

NOTTINGHAM TRENT UNIVERSITY

**MINUTES OF THE VIRTUAL MEETING OF THE
BOARD OF GOVERNORS
HELD ON 23 MARCH 2021**

Present

Mr N Goulden, Pro-Chancellor (Chair)	Mr J Maier
Ms A Brown	Mr C Naughton
Mr D Dayal	Miss J Nelson
Mr S Denton	Sir D Nicholson
Mr N Ebbs	Professor E W Peck
Mr I Ellis	Mrs S Walker-Smith
Dr A Emuwa	Baroness D Warwick
Mrs S Fish	Ms C Wayman
Mrs L Holder	Mr O Woodley
Mr G Love	

In Attendance

Professor S Huttly, Deputy Vice-Chancellor (Academic Development and Performance)
Professor N Wright, Deputy Vice-Chancellor (Research and Enterprise)
Mrs R C Jenkyn, Clerk to the Board of Governors
Miss J A Clews, Governance Services Manager (Minute Secretary)

Apologies for Absence

Apologies for absence were received from Mr D Williams.

21.05 Welcomes

The Pro-Chancellor welcomed members to this meeting of the Board of Governors, convened virtually.

The Pro-Chancellor reported formally that Claire Brown had stepped down as the Professional Services Member on the Board of Governors on 16 February 2021. Claire had recently been appointed as the University's Head of Strategic Policy and Transition, working closely with the University Executive Team, and had felt that this new role may present a conflict of interest with her position on the Board. A recruitment process would be undertaken in order to appoint her successor for the July meeting.

The Board congratulated Conor Naughton on his re-election as the President of Nottingham Trent Students' Union for a second term of office effective from 1 July 2021.

21.06 Declarations of Interests Relating to Items on the Agenda

Members present were asked to declare any potential conflicts of interest they held in the agenda items to be considered. No conflicts of interests were declared.

21.07 Minutes

(a) Minutes of the Previous Meetings

Minutes of the meeting of the Board of Governors held on 24 November 2020 (Document A) and the minutes of the extraordinary meeting of the Board of Governors held on 9 February 2021 (Document B) were approved as true records.

(b) Matters Arising

Members received a report (Document C) in relation to matters arising from the previous meetings. All action points had been progressed and updates were provided as appropriate under the relevant agenda item.

21.08 Reports from the Pro-Chancellor

(a) Pro-Chancellor's Update

The Pro-Chancellor presented a report (Document D) and updated the Board on a number of matters discussed at the private session held with Independent Members earlier in the day. The following matters were highlighted during discussion:

- Independent Members had provided their views in relation to the format and arrangements for future meetings of the Board and its supporting Committees (this matter was discussed further under minute reference 21.08 (d) below);
- Driving improvements in race and gender equality were a key focus for the University. Whilst reports in relation to data in this regard were presented to the Employment Policy Committee, consideration should also be given to the arrangements for reporting on such matters to the Board of Governors; and
- Independent Members had recorded their thanks to the Vice-Chancellor, the University Executive Team and all colleagues at the University for their work during the Covid-19 pandemic. In response to the Governors' enquiry regarding the strength of leaders' resilience, the Vice-Chancellor noted that colleagues seemed to be coping well with the situation.

The Pro-Chancellor updated the Board on discussions at the meeting of the Membership and Nominations Committee held on 22 March 2021:

- Geoff Love would reach the end of his first term of office on the Board of Governors on 31 August 2021. The Pro-Chancellor had met with Geoff to review his first term of office and, with the unanimous support of the Membership and Nominations Committee, recommended that Geoff be re-appointed for a second term of three years with effect from 1 September 2021;
- The Pro-Chancellor provided an update in relation to the search for potential candidates for appointment to the Board;
- Kelsey Francis was due to complete his first term of office as a co-opted member (Student Voice) on the Remuneration Committee on 31 August 2021. In accordance with its delegated authority, the

Membership and Nominations Committee had approved the extension of his tenure for a second term of three years; and

- A number of Board members would reach the end of their first terms of office during 2022. Review meetings would be scheduled with the Pro-Chancellor for early 2022.

IT WAS RESOLVED

- (i) that the report be received and endorsed; and
- (ii) that the recommendations in relation to membership matters as set out above be approved and endorsed.

(b) Senior Independent Governor

The Board received a report (Document E) in relation to the proposed role description for the Senior Independent Governor (SIG). The following matters were highlighted during discussion:

- The role description for the SIG had been reviewed and endorsed by the Membership and Nominations Committee at its meeting held on 16 February 2021;
- The SIG position would be open to all Independent Governors. Applications or nominations for the role should be submitted to the Clerk to the Board by Monday 12 April 2021. The appointment process would be led by the Pro-Chancellor and it was anticipated that a recommendation for the appointment of the SIG would be presented at the July meeting of the Board; and
- The appointment of the SIG would be effective from 1 August 2021.

IT WAS RESOLVED

- (i) that the report be received and endorsed;
- (ii) that the establishment of the role of Senior Independent Governor be approved and endorsed; and
- (iii) that the role description for the Senior Independent Governor be approved.

(c) Committee Memberships and Governor Engagement

The Board received a report (Document F) in relation to the proposals for committee membership and governor engagement for implementation with effect from 1 August 2021. The following matters were highlighted during discussion:

- The proposals in relation to the memberships of supporting committees had been developed following discussions with Governors. The proposed membership structure had been reviewed and endorsed by the Membership and Nominations Committee at its meeting held on 16 February 2021, and shared subsequently with Governors for feedback and comments prior to this meeting. The proposals were endorsed by the Board;

- The Board confirmed its support for the establishment of the Academic Assurance and Regulation Committee with effect from 1 August 2021; and
- Further development of the Governor-lead roles would be progressed by the Vice-Chancellor. All Governors who were not currently chairs or deputy chairs of supporting committees, or did not hold an existing lead role, would be contacted by the Vice-Chancellor to establish whether there were any particular aspects of the University in which they would like greater engagement. Clarity would also be provided in relation to key points of contact within the University. This approach was welcomed by the Board.

IT WAS RESOLVED

- (i) that the report be received and endorsed; and
 - (ii) that the committee memberships and governor-leads be approved for implementation with effect from 1 August 2021.
- (d) Schedule and Format of Future Meetings

The Board discussed the arrangements and format for future meetings. The following matters were highlighted during discussion:

- Whilst the Government's roadmap had indicated that the Covid-19 restrictions could be eased in June 2021, it was considered that holding the July Board meetings in person may be too early, particularly as not all colleagues may have received their vaccinations. The next series of Board and Committee meetings would therefore be held virtually;
- The proposal to hold all meetings of the Board of Governors in person (including presentations and dinner the evening before) was supported. Whilst there had been some discussion amongst the Board in relation to adopting a hybrid approach, whereby Governors could choose to attend virtually, the Pro-Chancellor noted that he was keen to adopt the in-person approach. This matter could be kept under review;
- The preferred arrangements for supporting committees would be left to the discretion of the relevant Committee Chair to determine the preferred approach for each Committee. Whilst holding meetings virtually had worked well and offered benefits in relation to convenience for members, some concerns had been raised that co-opted committee members may feel less engaged with the University if all meetings were held remotely; and
- Governors were advised that a mixed approach in relation to in-person and virtual meetings would align with the approach being considered by the University Executive Team for internal meetings.

IT WAS RESOLVED

- (i) that, subject to the easing of Covid-19 restrictions, the Board Away Day in September 2021 and subsequent meetings of the Board of Governors be held in-person; and

- (ii) that the most appropriate format(s) for future meetings of the supporting committees be considered by the relevant Committee Chair.

21.09 Committee Terms of Reference

The Board received a report (Document G) in relation to the Terms of Reference for the Academic Assurance and Regulation Committee and the Employment Policy Committee.

The proposed Terms of Reference for the Academic Assurance and Regulation Committee, which would be established on 1 August 2021, had been reviewed and endorsed by both the Membership and Nominations Committee and the Academic Board.

The Employment Policy Committee had reviewed and approved its Terms of Reference without amendment.

IT WAS RESOLVED

- (i) that the report be received and endorsed; and
- (ii) that the Terms of Reference for the Academic Assurance and Regulation Committee be approved; and
- (iii) that the Terms of Reference for the Employment Policy Committee be approved without amendment.

21.10 Vice-Chancellor's Update

The Vice-Chancellor presented a report (Document H) updating the Board on a number of matters. The following matters were highlighted during discussion:

[Some of the detail of this minute has been withdrawn due to its confidential nature.]

Women's Safety on Campus

- The University Executive Team had been reflecting on the tragic murder of Sarah Everard and considering the steps that NTU had taken or could enhance to protect women's safety on campus;
- Loretta Trickett, an Associate Professor in Nottingham Law School, had undertaken sector leading research in partnership with the University of Nottingham in this area. This included evaluating the impact of the Misogyny Hate Crime policy in 2018 when it was implemented by Nottinghamshire Police. The work also included producing a graphic novel and other educational resources used in schools to help educate young men and boys to be part of the solution and challenge unacceptable behaviour;
- The University had been working for some time, in collaboration with NTSU, on the Respect agenda and mandatory consent training would be introduced for all students for the 2021/22 academic year. The University's existing policies relating to Lone Working and Dignity and Respect would be refreshed to ensure that they reflected best practice. These would also be included within induction processes for both colleagues and students. The University had a specialist student support services team in place relating to sexual violence prevention

and response. This team had won the Times Higher Education (THE) Award for Outstanding Support for Students in 2020;

- The supported complaints process currently under development would deal with all forms of harassment and discrimination;
- The University Leadership Team would review the matter of women's safety at its meeting in April. A report would be targeted for presentation to the Board of Governors in July outlining the actions, progress made to date, and future developments in this regard;
- The Board recognised Sue Fish's work and expertise in this area. The close relationship with the work already underway in respect of the University's Race Equality Action Plan was also noted. The role of the NTSU was considered to be critical in ensuring appropriate communications to students;

Covid-19 Update

- A high proportion of students had now returned to campus and the University continued to encourage students to take regular Lateral Flow Tests;
- The University continued to develop scenario plans for the 2021/22 academic year, based on a return to pre-Covid arrangements, or to accommodate some form of social distancing with the latter noted as being the more likely scenario. The plans aimed to provide sufficient flexibility and agility to adapt to changing requirements. Induction arrangements were also being considered carefully to enhance social confidence in students whose learning and wider life experiences may have been disrupted by the pandemic;

Student Recruitment

- The Chief Operating Officer and Registrar advised the Board that the overall undergraduate recruitment position for 2021/22 entry was positive. Applications and offers were slightly higher than at the same point last year;

Estates and Facilities

- The Board had approved the revised business case for the development at 42 Shakespeare Street at its meeting held on 24 November 2020. An update in relation to the project had been presented to the Strategy, Policy, Finance and Resources Committee at its meeting on 2 March;

Apprenticeship Statement

- In June 2020, the Education and Skills Funding Agency (ESFA) had advised the sector that from the 2020/21 academic year all providers needed to publish a statement regarding the educational rationale for any subcontracted provision. The Board was advised that the University Executive Team had approved the proposed statement (as set out in Document H) and it was now presented to the Board of Governors for endorsement.

IT WAS RESOLVED

- (i) that the report be received and endorsed;
- (ii) that a report in relation to women's safety on campus be targeted for presentation to the Board of Governors in July 2021; and

- (iii) that the Apprenticeship Statement be endorsed.

21.11 Nottingham Trent Students' Union President's Update

The Board received a report (Document I) from the President of Nottingham Trent Students' Union (NTSU) in relation to Nottingham Trent Students' Union (NTSU) activities. The following matters were highlighted during discussion:

- The extended opening hours of University buildings and the increased availability of study spaces had been welcomed by the NTSU and students as the return to campus activities continued to progress;
- The elections for the NTSU Officers for the 2021/22 academic year had concluded. The election campaigns had been challenging in terms of increased political activism but had generated positive debate about the role of the NTSU. There had been a record turnout for voting in the elections. The NTSU President had been re-elected to serve a second term, with an increased mandate. A number of NTSU Officers had been re-appointed, with strong appointments made to roles uncontested by the current team;
- The NTSU had been working closely with the University in relation to the measures in place to ensure fair assessment of students' learning during the pandemic.

The Board congratulated the NTSU President on his re-election for a second term of office.

IT WAS RESOLVED

that the report be received and endorsed.

21.12 Access and Participation Plan Monitoring Return

The Board received a report (Document J) from the Deputy Vice-Chancellor (Academic Development and Performance) in relation to the Access and Participation Plan 2019/20 Monitoring Return due for submission to the Office for Students (OfS) by 16 April 2021.

The return demonstrated that the University had met the provisions within the Access and Participation Plan (APP) in relation to its expenditure obligations, based on the targets submitted in 2013/14. The report also outlined the University's progress in respect of milestones and targets within the APP, with additional information requested this year by the OfS in relation to the impact of the Covid-19 pandemic on the delivery of the 2019/20 and 2021/22 APPs.

IT WAS RESOLVED

- (i) that the report be received and endorsed; and
- (ii) that the Access and Participation Plan 2019/20 Monitoring Return be approved for submission to the Office for Students.

21.13 University, reimagined

(a) Progress Report

The Board received a report (Document K) from the Vice-Chancellor providing an update on progress with the University's strategy: University, reimagined.

[The detail of this minute has been withdrawn due to its confidential nature.]

IT WAS RESOLVED

(i) that the report be received and endorsed.

(b) Key Performance Indicators

The Board received a report (Document L) from the Vice-Chancellor in relation to the KPI balanced scorecard for University, reimagined.

[The detail of this minute has been withdrawn due to its confidential nature.]

IT WAS RESOLVED

that the report be received and endorsed.

21.14 Race Equality Action Plan: Progress Update

The Board received a report (Document M) from the Vice-Chancellor in relation to an update on progress with the University's 2020/21 Race Equality Action Plan. The following matters were highlighted during discussion:

[Some of the detail of this minute has been withdrawn due to its confidential nature.]

- The action plan outlined the range of short-term actions identified in order to support the medium-term achievement of a step change in race equality within NTU. This work was noted to be a precursor to and enabler of the work being undertaken by the Race Equality Charter Self-Assessment Team as part of the development of the University's submission to Advance HE's Race Equality Charter, including the development of a longer term action plan;
- The selection process had now concluded for membership of the University Shadow Executive Team (USET); and
- The Board welcomed the progress made and congratulated the Vice-Chancellor and colleagues for the steps taken to date to seek to address race equality at the University.

IT WAS RESOLVED

that the report be received and endorsed.

21.15 Employee and Student Conduct

The Board received a report (Document N) from the Chief Operating Officer and Registrar in relation to an analysis of the employee and student conduct cases in 2019/20.

IT WAS RESOLVED

that the report be received and endorsed.

21.16 Portfolio Diversification

The Board received a report (Document O) from the Vice-Chancellor in relation to diversification of the University's portfolio. This report had been discussed in detail with the Board at its evening session held on 22 March 2021.

[The detail of this minute has been withdrawn due to its confidential nature.]

IT WAS RESOLVED

(i) that the report be received and endorsed.

21.17 Sector Policy Developments

The Board received a report (Document P) from the Vice-Chancellor in relation to policy developments within the higher education sector. The following matters were highlighted during discussion:

- Whilst the University was cognisant of developments in the sector and played an active role in shaping policy, the key focus for activity remained on those aspects which would enable the University to achieve its strategic aims and ambitions;
- The Skills for Jobs White Paper released by the Department for Education (DfE) had set out the Government's planned reforms to further education and technical training. It was anticipated that the provision of a Lifelong Learning Loan Entitlement for higher technical and degree level provision in colleges and universities from 2025 would increase demand in this regard;
- A number of changes to teaching grant and capital funding arrangements had been announced by the Government for 2021/22. Funding for high-cost provision would be targeted at those areas of key strategic priority for the Government;
- Debate continued across the sector in relation to improving the quality and standards of HE provision. The OfS would be undertaking a consultation process on the new Teaching Excellence and Student Outcomes Framework (TEF) to which the University would respond. A decision regarding the future arrangements for the National Student Survey was awaited;
- The DfE had launched a consultation to explore the introduction of a post-qualifications admissions system; and
- Lord Wharton had been appointed as chair of the Office for Students and would take up the position in April 2021.

IT WAS RESOLVED

that the report be received and endorsed.

The meeting was paused for two minutes at this point (12.00 noon) as part of the national day of reflection to remember lives lost during the Covid-19 pandemic.

(Mrs S Walker-Smith left the meeting.)

21.18 Academic Governance

(a) Academic Board

The Academic Board Member presented the unconfirmed minutes from the meeting of the Academic Board held on 3 March 2021 (Document Q). The following matters were highlighted:

[Some of the detail of this minute has been withdrawn due to its confidential nature.]

- Academic Board had reviewed the report and recommendations from the external effectiveness review of Academic Board undertaken by AUA Consulting. A summary of the outcomes of the review was provided as an annex to the minutes for Governors' information. The review had concluded that the University had a high standard of academic governance, often exceeding best practice in this regard;
- There had been an engaging discussion in relation to the recommendations regarding member engagement. The importance of providing an effective induction for new members was recognised in order to ensure that members understood their role and responsibilities, together with the remit and importance of Academic Board as the senior academic committee of the University; and
- Academic Board had approved an addendum to the Student Code of Behaviour which provided additional information on how the University would deal with student breaches to the Government's Covid-19 guidelines. The NTSU had not supported the approach adopted by the University and Academic Board had recognised the NTSU's position in this regard.

IT WAS RESOLVED

that the report be received and endorsed.

(b) Compliance with OfS Regulatory Requirements

The Board received a report (Document R) from the Deputy Vice-Chancellor (Academic Development and Performance) which provided assurance to the Board of Governors in respect of the University's compliance with the Office for Students' ongoing conditions of registration. This included compliance with Condition C1 Guidance on Consumer Protection Law in relation to the information provided to students on the delivery of their courses, and any changes thereto, due to the Covid-19 pandemic. The following matters were highlighted:

- In January 2021 the OfS had requested that all universities undertake a review of their compliance with consumer protection law in relation to the delivery of teaching and assessment in 2020/21;
- The University had established a small working group comprising colleagues from across relevant functions within the University, including the Internal Audit Service. The group had reviewed the actions taken during summer 2020 and the procedure for managing changes to

courses and the communications sent to students throughout 2020 and 2021 in relation to what teaching and assessment they would receive and how this would be delivered. Each academic school, including Confetti, had been asked to complete an interim evaluation and compliance review in this regard;

- The Board was advised that the outcome of the review had concluded that the risk of non-compliance with the OfS' ongoing condition of registration regarding compliance with consumer protection law was low; and
- The Board noted the need to monitor any developments within the sector regarding potential litigation by students to ensure the University was able to respond appropriately.

IT WAS RESOLVED

- (i) that the report be received and endorsed; and
 - (ii) that the Board of Governors endorsed the opinion that the level of risk for the University relating to non-compliance with the ongoing condition of registration regarding consumer protection law was low.
- (c) Academic Assurance: Collaborations and Partnerships, and Postgraduate Outcomes

The Board received a report (Document S) from the Deputy Vice-Chancellor (Academic Development and Performance) providing summary information relating to the standards, quality and enhancement of the University's provision based on evidence relating to Collaborations and Partnerships activity, and Postgraduate Outcomes.

The Board was advised that the report had been reviewed and endorsed by Academic Board at its meeting held on 3 March 2021. It was noted that such reports would be presented to the Academic Assurance and Regulation Committee in future years.

IT WAS RESOLVED

- that the report be received and endorsed.
- (d) Academic Assurance: University Research Degrees Committee Annual Report 2019/20

The Board received a report (Document T) from the Deputy Vice-Chancellor (Research and Enterprise) in relation to the University Research Degrees Committee Annual Report 2019/20.

The full report from the University Research Degrees Committee had been considered by the University Research Committee at its meeting held on 4 February 2021. The Executive Summary had been endorsed by Academic Board at its meeting held on 3 March 2021. It was noted that this report would be presented to the Academic Assurance and Regulation Committee in future years.

The Board was advised that the recruitment of postgraduate research students had not been impacted significantly by the Covid-19 pandemic. The University had adapted its processes in order to ensure that students were not impacted adversely by the lockdown restrictions imposed during the year. There had been a number of positive developments in relation to student engagement, including increased attendance at virtual seminars and also the holding of PhD viva examinations online, which were likely to be adopted permanently given the positive feedback received from students.

IT WAS RESOLVED

that the report be received and endorsed.

21.19 Research Excellence Framework

The Board received a report (Document U) from the Deputy Vice-Chancellor (Research and Enterprise) in relation to the University's submission to the Research Excellence Framework (REF) 2021. The following matters were highlighted:

[Some of the detail of this minute has been withdrawn due to its confidential nature.]

- The University's Code of Practice for the REF, approved by Research England, had set out the processes adopted for the development of the REF submission. This included the arrangements to determine which staff had significant responsibility for research and would therefore be in scope for the REF, which Units of Assessment would be submitted by the University, and the selection of outputs. A process had also been in place to enable early-career researchers to request a reduction in the number of outputs required. It was noted that implementation of the Code had worked well;
- NTU's first external research marketing campaign would be launched shortly. The campaign aimed to raise the profile of NTU's research activities, particularly the impact of the University's research on society;
- The Board was advised that the University Executive Team was content that the REF return had been developed in accordance with the Code of Practice. The Deputy Vice-Chancellor (Research and Enterprise) had been authorised to submit the return, following completion of final checks, by the due date of 31 March 2021. The results were anticipated to be available in spring 2022; and
- A detailed report in relation to the University's submission, including anticipated outcomes and lessons learned and the preparations for the next REF cycle, was targeted for presentation to the Board in July.

IT WAS RESOLVED

- (i) that the report be received and endorsed; and
- (ii) that a detailed report in relation to the University's submission to the REF 2021, together with preparations for the next REF cycle, be targeted for presentation to the Board in July 2021.

21.20 Business from Standing Committees

(a) Audit and Risk Management Committee

The Board noted the unconfirmed minutes of the meeting of the Audit and Risk Management Committee held on 2 March 2021 (Document V).

(b) Strategy, Policy, Finance and Resources Committee

The Board noted the unconfirmed minutes of the meeting of the Strategy, Policy, Finance and Resources Committee held on 2 March 2021 (Document W).

(c) Employment Policy Committee

The Board noted the unconfirmed minutes of the meeting of the Employment Policy Committee held on 11 March 2021 (Document X).

21.21 Application of Corporation Seal

Members received and noted a report (Document Y) summarising the documentation to which the University's Corporation Seal had been applied since the previous meeting of the Board.

21.22 Any Other Business

Research Funding: The Board noted the changing and challenging landscape regarding the funding of research activity. The Deputy Vice-Chancellor (Research and Enterprise) advised the Board that the University continued to monitor developments closely, lobbying relevant bodies as appropriate, to ensure that funding remained accessible.

Mental Health Support for Students: Recognising the growing need for mental health support for students, the Pro-Chancellor had been discussing with the Vice-Chancellor whether there was any support that could be provided for students via a charitable foundation of which the Pro-Chancellor was chair.

21.23 Date of Next Meeting

The next meeting of the Board of Governors was scheduled for Tuesday 6 July 2021 at 9.30 am. This would be preceded by presentations on Monday 5 July 2021. The Board supported the proposal to invite an external speaker to attend the evening session with the Board in order to provide an independent perspective on HE policy developments.