

COUNCIL

MINUTES

This paper presents the confirmed minutes of the hybrid meeting of Council held on 9 May 2023 in Library Seminar Room 4, Walton Hall, Milton Keynes and via Microsoft Teams.

Action Required

Council **approved** these minutes as a correct record at its meeting held on 11 July 2023.

Present

Malcolm Sweeting (Chair),
 Tim Blackman, Vice-Chancellor
 Robert McCracken, Treasurer
 Margaret Greenaway, President, OU Students Association*
 Nick Barratt, Senate representative
 Carol Howells, Senate representative
 Gary Elliott-Cirigottis, Senate representative
 Eileen Scanlon, Senate representative
 Rob Parker, Senate representative
 Sas Amoah, member of non-academic staff
 Catherine Halliwell, associate lecturer
 Andrew Dickinson, external co-opted member
 Ceri Doyle, external co-opted member
 Thomas Frawley, external co-opted member*
 Paul Gray, external co-opted member*
 Julia Goodfellow, external co-opted member*
 Paul Kett, external co-opted member
 Rachel Lock, external co-opted member*
 Rashik Parmar, external co-opted member
 Tevin Tobun, external co-opted member*
 *Participation via Microsoft Teams

In Attendance

Dave Hall, University Secretary
 Paul Traynor, Chief Financial Officer
 Camilla Briault, Assistant Director, Governance
 Sue Thomas, Senior Manager, Governance
 Jhumar Johnson, Chief of Staff, Vice Chancellor's Office.

Agenda items

Minute 7: Financial Update and Four-Year Planning Update: Hâf Merrifield, Director of Strategy
 Minute 9: Scotland Report: Susan Stewart, Director, OU in Scotland*
 Minute 11: SSP Update: Emma Stace, Chief Data and Technology Officer*
 Minute 12: ERP Report: John D'Arcy, Chair, ERP Delivery Board *
 *Participation via Microsoft Teams

Apologies

John Brooks, external co-opted member, Vice-Chair

1 DECLARATION OF INTERESTS

There were no declarations of interest.

2 MINUTES

C-2023-01-M & CM

The Minutes and Confidential Minutes of the meeting held on 7 March 2023 were **approved**.

3 MATTERS ARISING AND ACTION TRACKER

C-2023-02-01

Council **noted** the report of matters arising and the action tracker.

4 CHAIR'S ACTION AND REPORT

Council **noted** the report of action taken by the Chair.

5 VICE-CHANCELLOR'S REPORT

5.1 Reflecting on issues covered in his report, the Vice-Chancellor informed Council that:

- a) It was an important time to reflect strategically on issues such as the University's estate and the four year financial recovery plan. Whilst these had started as operational projects, to bring expenditure into line and address post-pandemic needs, they now presented opportunities to consider how the University's strategic aims would be achieved. The University also had to examine the role of Artificial Intelligence (AI) in higher education, and how it could use AI to improve the student experience.
- b) Planning for the return to surplus was currently on schedule and forecasting at this point indicated the correction of £96m still to be accurate.
- c) The regulatory approach taken by the Office for Students (OfS) in England in relation to students' continuation, completion and progression to employment or further study continued to prove challenging for the University and its policy of open access. The OfS had committed to consider the University's context but remained focussed on outcomes compared with the rest of the sector.
- d) Post graduate taught provision had not been prioritised in the University Strategy for 2022-2027 however it was acknowledged that it required attention and VCE would be considering the curriculum and offer.

5.2 Council:

- a) Expressed its regret over the national marking boycott over the 2023/24 pay award by the University and College Union (UCU) and the potential impact on students. There was concern that it could be difficult to reallocate work at a busy time in the academic year.
- b) Sought information on the colleague experience pulse survey in particular relating to staff wellbeing, and whether responses from any specific staff categories caused concern. Clarification was also sought on the implications of the Mutually Agreed Resignation Scheme (MARS).
- c) Emphasised the importance of demonstrating to its regulators clear evidence of the positive actions the University had in place to support students to succeed.

- d) Recorded its thanks to Professor Marcia Wilson for her work and enquired whether the post of Dean, Equality, Diversity and Inclusion (EDI) would be replaced.
- e) Enquired how the University would consider the potential impacts of AI.

5.3 The Vice-Chancellor:

- a) Reported that responses to the pulse survey had shown differences between professional services and academic staff with the latter responding more negatively. The Vice-Chancellor's Executive (VCE) received reports on staff wellbeing at every meeting and support was available to staff.
- b) Confirmed that the role of Dean, EDI would be reviewed and reiterated the University's commitment to EDI.
- c) Explained that some staff were piloting the use of AI and any possible implications for cyber security would be followed up with the Chief Digital and Information Officer. The University was keen to embrace the opportunities use of AI could bring in areas such as personalisation of communications and optimising curriculum, but there were concerns over maintenance of academic integrity in assessment.

5.4 Council **noted** the report.

6 ESTATES PLAN UPDATE: STRATEGIC VISION

C-2023-02-04

Minutes 6.1 to 6.6 are recorded as Confidential Minutes (C-2023-02-CM)

7 2022/23 FORECAST OUTTURN AND FOUR YEAR BUDGET PLANNING PROCESS C-2023-02-05

7.1 The Chief Financial Officer and Director of Strategy reported that the latest forecast position showed an improvement of £0.7m against the position reported to Council in March 2023. Council would receive further information and consider the proposed budget for 2023/24 at its meeting on 11 July 2023.

7.2 Council:

- a) Sought assurance that the proposals for budget savings in the first year of the four year plan were on track.
- b) Commented that the operating deficit had been forecast for £17m but the paper reported this currently at £26m and concern was expressed that there was evidence of drift, and this could potentially roll forward into subsequent years.
- c) Asked whether there was a risk that the Mutually Agreed Resignation Scheme (MARS) might result in the University losing key staff with required skills.

7.3 The Chief Financial Officer and Director of Strategy

- a) Explained that the latest forecast for the deficit outturn of £26m reflected the additional in-year pay award. It was hoped that the operating deficit position would improve due to the non-recurrent action being taken by units to restrict in-year expenditure.
- b) Assured Council that applications submitted under MARS were being very carefully assessed against criteria which included financial payback, attention to workloads for remaining staff and a ban on re-hiring within five years.

7.4 Council **noted** the report.

8 OPEN COLLEGE OF THE ARTS GOVERNANCE ARRANGEMENTS

C-2023-02-06

8.1 The Chair informed Council that:

- a) As Council was the University's legal authority, it was responsible for ensuring that systems were in place for meeting all of the institution's legal obligations, including those arising from contracts and other legal commitments made in the institution's name.
- b) The paper set out the legal and regulatory status of OCA and the relationship between OCA and the OU Group post-acquisition. This required approval by Council, rather than noting.
- c) Governance and Nominations Committee would have oversight of the membership of the Board and appointment and due diligence related to external members.

8.2 Council:

- a) Sought clarification of the remedial work required to undertake a smooth transition for students. The Assistant Director, Governance confirmed that this work was focussed primarily on ensuring students were fully informed of information and regulations at the start of their studies. The work was ongoing, and the Steering Group was monitoring progress.
- b) Questioned why a recommendation to absorb the OCA into a Faculty need take three to five years. The Vice-Chancellor confirmed that this was to ensure appropriate capacity was in place.

8.3 Council **approved** the governance arrangements for OCA.

9 NATION REPORT: SCOTLAND

C-2023-02-07

9.1 The Director, OU in Scotland introduced the report and described the activities, levels of growth and progress against objectives being achieved in Scotland.

9.2 Council welcomed the positive report and recorded its thanks to the staff for their hard work and achievements and in particular the strong relationships built with partners.

9.3 Council **noted** the report

10 OU STUDENTS ASSOCIATION REPORT

C-2023-02-08

10.1 The President, OU Students Association:

- a) Presented a report on the Association's recent achievements and information relating to participation numbers and students' motivations for studying with the OU. The Association had been pleased to see evidence in the membership survey of increased awareness of the Association.
- b) Reported that students were voicing concerns on social media channels about the UCU marking boycott. An informal poll currently running on the Association's website to obtain students' views on the boycott was due to close on 9 May 2023 and the results would be shared with stakeholders.
- c) Informed Council that the Association was examining how it recruited its student member to Council. It was hoped an appointment would be made for the next meeting.

10.2 Council **noted** the report.

11 STUDENT SERVICES PORTFOLIO: UPDATE

C-2023-02-09

11.1 The Chief Data and Technology Officer drew attention to the enhanced collaborative working within the Portfolio and the benefits that were being realised. It was challenging however to prioritise the work that was required. A business case for further investment for the Student Support Journey from first point of contact to alumni relations would be presented to the next meeting of Council.

11.2 Council welcomed the collaborative approach to the Portfolio and the progress being made to benefit students.

11.3 Council **noted** the report.

12 ENTERPRISE RESOURCE PLANNING (ERP) PROGRAMME UPDATE **C-2023-02-10**

12.1 The Chair of the ERP Delivery Board summarised the progress made and reported that the Programme would scale back significantly in July 2023 as planned and would formally close by the end of 2023.

12.2 Council:

a) Welcomed the completion of the Programme after five years and requested a closure report reflecting on costs compared to the original budget and lessons learned.

b) Thanked all those who had been involved in the project

12.3 Council **noted** the report.

13 FINANCE COMMITTEE **C-2023-02-11**

Council **noted** the report from meetings held on 27 February 2023 and 21 March 2023.

14 GOVERNANCE AND NOMINATIONS COMMITTEE **C-2023-02-12**

Council **noted** the report from meeting held by correspondence in April 2023

15 SENATE **C-2023-02-13**

Council **noted** the report from meeting held on 30 March 2023

16 COUNCIL FORWARD PLANNER **C-2023-02-14**

Council **noted** a report on future business being presented to Council

17 THANKS

On behalf of Council, the Chair thanked Catherine Halliwell who was leaving the University, for her hard work and contribution and wished her well in her future endeavours.

Future Meeting Dates
11 July 2023 – Milton Keynes 26 September 2023 – Milton Keynes 21 November 2023 – Belfast (Dinner on evening of 20 November 2023) Further information on venues and arrangements will be issued when available

Dave Hall
University Secretary

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13 June 2023