

Minutes of Council
14 May 2010

Confidential

- Present: Mr Denis Burn (Chair), Professor Tim Bond, Professor David Clarke, Mr Roy Cowap, Mr Chris Curling, Councillor Christopher Davies, Mr Colin Green, Professor Len Hall, Dr Sally Heslop, Ms Ruth Jackson, Ms Pru Lawrence-Archer, Mrs Dinah Moore, Mr Bob Morton, Mr George Morton, Dr David Newbold, Mr Owen Peachey, Mrs Cindy Peck, Mr Tim Ross, Mrs Cathy Waithe, and Professor Avril Waterman-Pearson.
- In Attendance: Mr Derek Pretty, Sir James Tidmarsh, Mr Patrick Finch, Mr Andy Nield, Ms Kelly Archer, Mr Guy Gregory, Professor Guy Orpen, Ms Jane Bridgwater.
- Apologies: Professor Paula Booth, Mr John Bramhall, Ms Emma Di'lorio, Mr Ron Kerr, Mr Robert Massie, Mr David Ord, Professor Eric Thomas, Mr Bill Ray, Ms Anne Stephenson, Mr James Wadsworth, Mr James Wetz
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(i) Faculty Strategic Responses to the Requirement to Reduce Staffing Costs

1. The Chair welcomed members to the additional meeting of Council which had been convened in order to consider a series of papers outlining faculties' strategic responses to the University's requirement to reduce staffing costs. Members were reminded that the proposals for reductions in academic staffing costs had been developed alongside the concurrent Support Process Review, the aim of which was to achieve reductions in support staff costs. The overall objective was to achieve a balanced and comprehensive response to the challenges that were confronting the University and the rest of the sector.
2. The Vice-Chancellor had sent his apologies that he would not be able to attend the meeting. He had asked the Deputy Vice-Chancellor to act on his behalf.
3. RECEIVED: The following bundle of documents (previously circulated, copy in the minute book):
 - (i) Explanatory Coversheet **(CN/10/57)**
 - (ii) Report of Senate to Council **(CN/10/58)**
 - (iii) Report of UPARC to Council **(CN/10/59)**
 - (iv) Cost Saving Strategy from the Faculty of Arts **(CN/10/51)**
 - (v) Cost Saving Strategy from the Faculty of Engineering **(CN/10/52)**

- (vi) Cost Saving Strategy from the Faculty of Medical & Veterinary Sciences (**CN/10/53**)
 - (vii) Cost Saving Strategy from the Faculty of Medicine & Dentistry (**CN/10/54**)
 - (viii) Cost Saving Strategy from the Faculty of Science (**CN/10/55**)
 - (ix) Cost Saving Strategy from the Faculty of Social Sciences & Law (**CN/10/56**)
4. Council considered the relevant sections of Ordinance 27: Redundancy Procedure:
- (i) Paragraph 6 'Institution of procedures': "Council shall consider whether the circumstances are such that the redundancy procedures should be instituted, and if so, whether this should primarily relate to a particular part or parts of the University".
 - (ii) Paragraph 7 'Panel': "In the event that Council decided that redundancy procedures should be instituted, the Vice-Chancellor shall appoint a panel to oversee the procedures and to make decisions"
5. It was noted that the University had sought comment from the Trades Unions about the proposals, and that consultations would continue. The University had endeavoured to set out the formal process of consultation that it planned to implement and had also formalised for the Trades Unions what it considered to be the key decision-making milestones, with appropriate timescales.
6. Council, at this meeting, was being asked to consider whether or not it deemed that the circumstances presented to it were such that it wished to instruct the Vice-Chancellor (or, in his absence the Deputy Vice-Chancellor) to institute a redundancy panel; Council was not being asked to take decisions about whether or not any redundancies resulting from the proposed cost reduction strategies should be made.
7. In accordance with Ordinance 27, any instituted redundancy panel would be constituted of at least five members and would include at least one lay member appointed by Council and at least one member of the academic staff appointed by Senate. The panel would receive detailed information about proposed redundancies together with full details of Equality Impact Assessments (EIAs) that had been carried out for any proposed cases. The panel would have full and final authority to make decisions about the proposed redundancies.
8. As panels were periodically convened to consider ad hoc redundancies throughout the University, the University had compiled a pool of lay members upon which it could call to join redundancy panels. It was

AGREED that a list of pool members would be circulated to Council for information alongside the minutes of today's meeting.

9. The Deputy Vice-Chancellor clarified that although redundancy panels may be chaired by a Pro Vice-Chancellor, in recent cases, the University had opted to pay for a Chair who was independent of the current senior management team (a retired Pro Vice-Chancellor) in order to eliminate any perceived conflict of interest.
10. The Deputy Vice-Chancellor introduced the various faculty proposals. He began by explaining that the Faculty of Social Sciences and Law's proposed strategy included recommendations about the School of Applied Community and Health Studies (SACHS) (**CN/10/56**). The rationale for the series of recommendations in relation to SACHS had differed to the other proposals in that they had been initiated prior to the issue of the mandate to Deans to devise cost-cutting strategies.
11. The Dean of Social Sciences and Law had initiated a review of SACHS during the autumn of 2009 because of continuing academic, financial and management concerns in relation to the School's performance. The Deputy Vice-Chancellor stressed that the drive for proposed changes in SACHS had been strategic in terms of the Faculty's academic vision and strategy and, unlike the other Faculties' proposals, had not been primarily cost driven.
12. Council noted that the proposals for SACHS had evoked strong opposition from some staff and students, particularly within the Centre for Deaf Studies. Councillor Chris Davies had been presented with an online petition opposing withdrawal of the BSc in Deaf Studies, which had been signed by approximately 4000 people. The petition had been passed to the Director of Personnel and Staff Development. Members of Council would be invited to raise any specific queries about the SACHS proposals later in the meeting.
13. The Deputy Vice-Chancellor went on to introduce the reports of the meeting of Senate on 10 May 2010 (**CN/10/58**) and University Planning and Resources Committee (UPARC) on 11 May 2010 (**CN/10/59**).
14. Senate, at its meeting on 10 May 2010, had been informed of the outcome of a staff survey on 'salary sacrifice'. On the basis of a 72% response rate, 65% of respondents had voted in favour of the proposal, in principle, of taking unpaid leave to facilitate an agreement on redundancy avoidance, and 35% had voted against. In light of the outcome of the staff survey of opinion, a proposal had been made from the floor that Senate defer discussion of the Faculties' proposals to a future date. However, on an

uncounted show of hands, Senate voted overwhelmingly in favour of proceeding to discuss the Faculties' proposals.

15. The Senate debate had focused on the restructuring proposals rather than their implementation. All Senators accepted the need for cost savings. It was accepted that all proposals had been developed with the utmost care and attention to all relevant factors; and had been supported by the relevant Faculty Planning & Resources Committees. Senate considered that the implementation of a scheme for salary reduction by way of taking unpaid leave would not generate sufficient funding to avert academic restructuring, but that it would buy in time to permit achievement of required savings without immediate recourse to compulsory redundancy. With this in mind, Senate acknowledged that the recent staff survey which showed support for staff taking unpaid leave impacted upon the process of making such savings but not on the need for the faculty plans themselves. There was enthusiasm for proceeding with a strategic planning process which was considered to be a better alternative than prolonging uncertainty, which would add to stress for all staff and create uncertainty for the bulk of staff, who would not be adversely affected. It was suggested that delay could lead to an attrition of mobile and marketable staff to the detriment of the University as a whole.
16. A minority of Senators had spoken against the proposals. Key concerns raised were:
 - (i) that further consideration should be given to the plans and that they should be presented to Senate later and in more detail;
 - (ii) that identification of where cost savings would fall might cause anxiety in those disciplines.
 - (iii) that the survey outcome should allow a delay in presenting the plans.
 - (iv) specific concerns about the impact of the proposals on the Centre for Deaf Studies and on the Department of Archaeology and Anthropology.
17. Following extensive debate, Senate, on a counted show of hands, had voted in favour of submission to Council of the following resolution:

'Senate regrets, but also recognises the necessity of, the Faculties' proposals for cost savings. Believing that a strategic response is required, and noting that the detailed proposals have been considered within each Faculty and ratified by the relevant Faculty Planning and Resources Committees (FPARCs), it accepts that they should now be put to Council alongside a report from the Chair of Senate recording the views of Senators as expressed at this meeting of Senate.'

18. The academic staff members of Council endorsed the submitted report as an accurate record of the discussion that had taken place at the 10 May 2010 meeting of Senate.
19. UPARC, at its meeting on 11 May 2010, had noted that the result of the staff opinion survey on the principle of supporting the taking of unpaid leave to facilitate an agreement on redundancy avoidance meant that negotiations with the campus Trades Unions would continue. It, therefore, recommended that Council agreed in principle to set up redundancy committees as required to implement those strategies; but also requested that the setting up of such committees was only activated on the authorisation of the Chair of Council, on the request of the Vice-Chancellor (or in his absence, the Deputy Vice-Chancellor). Whether such a request was made would be dependent upon the outcome of current discussions taking place between the University and the Trades Unions about the proposed redundancy avoidance scheme.
20. The Finance Director reminded Council that the University budget for 2010/11 and 2011/12, including the requirement for staffing cuts of £15 million, had been developed following extensive scenario planning and financial modeling based upon a range of income levels and cost increases as anticipated at that time (the figures had been reviewed and endorsed by the Vice-Chancellor's Advisory Group and by the University's Finance Committee). The £15m p.a savings target had been devised to deal with existing known financial pressures. Any significant cuts in HEFCE funding would necessitate further savings. It was, therefore, noted that the University would insist that any mandate from the Trades Unions for staff to take a period of unpaid leave, would have to include an appropriate exit strategy in the event that the new government imposed further funding cuts or the terms of the agreement could not be fulfilled. Significant additional funding cuts would necessitate a restructure of the entire University budget and this would result in the need to take emergency action and new negotiations with the Trades Unions.
21. The Deputy Vice-Chancellor turned to the various Faculty strategy papers. He stressed that the overall aim of all six Deans had been to maintain high standards in both teaching and research and that all were absolutely committed to delivering the best student experience that they possibly could. The Deans had been unified in terms of their desire to continue to deliver a broad range of study programmes and a research output of the highest possible quality. One question raised was about apparently different approaches from the faculties. At the core of each was an emphasis on the criteria for maintaining and protecting high teaching quality and experience and the quality of research, within a required financial sustainability. The difference, however, was that some faculties had focused their strategies on particular areas of academic activity and others were intending to apply criteria on a faculty-wide basis.

22. The Deputy Vice-Chancellor invited Professor Judith Squires, Dean of the Faculty of Social Science and Law to answer questions relating to her Faculty's proposals.
23. Professor Squires confirmed that the Faculty of Social Sciences and Law had formally commissioned the review of SACHS in response to continued concerns about: the quality of teaching and research in some parts of the School; the overall financial viability of the School; and the possible divergence of the School's academic strategies from the Faculty's academic vision and strategy.
24. The objectives of the Review had been to determine the extent to which SACHS was working effectively in terms of staffing and financial matters and delivering high quality teaching and research. The Review sought to identify and evaluate weaknesses concerning: research and entrepreneurship; learning and teaching; and the financial contribution by individual units and collectively. Consideration had also been given to the existing organisational structures within the School and an evaluation of whether these structures best ensured institutional effectiveness and efficiency.
25. The Review Panel issued a report for the 14 January 2010 meeting of the Faculty Planning and Resource Committee (FPARC), which contained a series of restructuring options for the various components of SACHS. This report was then considered at a meeting of the Dean, Research Dean, Education Directors and Faculty Manager of the Faculty of Social Sciences and Law, held on 22 January 2010. At this meeting a series of draft recommendations had been formulated, which were then considered at the 18, February 2010 meeting of FPARC. The draft recommendations had been subsequently refined at a meeting on 25 February 2010 to take account of written feedback received from SACHS and considered at a special meeting of FPARC on 12 March 2010.
26. In formulating the draft recommendations, a range of detailed material and contributions had been considered, including: the final report of the Review Panel; SACHS' responses to the final report; feedback from the UPARC, feedback from the Trades Unions, detailed data on the School's financial performance, its RAE data and teaching data on recruitment levels and quality of provision. Equality Impact Assessment data in relation to both staff and students in SACHS had also been considered.
27. The following criteria had been used in the formulation of the recommendations:
 - (i) Research excellence in Social Sciences and Law.
 - (ii) High quality research-led teaching in Social Sciences and/or Law.
 - (iii) Financial viability.

28. Having considered all of this information, members present at the meeting on 22 January 2010 reached a view as to the most appropriate future for the School as a whole and for the individual areas of activity within it. The following recommendations had been made:
- (i) Closure of SACHS.
 - (ii) Redistribution of the academically and financially viable work in the School within the Faculty, University or another HEI as appropriate.
 - (iii) Relocation of The Norah Fry Research Centre, with its current remit, within the Faculty as appropriate.
 - (iv) Relocation of the Centre for Exercise, Nutrition and Health Studies within the Faculty or University as appropriate.
 - (v) Closure of the Centre for Hearing and Balance Studies as a Faculty centre and relocation, with current teaching programmes, either within the University or to another HEI, if possible/as appropriate.
 - (vi) Relocation and reconfiguration of the Centre for Deaf Studies (CDS), or elements within it, within the Faculty and the withdrawal of the BSc in Deaf Studies.
 - (vii) Relocation and reconfiguration of the Centre for Personal and Professional Development, or elements within it, within the Faculty, and University and withdrawal from the Foundation Degree in Counselling.
29. Members queried why, given the relatively small size (in terms of numbers of staff and students), the proposed restructure of CDS and withdrawal of the BSc in Deaf Studies had generated such widespread and strong opposition. The Dean suggested that CDS had a strong profile internationally, recognised for its promotion of the concept of deafhood as an identity. The Dean recognised that the CDS did have a contribution to make to the Faculty but considered that in its current form, the BSc in Deaf Studies simply was not financially or academically viable. Furthermore, the School had failed to put forward any coherent business plan/strategy for moving the School into a more financially and academically sustainable position. Professor Bond, who had chaired the Review Panel, assured Council that the Panel had been mindful of the fact that the CDS delivered a valuable service to a minority group, and the widening participation and equality and diversity implications of this had been considered in detail. The Panel had, however, with regret concluded that the School was not longer financially viable.
30. Prior to the meeting, the UBU Sabbatical Officers on Council had forwarded to the Chair a list of questions that had been raised by various representatives of the student body.
31. A question about the implications for PhD students whose supervisors might be made redundant was raised. The Deputy Vice-Chancellor confirmed that the University was absolutely committed to fulfilling its duty

to students to ensure that they continued to receive the level of supervision that they needed to complete their studies. If a supervisor with appropriate expertise could not be identified in the University, students would be assigned a supervisor from an alternative institution.

32. The UBU Officers had requested clarification about the process for 'teaching-out' of students studying for the BSc Deaf Studies, given that significant staffing cuts in the area had been proposed. The Deputy Vice-Chancellor responded by reassuring Council that the University would do everything in its power to protect the student experience for all students. Detailed teaching-out plans would be drawn up and overseen by the University's Education Committee. This Committee would have responsibility for monitoring quality assurance standards for teaching throughout the teaching-out period. The University had prior experience of closing and teaching-out programmes and it had been common in the past for teaching staff who had left the University through a voluntary severance scheme to come back and teach on a part-time basis until the final students had graduated.
33. A decision not to remove a whole discipline had been made in order to retain the breadth of subjects and students had requested reassurance that this would not result in subjects becoming so small that they were no longer viable. It was noted that many of the University's smallest departments and research areas were amongst the highest performing and most efficient ones.
34. The UBU Officers were unclear from the EIAs that had been completed to date about the impact of changes on the student experience. EIAs for all areas of change would be refined continually as the process progressed. Full EIAs would be given to any redundancy panels convened to consider cases and these would include detailed information about any consequential impact upon the student experience.
35. The Chair assured the Sabbatical Officers that he would ask any convened redundancy panel/s to be sympathetic to the full list of questions from students when making decisions.
36. Following extensive debate, Council, on a counted show of hands, voted overwhelmingly in favour (19 in favour and 1 against) of the following resolution:

Council agreed in principle to set up redundancy committees as required to implement the strategies set out in the Deans' reports; but also requested that the setting up of such committees was only activated on the authorisation of the Chair of Council, on the request of the Vice-Chancellor (or in his absence, the Deputy Vice-Chancellor).

37. Whether such a request would be made would be dependent upon the outcome of current discussions taking place between the University and the Trades Unions about the proposed redundancy avoidance scheme.
38. It would be critical to communicate the outcomes of the Council meeting, and the proposed next steps, to staff and students as quickly as possible.
39. The Deputy Vice-Chancellor would ensure that students from the potentially affected departments/schools were given full information and answers to their concerns, through the convening of meetings as necessary, in order to outline: the current situation, the rationale for making changes, the process going forward and the possible implications for students and their studies.
40. An electronic communication summarizing the outcomes of the Council meeting would be issued to all University staff as quickly as possible. Informal discussions with individual members of staff who were considered to be 'at risk of redundancy' had already been initiated. The Personnel and Staff Development Director would ensure that these latest developments were communicated to these staff in an appropriate and timely manner. The Personnel and Staff Development Director would also ensure that the Trades Unions were appropriately briefed.

(ii) Restructure of the Department of Anatomy

41. RECEIVED: A report from Senate, outlining a proposal to implement a key recommendation arising from the Departmental Review of Anatomy in the Faculty of Medical & Veterinary Sciences undertaken in December 2009, document **CN/10/60** (previously circulated, copy in the minute book).
42. The recommendation had arisen from a Departmental Review of the Department of Anatomy undertaken in December 2009 and had been endorsed by the University Planning & Resources Committee (UPARC) and Senate at its meeting on 10 May 2010.
43. APPROVED: The restructure of the Department of Anatomy within the Faculty of Medical & Veterinary Sciences so that it would be divided into two parts: Neuroscience, which would become part of existing departments within the Faculty, and a new Centre for Comparative & Clinical Anatomy.

(iii) Date of next meeting

44. The Chair closed the meeting and thanked members for their contributions. NOTED: The next Council meeting would take place on 2 July 2010.