

GOLDSMITHS
University of London

COUNCIL

Minutes of the meeting held on 1 December 2009

- Present:** Mr Christopher Jonas (in the Chair), Mr Jack Barnes, Mr Richard Bolley, Dr Virginia Brooke, Dr Philip Broadhead, Ms Jennifer Clutten, Professor Geoffrey Crossick, Professor Alan Downie, Ms Althea Efunshile, Mr Rupert Evenett, Mr Jesse Fajemisin, Dr Richard Grayson, Professor Mark d'Inverno, Mr Brian Lymbery, Mr Kenneth May, Mrs Alyson McGarrigle, Professor Simon McVeigh, Mr Dick Melly, Professor Jane Powell, Ms Mary Stacey, Dr Gareth Stanton, Ms Colleen Toomey.
- Apologies:** Mr Mark Baillache, Baroness Morris.
- In attendance:** Registrar and Secretary (Secretary), Director of Finance, Head of Corporate Governance and Information Management.
- By invitation:** Warden-designate
- Observers:** Trades Union representatives, a visiting researcher, Ms Vicky Annand, Mr Steve Collins, Dr Anne Craven, Ms Mary Claire Halvorson, Mr David Mungall.

OPEN BUSINESS

11 MINUTES

Resolved:

that the Minutes of the meeting held on 26 October 2009 be approved.

12 REPORT ON ACTION TAKEN BY THE CHAIR

Noted:

that there had been no action taken by the Chair since the last meeting of Council.

13 WARDEN-DESIGNATE

The Chair introduced the Warden-designate, Mr Pat Loughrey, who was attending the meeting by invitation.

Mr Loughrey gave a brief address in which he welcomed the opportunity to lead the College in challenging times, which would demand capacity for innovation in strategic

planning, including in relation to external partnerships, in order to sustain development in the face of significant financial pressure.

14 WARDEN'S REPORT

Received:

an oral report from the Warden, including the following topics:

- (i) The new government framework for higher education launched in November 2009;
- (ii) the expectations of diminishing funding in the future;
- (iii) the announcement of a government review of variable fees;
- (iv) the positive achievements on undergraduate admissions of Home and EU students in October 2009, in particular in the Department of Computing;
- (v) the successful alumni telephone fundraising campaign run by the Development Office.

15 ESTATES MASTER PLANNING EXERCISE

(Minute 7, 26 October 2009, refers)

Received:

a paper from the Director of Estates and Facilities (09-483), on next steps proposed in relation to the draft Estates Master Plan for 2009-19 considered at the meeting on 26 October 2009.

Members of Council welcomed the progress outlined in paper 09-483, and the significant range of opportunities envisaged. The building of the proposed service road was recognised as one key to the realisation of the overall plan. The potential for capital- and income-generation built into the plan was recognised, but it was also noted that this would be an important area for further development, in a context of evolving local partnerships.

It was reported that the plan set out in the paper was supported by the Chair of Estates Committee, who was not able to be present at the meeting.

16 FINANCIAL STATEMENTS, EXTERNAL AUDIT AND AUDIT COMMITTEE ANNUAL REPORT TO COUNCIL

Received:

- (i) Draft Financial Statements (09-429R);
- (ii) External Auditors' Annual Report (09-430);
- (iii) Draft Letter of Representation (09-431);
- (iv) Audit Committee Annual Report to Council and the Warden (09-432R).

Resolved:

that the Financial Statements (09-429R) and the draft Letter of Representation (09-431) be approved.

17 STUDENTS' UNION

(Minute 8, 26 October 2009, refers)

Received:

a report on the governance of the Students' Union (09-484).

It was noted that some progress had recently been made, including the filling of some external trustee vacancies and the establishment of a Finance Committee, and that an updated report would be submitted to Council in March.

18 REPORT ON THE ESTABLISHMENT OF A TRUST SCHOOL

(Minute 63, 25 June 2009, refers)

Received:

a report and recommendation concerning the establishment of a Trust School (09-485).

It was noted the College would not be expected to make a direct contribution to the running costs of the schools involved; however there would be an opportunity cost to Goldsmiths based on the time commitment of staff. There was as yet no detailed budget for the proposals. It was anticipated that formal proposals for the Trust School would be published before the next meeting.

In discussion, members of Council noted the need for caution as the proposal was developed, in view of the anxieties expressed from some quarters within the College and externally, and the reputational risk involved in engaging in a partnership over which the College would not have full control. It would be necessary to ensure that existing working relationships were maintained. Emphasis was nonetheless placed on the potential significant benefits which the establishment of a Trust School could bring to the College. The President of the Students' Union expressed strong opposition to the proposal. The Warden acknowledged that it would have been beneficial had the development of the proposal drawn on the expertise of the Educational Studies Department at an earlier stage of discussions, and pointed out that he had been trying to arrange a meeting with members of staff of the Department, suggested by the Head of Department.

Resolved:

that the College should continue to give serious consideration to sponsoring a Trust for the prospective hard federation of schools comprising Addey and Stanhope, Crossways and Deptford Green Schools, as described in paper 09-485.

19 PROPOSED AMENDMENTS TO THE CHARTER AND STATUTES

Received:

a proposal for amendments to the Charter and Statutes, primarily in relation to degree-awarding powers (09-367R).

Resolved:

that Privy Council approval be sought for the amendments to the Charter and Statutes of the College set out in paper 09-367R.

21 members of Council voted in favour of the proposal; one member was absent from the meeting for this item.

20 ANNUAL REPORTS FROM STRATEGIC AIM COMMITTEES

Received:

reports on the following Strategic Aim committees:

- (i) Equality and Diversity Committee (09-486) and report on the Race Equality Policy, Disability and Gender Schemes 2007-08, received by the Committee in 2008-09 (09-217);
- (ii) Information Management and Systems Committee (09-364R);
- (iii) Estates Committee (09-487);
- (iv) Human Resources Committee (09-488);
- (v) Learning and Teaching Quality Committee (09-489);
- (vi) Student Committee (09-490);
- (vii) Research and Knowledge Transfer Committee (09-491).

Noted:

that an outcome of the Effectiveness Review of Council was the request to Remuneration Committee to consider also submitting an annual report, but that this would not in any case be possible until the Spring term 2010 given the timing of meetings of that Committee.

21 FINANCIAL FORECASTS

Resolved:

to approve the Financial Forecast for submission to HEFCE (09-448).

22 STATEMENT OF COMPLIANCE WITH THE CUC CODE OF PRACTICE

Received:

a paper from the Head of Corporate Governance and Information Management, incorporating a table showing Goldsmiths' compliance with the CUC Code of

Practice, following the 2008-09 Effectiveness Review of Council, and a revised statement for publication summarising the College's state of compliance (09-492).

Resolved:

that the revised statement of compliance with the CUC Code of Practice at Appendix B to paper 09-492 be approved for publication.

23 MINUTES OF AUDIT COMMITTEE

Received:

minutes of meetings of Audit Committee held on 8 October 2009 (09-493) and 12 November 2009 (09-494).

24 RISK MANAGEMENT SUB-COMMITTEE

Resolved:

to approve a proposal for the establishment of a Risk Management Sub-Committee (09-495), with effect from the current academic year.

25 INTERNAL AUDIT PLANS

Resolved:

that the Operational Internal Audit Plan (09-331R), and the Strategic Internal Audit Plan (09-332R), be approved.

26 PROPOSAL TO PURCHASE THE FORMER ST JAMES'S CHURCH

Resolved:

to approve the purchase of a lease, until 15 December 2101, on the former St James's Church and associated space, on terms based on paper 09-496.

27 EXPENSES POLICY

Resolved:

to approve a proposed new Expenses Policy (09-442R).

28 WHISTLEBLOWING POLICY

Resolved:

to approve a proposed new Whistleblowing Policy (09-326R).

29 POLICIES ON DIGNITY AT WORK AND DIGNITY IN THE LEARNING ENVIRONMENT, TO REPLACE THE EXISTING CODE OF PRACTICE ON BULLYING AND HARASSMENT

Received:

- (i) Proposal for a Council resolution (09-497);
- (ii) Draft Policy on Dignity at Work (Minute 74, 25 June 2009 refers) (09-301R);
- (iii) Draft Policy on Dignity in the Learning Environment (09-498).

Resolved:

- (i) that the Policy on Dignity at Work (09-301) be approved with effect from 1 December 2009;**
- (ii) that the Policy on Dignity in the Learning Environment (09-498) be approved with effect from 1 December 2009;**
- (iii) that the existing Code of Practice to combat Harassment and Bullying in the Working and Learning Environment be rescinded with effect from 1 December 2009;**
- (iv) that a working group composed of representatives of Human Resources Committee and Student Committee be set up to review both policies together after a year's operation, and report to the Spring term 2011 meeting of Council, with a view to any amendments taking effect on 1 September 2011.**

30 POLICIES ON PERFORMANCE AND DEVELOPMENT REVIEW AND PROBATION FOR STAFF

Received:

- (i) Proposal for a Council resolution (09-499);
- (ii) Draft Policy on Performance and Development Review (09-382);
- (iii) Draft Policy on Probation (09-383).

Noted:

that there was a need to specify to staff, within the forms used in these processes, the precise purposes for which the data was being collected, and the protocols for its use and retention (a data collection notice).

Resolved:

that the draft policies on Performance and Development Review (09-382) and on Probation (09-383) be approved with effect from 1 January 2010 or such later date as the appropriate data collection notices should have been approved by the Registrar and Secretary.

[Secretary's note: The policies took effect on 2 February 2010.]

31 RECORDS MANAGEMENT POLICY

Received:

a draft Records Management Policy (09-441).

Resolved:

- (i) that the draft Records Management Policy be approved as set out in Appendix A with effect from 1 September 2010, and that staff be issued with the Staff Duties statement on offer of appointment in the same way as was current practice with the equivalent Freedom of Information and Data Protection obligations;**
- (ii) that the General Regulations be amended with effect from 1 September 2010 in consequence of the approval of the Records Management Policy, it being noted that these amendments would be incorporated into the global update of General Regulations later in the academic year.**
- (iii) that with effect from 1 September 2010, authority to approve amendments to the Retention Schedule, following initial approval by Council, be delegated by Council to Information Management and Systems Committee, it being noted that these amendments would be incorporated into the global update of committee terms of reference later in the academic year.**
- (iv) that resolutions (i)-(iii) above be subject to no objection being raised by Academic Board at its meeting on 9 December 2009:**
[Secretary's Note: The meeting of Academic Board raised no objections.]

32 APPROVAL OF ARRANGEMENTS FOR THE HOLDING OF DATA BY OTHER ORGANISATIONS ON BEHALF OF THE COLLEGE

Received:

draft proposals for approval procedures for the holding of data by other organisations on behalf of the College (09-350R).

Resolved:

- (i) that, with immediate effect, Information Management and Systems Committee should be responsible for approving the data security and information compliance arrangements for all partnerships involving the holding of Goldsmiths data by other institutions in respect of IT infrastructure or paper off-site data storage, in advance of confirmation of funding and the finalisation of contract terms with the provider;**
- (ii) that, in respect of collaborative partnerships for the delivery of educational provision, arrangements for data security and information compliance should with immediate effect be approved under the overall arrangements for Due Diligence assessment within the Collaborative**

Provision Framework, but that Information Management and Systems Committee should be consulted on particular cases referred for this purpose by the Registrar and Secretary.

- (iii) that resolutions (i)-(iii) above be subject to no objection being raised by Academic Board at its meeting on 9 December 2009.**

[Secretary's Note: The meeting of Academic Board raised no objections.]

33 ENVIRONMENT AND SUSTAINABILITY POLICY

Resolved:

to approve a draft Environment and Sustainability Policy, with effect from 1 December 2009 (09-147R2), superseding the Environmental Policy approved in 2002.

34 STUDENTS' UNION FINANCIAL STATEMENTS

Received:

the Students' Union Financial Statements for 2008-09 (09-443).

35 ACADEMIC STAFF PROMOTIONS

Noted:

that, due to the delayed promotions round this year (Minute 6, 26 October 2009 refers), the customary annual report to Council on academic staff promotions would be made in the Spring term 2010.

36 FORTHCOMING MEETINGS

Noted:

that the following dates for meetings of Council (4.00 pm in each case) had already been approved:

25 March 2010
29 June 2010
30 November 2010

Resolved:

that the following further dates for future Council meetings be approved:

**7 April 2011
30 June 2011**

CONFIDENTIAL BUSINESS

Exemption in Section 31 of the FOI Act (3 years)

37 ANNUAL REPORT FROM THE INTERNAL AUDITOR

Received:

the Annual Report on Internal Audit activities in 2008-09 (09-479).

Exemption in Section 36 of the FOI Act (2 years)

38 FINANCIAL COMMENTARY

Resolved:

to approve the Financial Commentary for submission to HEFCE (09-448R).

Exemption in Section 43 of the FOI Act (30 years)

39 LOAN AGREEMENT FOR THE NEW ACADEMIC BUILDING

(25 June 2009, Minute 60, refers)

Resolved:

- (i) that the following, acting on a recommendation from the Director of Finance, be authorised to borrow £10m under the facility agreement attached to paper 09-500, and to give any notice or take any other action under or in connection with the Agreement and the other Finance Documents:

the Warden;
the Registrar and Secretary;

- (ii) that in the absence of the Warden or the Registrar and Secretary, a Pro-Warden be permitted to substitute for either, but not both, in taking the actions specified at (i) above;
- (iii) that the terms of the facility agreement and other Finance Documents to which the College would be a party under the Agreement be approved, and that the execution of each Finance Document be authorised, together with the giving of any notice of the taking of any other action under or in connection with the Facility Agreement and the other Finance Documents;
- (iv) that the Director of Finance and the Registrar and Secretary be duly authorised officers to give any certificate as required by the loan agreement.

*Exemption in section 40 of the FOI Act
(until public announcement of award)*

40 RECOMMENDATION FOR AN HONORARY DEGREE

Resolved:

that the Degree of Doctor of Literature (*honoris causa*) of the University of London be conferred on Professor Dipesh Chakrabarty (09-501).

RESERVED BUSINESS

41 APPOINTMENTS OF HEADS OF ACADEMIC DEPARTMENTS

Received:

recommendations for appointments to Headships of Academic Departments (09-502).

Resolved:

- (i) that Professor Sanjay Seth be appointed Head of the Department of Politics from 1 September 2010 to 31 August 2013;**
- (ii) that Professor Ken Jones be appointed Head of the Department of Educational Studies from 1 January 2010 to 31 July 2013.**
- (iii) that Professor Mark d'Inverno be re-appointed Head of the Department of Computing for a further year, from 1 September 2010 to 31 August 2011 (*Minute 37, 14 December 2006 refers*).**

RMH
October 2009