coming in to force.

Trustee induction and mandatory training

A detailed and comprehensive trustee induction programme had been progressing well and had received positive feedback.

The Human Resources team would be contacting trustees with a request to complete some online training in respect of their statutory duties.

43 Vice-Chancellor's update

The Vice-Chancellor provided the following updates:

New Labour Government

- Referring to the General Election and the appointment of Mr Callum Anderson MP, to the Buckingham and Bletchley constituency, the Vice-Chancellor reported that good relationships had already been established with the new Labour MP, who had recently reached an agreement with the University to hold some locally held surgeries on campus.
- The newly elected Labour Government had acted quickly in deferring the Higher Education and Freedom of Speech Act. A technicality of the 'commencement' of the Act may mean that the Government could subsequently choose not to repeal the Act; meaning that the matter may simply fall away. Regardless, protection of freedom of speech remained under the Education II Act 1986 (section 43).
- The University had written to the new Secretary of State for Health and Social Care Secretary, The Rt Hon Wes Streeting, and to the Minister of State for Skills, Apprenticeships and Higher Education, Baroness Jacqui Smith, asking to speak with them on a range of matters relevant to the University's interests.

[Redacted]

Other matters

- The joint Council, Senate, Executive, SU Executive Away Day, planned for 19 September 2024, would facilitate another opportunity to collaborate on a range of live topics of strategic importance to the University.
- The findings of the National Student Survey (NSS) had been released and provided the University with a somewhat mixed picture of results. Whilst the University continued to achieve well in some areas, for example the Business School was placed joint first out of ninety-eight Schools, and the Computing School placed third out of twenty-three Schools, there were a number of acknowledged areas of weakness which would need to be improved upon. This matter would be reported in more detail under Minute 47.

- The Vice-Chancellor referred to a short paper he had previously written that had outlined a business model whereby the University might create a company able to interact with entrepreneurial investors. He indicated that he would like to revisit this idea with the Chair and other interested parties at some point and report back again at a suitable time in the future.
- The Vice-Chancellor had spent some time visiting Lord Vinson, known for his long and loyal association with the University's work and for his generosity in supporting a range of projects, including the construction of the Vinson Building on the main campus in Buckingham, which was formally opened in November 2018. The Vice-Chancellor's hope would be for the University to be able to suitably recognise this much valued relationship and would welcome any suggestions trustees might put forward in this regard.

RESOLVED:

That the Vice-Chancellor's report be noted.

44 Update reports

President of the Students' Union (SU)

- The SU Elections had been held slightly earlier in the calendar year than had previously been the case, with nominations currently open to students.
- The SU had hosted a Students' Town Hall meeting which the Vice-Chancellor and Pro-Vice Chancellor (Academic) and Provost, had presented at. The feedback received from a Q&A session was positive, with students feeling that they had benefited from the opportunity to speak directly with the University's most senior staff.
- Speaking at a meeting held at the University's Crewe Campus on 6 August 2024, the SU President and others had engaged with students regarding the future of their academia and teaching. The meeting was constructive and seen as empowering for students at Crewe who took the opportunity to resolve any concerns they had about their future studies at the University. Staff from the Medical School had also supported this activity and had been thanked for their involvement.
- Recent national press reports had focused on nationwide mass gatherings and violent and criminal acts of behaviour following the tragic murder of three young children in Southport. The University's response to any incidents that may occur in Crewe or in Buckingham and their possible impact on students was raised. The Vice-Chancellor and the SU had been in communication with students asking them to take appropriate precautions to stay safe, and would continue to collaborate on this matter. Regarding the Medical School and students travelling off campus to their placements, should they express any concerns the University would act appropriately and provide suitable support. Those with responsibilities for supervising students in placements were also live conversations. The University would continue to keep the matter under observation.

Chair of the Audit and Risk Committee (ARC)

- The Committee's most recent meeting was held 8 May 2024, an update on which had been covered at Council's previous meeting on 20 May. On the agenda for its next meeting scheduled for 27 August 2024 were some of the following topics:
 - A presentation on the future of the University's IT infrastructure.

- An update on the delivery of the modified internal audit plan.
- A revised Risk Register format, which the committee would want to ensure adequately took account of risks in regard to student support given recent staffing changes and the aforementioned student recruitment challenges the University was experiencing.

Chair of Finance and Resources Committee (FRC)

- The Committee's most recent meeting was held on 16 May 2024, an update on which had been covered at Council's previous meeting on 20 May. On the agenda for its next meeting scheduled for 29 August 2024, were some of the following topics:
 - A paper to consider the Labour Government's proposal for VAT being imposed on private school fees following the announcement by the government of more details.
 - A wide range of financial matters including current and future budgets.
 - HR matters focusing on HR Metrics and a Long Service Framework.

An update from Sarah Myhill (elected Senate representative)

- The Dyslexia Specialist Tutor & Lecturer, Academic Skills Support, provided Council with an update to funding received for a Dyslexia and Neurodiversity Hub at the University, with a dedicated fundraiser (paid as a retainer by the funder). There were several collaborations due to commence that would provide the University with a potential income stream.
- The University would be hosting a Dyslexia and Neurodiversity Day on 27 September 2024. The event included a range of speakers including one of the University's trustees, Mr Nick Hillman.
- There were plans to create courses to 'educate the educators.' The view was that student experience and student support should not be diminished and should come with vital wrap-around care. Specialist techniques were of benefit to all students and the introduction of specific strategies and techniques within all general teaching practice could prove beneficial.

RESOLVED:

That the updates provided be noted.

45 University of Buckingham: Independent status

The Vice-Chancellor had provided a written report which explored the tangible benefits of the University's independent status putting forward several alternative options / models for exploration. The various differences were considered between universities that were registered with the Office for Students (OfS) as "Approved" providers (i.e. those generally not in receipt of public funding who could charge what they wanted for education) and those registered as "Approved (fee cap)" (ie. those in receipt of public funding via the OfS who could charge for fees only at a capped rate set by the Government) and the pros and cons of these models.

In summarising, the Vice-Chancellor recognised that further work was required to foster among students and staff the aspirations of the University's founding members to offer a different type of higher education, free from government control. The Vice-Chancellor expressed his own commitment to these principles. A cost: benefit analysis had been considered given the extensive financial support provided to fee capped institutions and it had been identified that there were areas for example in medicine, where there had been clear financial (and other) advantages in operating as an independent institution.

Arising from a discussion, the following points were noted:

- In order to further raise the University's profile as a beacon for academic freedom and independence and to further raise its unique contribution as an 'exemplar independent institution' with the newly elected government, it would be important to gain an understanding of the views of the new government's positioning in this area and those of the Department of Education Minister. Simultaneously, the University would want to continue to raise its own positioning. The University's attributes, its uniqueness and ability to act nimbly given its relatively small scale compared to other providers, and its reputation as the home of the two-year degree would be key areas of messaging when engaging with government. It was felt that there were opportunities to offer valuable assistance in providing solutions to government issues; including the views expressed by the Vice-Chancellor in his recent book 'Cry Freedom'. One example of support was the Country's need to train more doctors, a need which the University was already meeting through its highly successful four-year degree course in Medicine. Other solutions included issues attached to the Student Loan Company, noting the University's arrangements with StepEx to offer another route through which student participation could be widened.
- Trustees considered the 'selling points' of an institution to potential (and current) students and whether or not the University's independence would be of value to them. Understanding the key attributes that engaged and which resonated with students was seen as being crucial to attracting them to the University, but it was acknowledged that more could be done to ensure that the message of independence resonated with students.
- The University's ability to offer the two-year degree programmes meant that it was able to offer more flexible terms and conditions in respect of staff employment contracts which some others within the sector were unable to do. The University had the autonomy to maximise the flexibility and freedoms that came from employment, course design and fee structures, which had been viewed as tangible strengths in bringing to the University to this point.
- The next steps in refining the University's messaging in respect of its independence was considered. It was felt that the messaging should be built into the University's academic offer both in terms of the way it marketed itself to prospective students and how students were taught in its classrooms. This should also extend to its how it approached commercial partnerships and others the University might work or collaborate with. The University's four guiding principles would provide the leverage needed to support this approach, and the ongoing portfolio review with the faculties and course teams would be an opportunity to embed this messaging.

RESOLVED:

That the University's status as an independent and registered "approved" provider be supported.

46 Strategy and Transformation

The Registrar and Chief Administrative Officer provided a written report setting out the progress of the delivery of the University's 2023–2028 Strategic Plan, and the underpinning faculty and departmental responses, and the Transformation Programme. The report had incorporated feedback via the University's joint Senate, Council, Executive, SU Executive Away Days held in April 2024. In order for Council to take forward appropriate scrutiny and oversight of the delivery of the Strategic Plan, the establishment of a 'Council Strategy and Transformation Sub-Group' had been proposed with an appended Terms of Reference for Council's consideration.

Arising from a discussion, the following points were noted:

Strategic Plan

- Work undertaken to review the size and shape of the faculties continued to progress and would conclude by mid-October 2024.
- The University's portfolio review was progressing at pace with substantive amounts of work underway, and a direction of travel agreed. Programmes and modules in all subject areas had been examined, with a trajectory over a five-year period, and had a RAG rating attached. This work was being complimented with competitor insights from the Marketing team. The Deans would then make informed decisions in the coming months.
- A number of changes to academic regulations and timetables would be aligned in order to deliver the new curricula and maximise the efficiency of operations for the benefit of both staff and students. Work was due to culminate in the Spring of 2025, with the new curricula due to be rolled out from Autumn of 2025 arising from the requisite approval processes. The academic timetables would not be changed in the Faculties of Education or Medicine and Health Sciences.

Transformation

- The University's governance transformation and digital transformation programmes had a number of significant workstream areas which were progressing.
- The network and service infrastructure programmes had been of the highest priority to be addressed. The University's Management Information System programmes were currently focused on Finance and Human Resources systems and were expected to go live in the coming months.
- Phases one and two of the University's Governance Effectiveness Review Action Plan had concluded and Phase 3 was being progressed and overseen by the Steering Group of Council members.

Operational transformation programmes

- Three short-term projects due to conclude by the end of 2024, would provide immediate support to the Marketing team, enhancing the University's offering and the experiences for prospective students. The projects were:
 - A 'Parents Panel' for staff members supporting children through the University's application processes;
 - a Student Research Project; and
 - a Schools Engagement Project.
- The recently-approved (by FRC) Student Contract and accompanying Offer Letter was being implemented in time for a January cutover the University's Scholarships and Bursaries Policy was being reviewed.
- Staff support and motivation for the significant amount of work attached to the transformation programmes remained positive, with a high level of engagement and goodwill attached to making the required improvements. The Change Approval Panel, was brought in to provide focus to agreed work and monitor process, avoiding unnecessary change / fatigue, and to

support the success of the larger workstreams. In terms of non-academic transformation workstreams (40) this work was almost complete, with satisfactory outcomes achieved.

- The Digital Transformation programme had been provided with a significant amount of resource to ensure this vital work had progressed quickly and efficiently.

Council Strategy and Transformation Sub-Group

- Proposals to establish a Strategy and Transformation Sub-group of Council were considered. The sub-group would be an opportunity for detailed scrutiny and stress testing by a small group of trustees of the delivery of the Strategic Plan and Transformation Programme, with an opportunity for particularly newer members of Council to contribute their experience and expertise. The sub-group would be an opportunity to look more broadly at changing and future landscapes and consider how the shape of University might look in five-to-ten years' time, and further into the future.
- Trustees were asked to contact the Secretary to Council to express interest in becoming a member of the sub-group.

RESOLVED:

- (a) That the update on the delivery of the Strategic Plan and Transformation Programme be noted; and
- (b) That the constitution and Terms of Reference for a Council Strategy and Transformation Sub-Group be approved.

47 Strategic Plan Key Performance Indicators (KPIs) and results of the 2024 National Student Survey (NSS)

The Registrar and Chief Administrative Officer provided a written report setting out the progress made against a suite of strategic key performance indicators (KPIs) set by the University. Results of the 2024 National Student Survey (NSS) had also been provided.

Arising from a discussion, the following points were noted:

Key Performance Indicators

- The report provided the first full analysis of delivery of the University's strategic KPIs. The majority of KPI's were on track within the agreed timescales.
- The income growth metrics were slightly behind target as a result of challenges presently faced in respect of student recruitment. A discussion of entry tariffs had taken place and these may be refined in conjunction with the University's portfolio review due to conclude at the end of 2024.

National Student Survey (NSS)

- Students had taken part in the 2024 National Student Survey, open to respondents from 8 January to 30 April 2024, with the results now made available, which provided a mixed and somewhat challenging picture.

- Each of the faculties would be holding workshops with students to consider their reflections in light of the results and what could the University do to address issues identified. Action plans would follow, monitored through quality improvement plans overseen by the Executive and the University Learning and Teaching Committee (ULTC), and more widely within Professional Services teams.
- The ‘freedom of expression’ question had returned a low score on this occasion, however, opinion across the sector suggested that students may not have fully understood the question. This had resulted in different responses (observed for the last two year’s surveys). The University would aim to discuss this topic with students as part of the focus groups and would also share good practice observed within the faculties.
- Whilst the University continued to perform well in some areas, ‘student experience’ had continued on a downward trajectory since 2018. A first-class student experience and partnership approach was viewed as being fundamental to the University’s success. Some changes had been made in the area of student experience however some specific issues had emerged in the faculties which would be tackled.
- There was a sense that students were expecting more from their higher education experience than in previous years. The University intended to improve its approach to the NSS to ensure that issues were addressed satisfactorily in advance, where this was possible. The University would improve pathways of communications, for example a ‘you said we did...’ exercise with prompt time-bound actions attached.
- The Continuation metric was a success story for the University. With a previously reported attrition rate of 15%, work undertaken in the last couple of years had now brought the University within sector benchmarks and with an ambition to improve this further.
- When compared to other similar institutions the Human Resources team reported that the University’s metrics connected to staff morale remained positive.

RESOLVED:

- (a) That the University’s 2023 – 2028 Strategic Plan Key Performance Indicators be noted; and
- (b) That the results of the 2024 National Student Survey (NSS) results be noted and that the work being undertaken to address underperformance be supported.

48 University Strategic Plan: Fundraising

In response to the trustees’ request, at their 20 May 2024 Council meeting, for more detailed fundraising information activity being undertaken, the Director of Fundraising and Alumni Relations had provided a further report for Council’s consideration. The report had identified planned University fundraising events and activities for 2024, including projected monthly income data. The report categorised a range of projects interested donors could consider supporting, including financial detail. In the absence of the Director of Fundraising and Alumni Relations, who was not available for this meeting, the Vice-Chancellor provided trustees with an outline summary.

Arising from a discussion, the following points were noted:

- The University’s approach to fundraising required further thought to ensure that a clearly defined fundraising strategy was in place.

- Many of the priority areas in the report were restricted funds. It was felt that attracting funds that were unrestricted would need to be a priority area for the University. It would be helpful to have an identifiable list of the University's priorities including, for example, a 'top one-to-five' list of projects that donors could contribute toward. These should accompany details of the plans and the measurement of successes, or otherwise.
- Fundraising opportunities should appropriately meet the priorities of the University in response to its Strategic Plan and ambitions. Currently, a more ambitious vision and business plan, which prospective donors could buy into was currently missing. Once the fundraising strategy was known, it would be important this was underpinned by a strong University brand.
- The University's profile and its heritage had been known to be attractive to a number of high-net worth individuals / foundations globally, and in particular the US where individuals were known to be keen to invest. Philanthropy Trusts similarly researched organisations who were able to offer suitable projects they could readily support. At this level, it was often the head of the organisation that they would expect to engage with. The Vice-Chancellor must be suitably equipped in advance, with several fully formed fundraising opportunities that included vital background information in support the 'capital ask' readily available in order to meet the expectations of donors.
- The University had some significant fundraising opportunities in areas where the University was seeking to expand and which would fit well with its core priorities. The report had not focused on these areas, which included the potential introduction of a School of Mathematics, a School of Dentistry, the development of the Clore Laboratory, all of which were new academic areas that would require core infrastructure to deliver. In view of the financial challenges facing the University and the sector at large, there was an increasing onus being placed on fundraising as a significant means through which the University could realise its ambitions.
- The Chair asked that a more granular report on the pipeline of fundraising activity be presented at all future meetings of Council, to include tracked month to month status updates that included, among other details, a target date for receipt of funds, an assessment as to the probability of completion and details of any blockages/risks to completion. The Chair offered to send on to the Vice-Chancellor a proposed format for this report.

RESOLVED:

- (a) That the Vice-Chancellor and the Director of Fundraising and Alumni be asked to revisit the University's vision and strategy for fundraising and that a further discussion on this matter be held at the Strategic Away Day in September 2024; and
- (b) That the Chair forward to the Vice-Chancellor his suggested granular format for a pipeline for fundraising activity which could be used going forward to provide a progress update at all future Council meetings.

49 Student recruitment update

The Registrar and Chief Administrative Officer provided a written report updating trustees regarding the University's current position for student intakes, recruitment, admissions, and conversion. It was noted that, since circulation of the report to Council, there had been an upward turn in respect of some of the recruitment numbers which would be reflected in the reporting at the meeting.

[Redacted]

RESOLVED:

That the student recruitment update report be noted.

50 Academic Assurance Report

The Vice-Chancellor provided several reports to Council in respect of the University's compliance with the Office for Students (OfS) Conditions of Registration. To comply with the Regulatory Framework, mapping of evidence from information available from across the University was required. Of the eighty evidence types, seventy-three were rated 'green'; 7 as 'amber' and 0 were 'red'. Work to codify / update the University's Research Environment Documents was noted as underway.

RESOLVED:

a. That the publication of the following mandatory compliance document be approved:

- i. Access and Participation Statement
- ii. Consumer Protection Self-Assessment
- iii. Student Protection Plan
- iv. Governance and Management Self-Assessment

b. The following assurance documents be noted:

- i. Academic Standard and Quality Self-Assessment
- ii. The Financial Sustainability Self-Assessment;
- iii. The Register of Reportable Events 2018-2024
- iv. The Register of Statutory Returns 2023-2024

51 Remuneration Annual Report

The Director of Human Resources had provided a report in respect of the University's annual remuneration for 2024, aligned with the Committee of University Chair's (CUC) Higher Education Senior Staff Remuneration Code. It was a requirement of the Code that Council consider a report concerning senior staff remuneration on annual basis.

Arising from discussion, the following points were noted:

- Some of the information contained in the report regarding remuneration of senior staff was published in the University's Financial Statements.
- At a recent meeting of the Governance Effectiveness Review Steering Group discussion was held regarding the possibility of adopting Independent HE's (IHE) Code of Governance (rather than the equivalent governance code of the CUC) given that the University was now a member of this representative body of independent HE providers. The IHE code was written in collaboration with law firm, Shakespeare Martineau, who had a good reputation for providing legal advice across the sector.
- In its effectiveness review, Halpin had linked their recommendations to the principles of the CUC Code and had not referenced the IHE Code at any point. Both codes focused on good governance principles and had many similarities, however there was a feeling was that the IHE code might be a better fit for the University's requirements as a private and independent provider and given that it offered in some cases a slightly more flexible approach.

- The Secretary to Council was in the process of analysing the two codes and it was possible that, following a review by the Steering Group, a proposal may be brought to Council to enable consideration to be given to the adoption of the IHE Code and any knock-on impacts this may have for other areas of University governance.

RESOLVED:

That the University's Annual Remuneration Report be approved.

Governance Effectiveness update

The Secretary to Council provided a written report updating trustees with progress concerning implementation of a series of recommendations made by Halpin following their review of governance in 2023, which was being overseen by the Governance Effectiveness Review Steering Group.

Work associated with phases one and two of the programme had been completed satisfactorily. Between July and September 2024 work would focus on a number of phase three recommendations. The remaining three phases of planned activity would continue up the summer of 2025.

RESOLVED:

That the update on the Governance Effectiveness Review Steering Group be noted.

52 Supporting Papers

A number of further governance matters contained in Council's support papers pack were either approved or noted, as follows:

RESOLVED:

- That the Council and Executive member Register of Interests be noted;
- That the unconfirmed minutes of the Audit risk Committee's meeting on 8 May 2024 be noted;
- That the unconfirmed minutes of the Finance and Resources Committee's meeting held on 16 May 2024 be noted;
- That the unconfirmed minutes of the Nominations and Governance Committee's meeting held on 3 July 2024 be noted;
- That the Constitution and Terms of Reference of the Nominations and Governance Committee be noted;
- That the updated University Ordinances be approved;
- That the updated University Scheme of Delegation be approved;
- That the Council Member Annual Review process be approved;
- That the annual effectiveness self-evaluation survey be approved;
- That the confirmed minutes of the Senate's meeting held on 20 March 2024 be noted;
- That the unconfirmed minutes of the Senate's meeting held on 29 May 2024 be noted;
- That the unconfirmed minutes of the Inclusion Committee's meeting held on 22 May 2024 be noted;
- That the update report of the President of the Students' Union be noted;
- That the various updates provided in the Chief Financial Officer's report be noted and endorsed, where applicable;
- That the update on regulatory compliance be noted; and
- That the update of the Director of Academic and Student Support Services be noted.

53 Dates of next meetings

- Strategic Away Day: Joint Council, Senate, Executive, SU Executive meeting:
Thursday 19 September 2024 at Mount Pleasant Campus, Buckingham (In-person only meeting)
- Monday 14 October 2024: 13:00 (Teams / Campus)
- Monday 9 December 2024: 13:00 (Teams / Campus)

54 Any other business

Public Sector Equality Duty

The Secretary to Council provided trustees with a verbal report on changes required to the Scheme of Delegation in respect of the Public Sector Equality Duty:

- The Public Sector Equality Duty was a duty on public authorities to consider or think about how their policies or decisions affected people who were protected under the Equality Act. As part of some work undertaken by the Director of Human Resources, it been highlighted that there was an amount of uncertainty as to whether or not the Public Sector Equality Duty applied to the University given its 'private' status because there was reference to the duty applying also to 'private organisations and charities when they carried out public functions' such as education.
- The Vice-Chancellor had sought advice from Independent HE (as the University's representative independent body) that suggested that the duty did not apply to the University. In their advice they included reference to the OfS's own guidance which stated that 'Universities and colleges that received public grant funding from the OfS were considered public organisations for the purposes of compliance with the duty.'
- As an 'Approved' (i.e. not 'approved (fee cap)' University not in receipt of funding from the OfS), IHE's advice suggested that this duty did not apply to Buckingham. The relevance of this matter was highlighted because, historically, the University had a reference to the oversight of compliance with the 'Equality Duty' at 7.8 of the Scheme of Delegation. On the basis of the IHE advice, it was proposed that the University consider the incorporation of a further change to the Scheme of Delegation which simply replaced (at 7.8) the word 'Duty' with 'Act' to take account of the fact that the University remained subject to the provision of the Equality Act, though not the specific requirements therein of the Duty. If in agreement, this would change would made alongside other minor amendments to the scheme that were proposed in a paper included in the supporting pack.
- On a broader point, there was a small but material risk that the Office for National Statistics, as part of a review they were currently undertaking, could decide to re-classify universities as part of the public sector in the future, this was a situation that had already affected Further Education Colleges. A watching brief would be kept on how this might affect the University as a private institution.

RESOLVED:

That the proposed revision to the Scheme of Delegation at point 7.8 replacing the word 'Duty' with the word 'Act' be approved.

Start time of meeting: 13:00

End time of meeting: 16:25