

Council

26 November 2020

3pm-6pm via Microsoft Teams

Present: Dinah Caine (Chair), Frances Corner, David Oswell, Elisabeth Hill, Lauren Corelli, Atau Tanaka, Ben Fowler, Philip Stoltzfus, Ian Borman, Aaron Porter, Andrew Laurence, Susan Dilly, Ravi Mahendra, Lynn Percy, Monika Barnes, Naomi Thompson, Anna Furse, Ben Morton Wright

In attendance: Helen Watson, Nirmal Borkhataria, Matthew Brooks, John Dickinson-Lilley, Michael Banissy, Carol Ford and Sally Priddle

Apologies: David Reddaway, Irene Adeyinka and Lauren Corelli

OPEN BUSINESS

1 Identification of items for discussion

Noted:

- 1.1 No items were raised.
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2 Chair's action

Received:

- 2.1 A Vote of No Confidence from representatives from Collective Change Forum and Professors Forum.
- 2.2 A governance advice note from Deputy Secretary.

Noted:

- 2.3 Senior Management Team left the meeting for this item.

- 2.4 The Chair of Council received a communication from Collective Change Forum and Professors Forum outlining that a vote of no confidence in the Senior Management Team had been arranged by colleagues within the College. 605 individuals had reported that they did not have confidence in the Senior Management Team. The communication reported the vote and made a series of demands of Council including: a pause in the Restructuring Framework and confirmation of the pause on the Enterprise Hub; a pause in any planned redundancies emerging from the Restructuring Framework and immediate transparency with regard to the actual deficit and negotiation of a smaller bridging loan or credit lane.
- 2.5 It was noted that the vote had not been shared with the whole College community and the vote was anonymous so it was not known who had or had not been involved in the vote.
- 2.6 The Deputy Secretary had provided a governance advice note about the status of the vote and the demands within it. It was reported that there was nothing contained within the College's constitutional documents (Charter, statutes, ordinances or regulations) giving recognition to the concept of a vote of no confidence. It is Council's prerogative to determine whether or not it shall be seized of any matter brought to its attention by members of the College.
- 2.7 It was confirmed that following representation from UCU at the previous meeting, the Chair had written to them as agreed by Council. The correspondence included confirmation that Council had confidence in the Senior Management Team and the Warden.
- 2.8 Following discussion, the Chair would respond to the correspondence. Council were asked to consider the correspondence, the Chair would collate comments, reflect upon them and they would inform her response.
- 2.9 It was noted that some of the issues raised in the correspondence aligned with items on the Council agenda and should also be considered when discussing these items.
- 2.10 This was a difficult and serious issue to consider; there were heartfelt and legitimate concerns raised by those who voted in the ballot. The important question was what the next steps were. The College was in very difficult circumstances and any avenue the College chose would not be an easy one. Engagement and communication with the community needed to be prioritised. Whatever plan was developed would not be perfect and would not be supported by everyone but a plan was necessary and this needed to be clear.

- 2.11 Some of the demands outlined were positive and could be considered for implementation however some of the recommendations were bad governance and not appropriate; Council needed to clearly respond to these. Council needed to identify a constructive path to move forwards and build bridges with staff who are disaffected.
- 2.12 The Professional Services representative outlined that central services and professional services were excluded from the process. It was extremely disappointed correspondence to receive, it felt divisive and badly timed. All staff were working through extremely set of circumstances. The correspondence pointed towards some extremely troubling things including elitism, experts not being listened to and that a group of staff had decided they represented a real Goldsmiths. SMT were responding to directions of Council and Council's response needed to be clearly that things were being actioned on their request.
- 2.13 An Academic Board Representative outlined that the correspondence did not speak for all staff. Criticism of the Warden felt highly gendered in comparison to how the previous Warden was communicated with and how criticism was raised. Communication and addressing misinformation was paramount. Messages were being shared but for some reason it was not reaching people.
- 2.14 An Academic Board Representative outlined that they supported comments regarding communication and misconceptions. It was not ok that some sections of the community were not included and students were not included either. Council could not ignore the fact that a large number of people were very worried. Correspondence needed to outline that Council had heard colleagues' feelings but clearly responding to the misinformation and confirm the desire to engage with the community. In the gap of certainty, people make up worst case scenario. Internal representatives had met with the Director of Communications to discuss communications and opportunities to address misinformation.

- 2.15 An Academic Board Representative outlined that the Collective Change group aimed for inclusivity and outlined on their website that they - value all voices on campus. It should not be a conversation about who could or should be allowed to vote but recognise that there was a significant number of people who had identified that they did not have confidence in SMT. Unison did not want to back the vote and some colleagues contact information was unable to be obtained to ensure their inclusion in the vote. There had not previously been a time where financial information and deficit figures had been communicated and this was disturbing and confusing people. Individuals were having to spend a long time to understand and they did not understand why the figures had shifted so much. It was positive to give the facts to the community. It needed to be recognised that there was extraordinary disquiet in the community, academics felt blamed and pressure for the NSS scores and morale was extremely low.
- 2.16 An Academic Representative agreed that this was a serious communication and expression on the part of staff. It was confusing whether correspondence represented a union or not but it definitely represented a broad base of staff across the College. It was supported by student groups too. It was not important to defend or explain the vote but it was important to clearly respond and recognise feelings. A vote of no confidence should not be a surprise; it was previously raised in March in response to Evolving Goldsmiths and another one had been posed in response to the College's response to Covid but at the times these were felt like not the right thing to do. This vote was an accumulation of a series of events and building frustration; each time colleagues had raised issues or asked for consultation it didn't happen to their satisfaction. Communication felt one way and the College needed to secure a multi-way communication dynamic to work positively with the community.
- 2.17 It was reported that scrutinising the evidence presented to Council did not align with the concerns presented in the vote of no confidence. It appeared that the narratives that led to vote were not factual and this was very concerning. Council needed to identify why there was such a mismatch in in narrative. The College had vehicles of governance and it was important to maintain these and not undermine them. Council needed to reconfirm its support for SMT whilst noting colleagues concerns. Challenging misinformation was essential but it needed to be understood that engagement was reciprocal and knowingly spreading misinformation should not be accepted as appropriate.

- 2.18 It was disappointing to receive this information but it was positive to hear from different colleagues in Council. It was confusing to receive this correspondence as it seemed opposing to the information received at Council and during other meetings. There had been continued communication with the community but there was a clear culture of mistrust. No factual information will help improve trust; there needed to be a plan to rebuild trust and engage the community. The response needed to be taken seriously but it was important to reinforce positive messages. It would be beneficial for Council to have a debate about trust and how it could be built going forward.
- 2.19 There was a common theme of communication, there was a large amount of misinformation. The vote needed to be put into context and quite a number of individuals were excluded. The most important thing was what Council did next. Some of the concerns were valid but others were not. It would be beneficial to develop a communication plan which was co-designed and co-owned to ensure engagement. Collective ownership of messages was important to build trust and address misinformation.
- 2.20 The overall situation was made harder by underlying uncertainty. Covid had had varying impact and this had resulted in the numbers changing significantly which further added to the uncertainty. The change process had a huge spectrum of outcomes which was difficult for people to cope with.
- 2.21 SMT were doing exactly what Council had asked of them and Council needed to reiterate this. The situation was challenging and it had been exacerbated by Covid but it was important to reinforce that there was a financial problem before Covid and this needed to be addressed. Council could debate differences in opinion within the space but outside all members needed to support any decisions made. Communication was difficult but there was a needed to refresh and be clear with the community on timescales.
- 2.22 There appeared to be a gross overstatement of the purpose of the vote. The website the vote was launched on outlined different demands to what were written in the correspondence. Meaningful consultation was not possible without the Recovery Framework. Nothing had been decided at this stage and this message had been reiterated repeatedly. Any representation that represented any percentage of the community should be taken seriously but it was important to consider what the vote meant.

- 2.23 There was clearly fear amongst the community and this was in part a result of fear of the unknown. It was disappointing to receive the correspondence but it was felt Council had absolute confidence. It was a difficult situation but restructuring was necessary both to secure the financial position of the institution and enhance student experience. There had been a lot of communication and engagement but consultation was tough at this stage as there were no decisions to be consulted upon. SMT were communicating widely and had the best interest of Goldsmiths at heart. The College needed to restructure as a matter of urgency, if it didn't the College had no future. SMT should feel supported by Council to reach a solution with this matter and communication was key to this.
- 2.24 Council needed to support SMT to remain focused and urgent. It was not easy but it was what Council have asked them to do. The finance team in the College were excellent, they had provided a lot of clarity and handled a series of scenarios and figures. A loan was needed; to secure this the bank needed to be assured on the recovery plan and whatever was agreed, the plan needed to be delivered on. Council needed to be clear about what could be consulted on and what was not up for debate.
- 2.25 Members of the community did not appear to be clear on what actions were a result of external pressures, what were internal decisions and how these two interconnected. There was a hostile environment for Higher Education and the College needed to be clear with the community are the challenges it was facing.
- 2.26 There was great confidence in SMT from Council members, they had seen rigour and discipline in their approach to change. The executive had used external experts and advisors to inform the process. There had been tremendous involvement with people across the College; much more than would ever be seen or expected in other sectors. The communications process had been clear from the beginning and the process with the banks had been set out in numerous ways and channels. It needed to be clear what the banks were expecting, what Council was asking and who, if anyone, in the community had a say on these matters. Once the Recovery Framework was seen at Council an immediate communication response needed to be implemented. A vision of what the College could be at the end of the process was essential to secure buy in; this had not yet been formalised and therefore could not be communicated.

- 2.27 It was reported that during a department meeting the Portfolio Review was shared for feedback but the slide pack had been categorised as confidential so could not be shared. The numbers were not shared with colleagues. Members of staff wanted to feed back on the Portfolio Review but weren't able to access the information they needed to access it constructively. This is an example of how the consultative structure was being put in place, but relevant information was not being shared to enable it. It was reported that the information shared was available to everyone; the numbers had been included in slides for sharing with colleagues.
- 2.28 It was discussed that this correspondence was potentially an opportunity to address misinformation and connect with members of the community. Regardless of the process of the vote, a body of colleagues had confirmed they had no confidence. It was important to challenge misinformation, align colleagues' thinking and respond to correspondence with a balanced opinion.
- 2.29 The governance specific demands would be referred to the Governance Steering Group for consideration. The steering group reported to the Nominations and Governance Committee.
- 2.30 Academic Board was the forum for discussing teaching, learning and research and it was important that this Board fulfilled its responsibility and provided assurance on these matters. The Board was solely run by academics and reported to Council.
- 2.31 It was agreed that Council had collective confidence in SMT. Council wanted to work with the community and engage them in decisions going forward. There needed to be clarity around consultation and what actions could be discussed. The demands needed to be responded to and confirm which could be considered and which were not appropriate. One member of Council confirmed that they did not have confidence in the Senior Management Team.
- 2.32 It was noted that the President of the Students Union was absent and it was important to secure her input upon her return.
- Action:**
- 2.33 Hold a Council session to debate about trust and how it could be built going forward.
- 2.34 Speak to the Students Union President upon her return to ensure feedback and engagement on this issue.
- 2.35 Chair to respond to the correspondence reflecting upon Council's discussion.
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3 Minutes

Received:

- 3.1 17th September 2020
- 3.2 14th October 2020
- 3.3 28th October 2020

Resolved:

- 3.4 The minutes were approved as accurate records of these meetings.
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4 Matters arising from the minutes

Noted:

- 4.1 Members asked for clarity on when matters were approved or agreed and how discussion was recorded.

Action:

- 4.2 Provide additional guidance for members to clarify when papers were received and when discussion led to agreement or approval.
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5 Actions

Received:

- 5.1 Action tracker (20-174)

Noted:

- 5.2 The action tracker was circulated between meetings.
- 5.3 Council receive some clarity on what the plan would be if the College did not secure the loan. Call with the DfE regarding the restructuring regime and what this would look like. If banks do not support, it would be the restructure regime and the DfE approach. Council to be briefed at the 18th December meeting.
- 5.4 The Chair asked for the Students' Union President to report back on the Students Union items upon her return.
- 5.5 Members noted that a Communications update had not been included in the papers.

Action:

- 5.6 Students' Union President to report back to Council upon her return.
- 5.7 Communications update to be included in the next Council papers.

6 Chair's Report

Received:

- 6.1 Verbal update from Chair of Council.

Noted:

- 6.2 The Chair confirmed that she would provide an update to members in writing.
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7 Warden's Report

Received:

- 7.1 Warden's report November 2020 (201-75)

Noted:

- 7.2 It was reported that Professor Ken Gregory, previous Warden of Goldsmiths, had passed away a few days ago. The Warden asked members to recognise his contribution to the College and support her in sending condolences to the family.
- 7.3 The report outlined work underway across the College, including preparations for mass testing. Students would be invited to take two tests over two weeks to enable them to return home safely for Christmas.
- 7.4 Members were asked to email any questions regarding the NSS results.
- 7.5 The Audit and Risk Committee had had a full discussion about risks at the College and a summary of key risks had been provided in the report.
- 7.6 The Warden was participating in a round table with Mayor of London to look at Climate Change.
- 7.7 Council agreed it was positive to see how many things were being progressed.
- 7.8 The Students Union asked why the report did not mention their campaign about taking sexual assault survivors seriously. It had been signed by over 700 people and was supported by UCU and external organisations. The Union reported that their funding for anti-sexual violence work had been withdrawn by the College.
- 7.9 The executive reported that funding had not been withdrawn and this was a disagreement between the Students Union and the College. It was agreed this would be taken outside of the meeting.

- 7.10 It was reported that a plan was being developed to support students staying in accommodation over the Christmas break. The Students Union and College were working in partnership on this work.
- 7.11 The Chair reported that there was a new national skills fund which supports training adults which could be beneficially for Goldsmiths and its civic work.
- Action:**
- 7.12 Executive to follow up with the Students Union about anti-sexual violence funding.
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8 Senior Management Team Appointments

Received:

- 8.1 Nominations for Pro-Warden Senior Management Team appointments (20-176)

Resolved:

- 8.2 The appointments were approved.
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9 Prevent Return

Received:

- 9.1 The College's annual Prevent Submission (20-177)

Noted:

- 9.2 Students aware of expectations. Asked for a case study of how safeguarding practices work in practice which is included. Happy to recommend.
- 9.3 Two members abstained from the vote.

Resolved:

- 9.4 The Prevent Return was approved for submission to the Office for Students.
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10 Health and Safety Annual Report

Received:

- 10.1 The Health and Safety Annual Report (20-178)

Noted:

- 10.2 The annual report summarises the work and controls in place across the College and intends to provide assurance to Council on the fulfilment of their legislative duty.
- 10.3 Council discussed the balance between consumer protection law and health and safety law, particularly in relation to face to face teaching and how the executive had assured itself that the measures in place protected the College from claims of negligence. It was reported that the College had sought legal advice and complied with guidance from its insurers to confirm the appropriate measures were in place. The importance of risk assessments had been reiterated; these were being reviewed and monitored by the Health and Safety Committee and Sub Group.
- 10.4 The risk assessment had proven to be effective and dynamic; it had been quality assured by health and safety experts. The risk assessments had been reviewed in light of government advice and this process had been led by a Professional Health and Safety advisor.
- 10.5 A specific risk assessment for mass testing had been developed. The College was making returns to the regulator on daily basis. There had been no new cases for 4 days. No cases had been identified as being the result of face to face teaching and contact; this was in line with national findings. The low incidents on campus was a tribute to the team who have delivered and supported this work.
- 10.6 It was reported that UCU had written to HSE about a degree show on site. HSE had reviewed paperwork and confirmed there were no additional actions. It was noted that the evidence they saw did not align with report they had received. A concern was raised by a member of Council and practice within an academic department; it was agreed this matter would be followed up outside of the meeting.
- 10.7 Colleagues had worked extremely hard to put measures in place and the College had significantly more controls in place than last year. Council thanked the Health and Safety Team for their work.

Resolved:

- 10.8 Council approved the Health and Safety Report.

Action:

- 10.9 HSC to provide written confirmation to Council that the appropriate risk assessment and controls were in place to support the institution with the management of Covid.
- 10.10 Executive to take discussion about HSE executive and UCU matter outside of the meeting.

11 Variation to Access and Participation Plan 2020-2025

Received:

- 11.1 A proposed variation of the 2020-2025 Access and Participation Plan for submission to the OfS.(20-179)

Noted:

- 11.2 As a result of the enhanced monitoring Goldsmiths was subject to, a change to the College's 2021-2025 APP was required. The College had been asked either to formally submit a finalised variation to the Plan by 31 January, or to include a discrete reason within its response to the enhanced monitoring as to why no variation had been submitted.
- 11.3 The recommendation put to Academic Board was that a variation be submitted to the OfS as soon as possible. Academic Board had recommended two variations for submission to the Office for Students.

Resolved:

- 11.4 Council approved the submission of the proposed variations of the 2020-25 Access and Participation Plan for submission to the OfS.
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12 Anti- Slavery Statement

Received:

- 12.1 The 2020 anti- slavery statement (20-180)

Noted:

- 12.2 All organisations over a particular size are required to prepare a statement and publish it regarding its position on slavery. This is the fourth version that Goldsmiths has published.
- 12.3 The statement outlines what the organisation does to ensure it is not supporting slavery in any part of the world, what it has done in the past year and set of priorities for the coming 12 months. The College has controls in place for procurement and supply chains including standard contract terms with medium suppliers to ensure they themselves do not engage with any practices that support slavery and they insist the same of their suppliers.
- 12.4 The statement had been reviewed and recommended by the Audit and Risk Committee.

Resolved:

- 12.5 Council approved the 2020 anti-slavery statement for publishing on the College's website.

13

Secretary's note: Item 13 was discussed under the Closed section of the agenda.

14

Secretary's note: Item 14 was discussed under the Closed section of the agenda.

15 Racial Justice Update

Received:

15.1 An update on Racial Justice work (20-183)

Noted:

15.2 It was agreed that an update on the College's racial justice work would be provided to each Council meeting.

15.3 At the last Board meeting it was agreed that an external member would be recruited to co-Chair with the Warden.

15.4 The group looking at the Deptford Town Hall statues had met, the group included representations from GARA and the Students Union, Historic England and other members of Goldsmiths community. The group had discussed potential additional members.

15.5 It was reported that a member of the public was removing the plaques from the fence, temporary ones had been installed but the Design department were developing something different which would ensure they could not be removed.

15.6 The group considered how Schools could be engaged with to develop information around the plaques.

15.7 The legal framework surrounding the statues and how they could be removed if that decision was made.

15.8 A BAME leadership programme was launched this year, themes arising from this programme would be fed back into the College's work and further programmes.

16 Employability Strategy and Graduate Outcomes Survey

Received:

- 16.1 An update on the College's employability strategy (20-184) and Graduate Outcomes Survey (20-185)

Noted:

- 16.2 Graduate outcomes was becoming increasingly important as a consideration of quality of an institution.
- 16.3 The graduate outcome survey cannot be compared to the previous outcomes survey DELHE. The changes to the survey have a positive impact for Goldsmiths.
- 16.4 There had been significant work on employability over the last 3 years and the College had seen a positive improvement in its outputs; however, there was still a lot of work to do but the College was confident the right actions were being implemented. There were some costs associated with the delivery of the plan but they had been scaled down given the current financial position.
- 16.5 The College was now data rich and there was robust scrutiny of all work, if actions were not demonstrating impact they were reviewed, evaluated and amended.
- 16.6 Employability and skills were now integrated into the curriculum.
- 16.7 A question was raised about references to the Enterprise Hub within reports, it was agreed that the project would be paused but it was still being referred to in reports. If colleagues were going to be convinced by the Enterprise Hub in the future they needed to understand how it benefited students, outcomes and employability; this had not been clarified.
- 16.8 It was reported that there was a difference between the capital build and the content of the Hub; the capital work was paused not the other elements of the project. The College would continue to fulfil its commitment to students and community- it was part of a broader civic strategy and a number of elements of the content work would continue without building.
- 16.9 It was noted that elements of the Enterprise Hub work which would continue would be integrated into the civic strategy which would be reported to Council in due course.
- 16.10 Council noted that it was positive to see improvements in employability and being a focus of College work, however there was still a lot of improvement to be made. The College continued to have lower graduate prospects.

- 16.11 It was agreed it would be beneficial to have a webinar looking at employability.
- 16.12 According to a recent survey, 52% of Goldsmiths students were interested in going freelance and owning a business. A College wide student enterprise offer was being developed in partnership with the departments, careers and enterprise teams. The Enterprise Hub would be central to this work, at the moment it was virtual but the team would look at best practice and potentially having a physical space later on. Creative fusion and space was something better face to face.
- 16.13 The College had not spoken to funders about the Enterprise Hub yet, the conversation had been scheduled in the coming weeks.

Action:

- 16.14 Schedule a webinar on employability.
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17 KPI Report

Received:

- 17.1 The KPI's and the College's performance against them (20-186)

Noted:

- 17.2 Improvements in some areas positive to see progress.
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18 Academic Board Report

Received:

- 18.1 Academic Board Report (20-187)

Noted:

- 18.2 Council noted the report from Academic Board providing updates on matters discussed, decisions and risk escalated.
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19 Audit and Risk Committee Report

Received:

- 19.1 Audit and Risk Committee Report (20-188)

Noted:

- 19.2 Council discussed the additional request from the banks regarding an independent review of the independent review; the executive were pushing back on this request.
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20 Estates and Infrastructure Committee Report

Received:

- 20.1 Estates and Infrastructure Committee Report (20-189)

Noted:

- 20.2 Council noted the Estates and Infrastructure Committee Report.
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21 External Relations Committee Report

Received:

- 21.1 External Relations Committee Report (20-190)

Noted:

- 21.2 Council noted the External Relations Committee Report.
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22 Finance and Resources Committee Report

Received:

- 22.1 Finance and Resources Committee Report (20-191)

Noted:

- 22.2 Council noted the Finance and Resources Committee Report.
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23 Health and Safety Committee Report

Received:

- 23.1 Health and Safety Committee Report (20-192)

Noted:

- 23.2 Council noted the Health and Safety Committee Report.
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24 Human Resources and Equalities Committee Report

Received:

- 24.1 Human Resources and Equalities Committee Report (20-193)

Noted:

- 24.2 Council noted the Human Resources and Equalities Committee Report.
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25 Joint Negotiation and Consultation Committee Report

Received:

- 25.1 Joint Negotiation and Consultation Committee Report (20-194)

Noted:

- 25.2 Council noted the Joint Negotiation and Consultation Committee Report.
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26 Nominations and Governance Committee Report

Received:

- 26.1 Nominations and Governance Committee Report (20-195)

Noted:

- 26.2 Council noted the Nominations and Governance Committee Report.
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27 Any other business

Secretary's Note: Issues raised under this item discussed matters of a confidential nature.