

Kingston University London

MINUTES BOARD OF GOVERNORS

MINUTES OF THE MEETING OF THE BOARD OF GOVERNORS HELD ON WEDNESDAY 12 MARCH 2008 IN THE JOHN GALSWORTHY BUILDING, PENRHYN ROAD

Present:

Gren Collings (Chair), George Alexandrou, Nick Badman, Olrick Coker, Ann Corrigan, Stephen Cox, Deirdre Ferrier, Robert Green, Sean Hilton, Mark Kierstan, Stephen King, Andy Lomax, Roderic Lyne, Thalia Marriott, Phil Molyneux, Tim Oliver, David Reardon, Peter Scott, David Taylor, Colin Watts and Clarissa Wilks

In attendance:

Deputy Vice-Chancellor, Pro Vice-Chancellor (Employer Engagement), Pro Vice-Chancellor (External Affairs), Finance Director, University Secretary, Head of Secretariat, Minuting Secretary

The Chair welcomed Neil Latham, Pro Vice-Chancellor (Employer Engagement) to his first meeting of the Board.

13.0 Apologies for absence

Apologies for absence were received from Sara Drake, Derek Osbourne, Christine Swabey and the Pro Vice-Chancellor (Research & Enterprise)

14.0 Minutes of the Board of Governors Meeting held on 23 January 2008

14.1 The Minutes were approved.

15.0 Matters Arising

15.1 There were no matters arising.

16.0 Campus Development Plan – Report and Recommendations (Paper BG 21/08– *confidential*)

It was agreed that this Minute be confidential.

(See Confidential Minutes attached)

17.0 Contracts under UAE jurisdiction (Paper BG 24/08)

- 17.1 The Deputy Vice-Chancellor reported that the University had been looking at various opportunities to develop institutional partnerships overseas, using a range of delivery models. To date, such work had been carried out under the jurisdiction of English law. The University was currently in discussion with the United Arab Emirates to consider a number of initiatives across several faculties. One of the issues raised was that contracts relating to such initiatives may need to be drawn up under UAE law. A supplementary paper was circulated which provided briefing notes on UAE law and advice on the implications of using UAE law.
- 17.2 The Deputy Vice-Chancellor said that she had received feedback from an Australian HEI which had developed a successful partnership with an organisation in the UAE and had experienced no difficulty with working under UAE law.
- 17.3 The Board noted its surprise that this issue had not arisen earlier. It was considered likely to occur more often in the future from various other parts of the world. The Board considered the implications of working under UAE law and the possible difficulties this could engender. It was felt that UAE legislation was in many ways similar to that of England, with some local variations. The Dubai model in particular was thought to replicate the western business environment. It was noted that there was a considerable presence of international law firms in the UAE and that obtaining advice on specific issues should not present any significant problems.
- 17.4 The Board agreed that the University should be able to enter into contracts on condition that there were no significant additional legal liabilities for the University as a result of such action. It was suggested that individual risk assessments should be undertaken and that specific professional advice should be sought with regard to any proposed contract and mode of delivery in order to identify possible liabilities. The issue of ethics was one of the criteria used as part of the general academic assessment and due diligence process. The possible impact on insurance of using non-English law was noted.
- 17.5 It was agreed that the University would wish to work with the local population where possible and keep its legal presence to a minimum, in any foreign country with which it was involved.

It was resolved that

The Board agree, in principle, that the University could enter into contracts governed under jurisdictions other than English law.

18.0 Vice-Chancellor's Report (Paper BG 22/08)

18.1 National policy development

18.1.1 The Vice-Chancellor reported on the DIUS (Department for Innovation, Universities and Skills) Secretary of State's recent speech in which he set out the Government's key issues, including more emphasis on growth, especially widening participation; the need for HEIs to translate research into products and services; more emphasis on increasing HEIs' skills-training market; the need for HEIs to more closely address the student experience and student needs; better understanding by HEIs of internationalisation; and the need for HEIs to produce effective methods of evaluation.

18.1.2 A recent initiative by the DIUS was to establish up to twenty new universities, each with approximately 500 students, in areas of traditionally poor accessibility. This was expected to have little impact on the Kingston area.

18.1.3 HEFCE had recently received its letter of guidance from DIUS, which was much more detailed than in previous years. It was felt that the Department was taking a much greater interest in issues, which was probably due to the fact that the recently established DIUS had a more focused involvement with higher education than previous ministries.

18.1.4 It was reported that the DIUS was producing a paper on innovation and was likely to be seeking support from universities to develop this area.

18.1.5 It was reported that HEFCE had established a working group on employer engagement, of which the Deputy Vice-Chancellor was to be a member. It was noted that the DIUS had expressed an interest in joining this group, which was seen as indicative of its desire for involvement at a local operational level.

18.1.6 The Vice-Chancellor reported on HEFCE's announcement with regard to funding arrangements for 2008/09.

18.2 HEFCE Grant

18.2.1 It was reported that the University's grant in 2008/09 would be £67.5m which was an increase of 5.5% on the current year. Only four or five other institutions were receiving a higher increase in grant than Kingston.

18.2.2 The amount towards widening participation was lower than anticipated. ASNs under the SWAN alliance had not been included, although this was not a significant figure. New funding methodology had been put in place to replace the funding for ELQs with a

transitional period in the short term which meant that the University did not lose the funding in the first year, but would receive gradually reduced amounts over the next few years.

- 18.2.3 It was noted that out of the total grant, only £1.3m had been allocated towards research, which was indicative of the weaknesses in this area. This amount had been fixed since the last RAE in 2002 and it was anticipated that there would be no significant change until the RAE replacement in 2010.

Olrick Coker joined the meeting.

18.3 Applications 2008

- 18.3.1 The change in the University's level of applications was currently in line with the national average, but did not match its previous levels of growth. The main reason for the reduction in growth was believed to be the lack of high volume under-graduate courses coming on stream recently. The areas of most significant reduced growth were in the Faculty of Business and Law and international undergraduate applications. However, there was an increase in international postgraduate applications. It was noted that this was a national trend.

- 18.3.2 It was important to note that the figures represented a constantly changing picture and could differ widely from day to day. There was indication that the peak time for applications this year was two or three weeks later than in previous years, which was largely due to changes in the UCAS electronic system, with a concentration of applications in a shorter period of time. This meant that year-on-year comparisons could be misleading.

- 18.3.3 The Board agreed that the University's portfolio of courses should be refreshed on a regular basis, particularly since the lifespan of HE courses was continuously diminishing. It was noted that the process of portfolio development had changed significantly across the HE sector and it was important that careful consideration was given to the development of the University's portfolio to ensure that the appropriate expertise was in place.

18.4 St George's University of London

- 18.4.1 The Vice-Chancellor reported on developments with SGUL since the last Board meeting in January, including a meeting he had with Professor Peter Kopelman, the Principal Designate of SGUL. The University had been asked to prepare detailed proposals for developing its relationship with SGUL and had retained the services of Jim Port of JM Consulting, who had worked previously for both the University and SGUL, to assist with this work.

- 18.4.2 The Vice-Chancellor and Deputy Vice-Chancellor had also met with the Vice-Chancellor of Surrey University to discuss a possible relationship between the two institutions.
- 18.4.3 It was reported that Royal Holloway had requested the SGUL Council to re-consider its proposals for a merger. The Acting Principal of SGUL confirmed that Royal Holloway had presented a strong case and should continue to be viewed as a possible partner.
- 18.4.4 The Acting Principal of SGUL stated that the incoming Principal was in the process of considering the best options for SGUL, and was committed to a multi-faculty institutional model and most importantly to retaining a strong presence alongside St George's Hospital in South West London. This was a very important factor for SGUL for a number of reasons in terms of healthcare provision, NHS development and research. It was noted that SGUL's status as a University of London institution was highly important to both staff and students and was seen as an essential element of the school's future. Geographically, the London location was attractive to overseas students. From an academic viewpoint, the acquisition of a University of London degree was valued by both students and staff.
- 18.4.5 A possible risk to the University was that it may be seen as conservative in its approach. It was felt that in a direct merger bid, Surrey may be in a stronger position, due partly to Kingston's current research profile. It was therefore better for the University to work on developing a closer relationship with SGUL which preserved the medical school's independence, rather than work towards a merger, and exploit the University's advantage of its existing twelve-year association with SGUL through the joint faculty.

18.5 Strategic Plan

- 18.5.1 The Strategic Plan would be discussed in detail at the next Board meeting in May. It was reported that the Academic Board had already discussed the Plan extensively. The Strategic Plan would be a major item on the agenda of the annual Executive and Senior Staff residential conference in April, to which all governors would be invited.

18.6 Other matters for report

- 18.6.1 The Vice-Chancellor reported that three recent appointments had been made within the South West London Academic Network.
- 18.6.2 A complaint had been received by HEFCE about the completion of the National Student Survey (NSS) in one area of the University. The Vice-Chancellor had commissioned an investigation and would respond to HEFCE in due course.
- 18.6.3 The response rate in this year's NSS was currently 49% which was considerably higher than this time last year.

18.6.4 It was reported that a recent Employment Tribunal case had been resolved in the University's favour. However, the costs, which were substantial, were not recoverable.

19.0 Report on the University of London

(Paper BG 23/08– *confidential*)

- 19.1 The Vice-Chancellor presented paper BG 23/08 which provided some background and details of recent changes to the University of London, reported on his recent discussions on this issue and set out the possible advantages and disadvantages to the University of making an application to join the University of London.
- 19.2 The University of London comprised eighteen schools. It was noted that under current statutes the schools were independent institutions with different academic structures, and were treated independently in the allocation of funding from HEFCE.
- 19.3 The statutes were being revised to create a federation of schools and colleges, which could retain their individual status. Thus, it would be possible for Kingston to continue to be a University but within the overall structure of the University of London. Degree-awarding powers were being revised, allowing institutions greater flexibility with variation to the degrees offered. Changes had also been made to streamline the University of London's governance.
- 19.4 The Vice-Chancellor reported on discussions with Sir Graeme Davies, the Vice-Chancellor of the University of London, from which it would appear that the University of London was open to the consideration of new members. Other HEIs considering making an application to join included City University and Brunel. City, like Kingston, already had strong links with the University of London, by way of its collaboration with Queen Mary. Kingston had the advantage of existing links through SGUL and the Faculty of Health and Social Care Sciences, as well as with Royal Holloway through SWAN.
- 19.5 The Board discussed the possible advantages and disadvantages of making an application to join. The main arguments against making an application related to the dilution of Kingston's mission, particularly regarding widening participation, and the loss of its identity and ambition to be a progressive institution. Other disadvantages were possible reputational damage should an application be unsuccessful, the possibility that the University of London may not survive in its current form, particularly after the departure of Imperial College, and the costs of being a member.
- 19.6 The main advantages would be the inevitable enhancement of status and a likely increase in appeal, particularly to postgraduate and international students. It was likely that staff would view membership positively and it would also strengthen the University's position with regard to SGUL and SWAN.

- 19.7 It was noted that membership would not entail any change to the University's governance arrangements. Membership of the University of London required staff and student representation on the governing body, which was already the case at Kingston.
- 19.8 At this stage, it was not anticipated that the Board would reach any conclusions; rather it was intended to have an open discussion about what was undoubtedly a difficult decision.
- 19.9 A further tangible benefit, especially to students, was accessibility to University of London facilities, such as the library and students' union.
- 19.10 If the University joined the University of London its degree programme would be eligible for a Kingston University or a University of London award. One of the issues which would need careful consideration would be which courses would lead to Kingston or London degrees. The process of aligning Kingston degrees with the University of London was not seen as a significant issue, and had been undertaken at the Faculty of Health and Social Care Sciences for a number of years, albeit in conjunction with professional qualifications.
- 19.11 The selection of professorial staff would continue to be handled by Kingston, but would need to conform to the University of London process, which would require the involvement of an additional external panel member. It was noted that this was already the case in professorial appointments in the joint Faculty of Health and Social Care Sciences.
- 19.12 It was important that the University's mission of increasing access should not be undermined. It was noted that the Academic Board was in favour of upholding the University's commitment to widening participation. It was felt that, although the mission would not be at risk, membership of the University of London might alter the public perception of Kingston University.
- 19.13 It was agreed that the question of applying to join the University of London should be subject to consultation and feedback from staff and students.
- 19.14 Although paper BG 23/08 had included 21 May 2008 as the date for a possible decision by the Board, it was noted that July 2008 was a more realistic timeline for submitting an application.
- 19.15 In summary, it was agreed that the Board was in favour of continuing the discussion and that a further paper would be presented to the Board meeting on 21 May.

Action: *Further discussion paper to Board of Governors' meeting on 21 May 2008 (Vice-Chancellor)*

Clarissa Wilks left the meeting.

20.0 Summary Finance Report for November 2007

(Paper BG 25/08)

- 20.1 The Chair had been requested to un-star this item for discussion with regard to the substantial surplus which had been predicted for the year. The Finance Director noted that the Finance Report had referred to the first iteration of the financial outturn, and clarified the main factors contributing to the predicted surplus. Savings on student costs related mainly to franchising costs and the lack of take-up for bursaries, the latter amounting to almost £1.8m. It was noted that, should this position continue, it might be necessary to make changes to the bursary arrangements. It was felt that the application form for bursaries was quite complex with a number of variations which were difficult to understand. This was thought to be the main reason why students were not claiming what they were entitled to, and consideration was being given to revising the form to make it more user-friendly.
- 20.2 The Finance Director also noted estimated savings on corporate activity, including VER savings based on applications, some delays in expenditure, savings on VAT and savings on doubtful debt provision.
- 20.3 It was reported that the forecast outturn had been discussed in detail at the meeting of the Finance Committee in February. It was clearly preferable to have a surplus than a deficit but it was important to ensure appropriate communication of this issue.
- 20.4 It was noted that a strong financial position would be to the University's advantage in its discussions with SGUL.

21.0* Report on Health and Safety Metrics

(Paper BG 26/08)

- 21.1 The Board noted the Report on Health and Safety Metrics.

22.0* Minutes of the Audit Committee meeting held on 31 January 2008

- 22.1 The Board noted the Minutes of the Audit Committee meeting.

23.0* Minutes of the Finance Committee meeting held on 14 February 2008

- 23.1 The Board noted the Minutes of the Finance Committee meeting.

24.0* Minutes of the Employment and Diversity Committee meeting held on 20 February 2008

- 24.1 The Board noted the Minutes of the Employment and Diversity Committee meeting.

25.0 Any other business

25.1 There was no other business.

26.0 Date of next meeting

The next meeting of the Board of Governors was scheduled for Wednesday 21 May 2008 in the Town House at Penrhyn Road.

There being no further business, the meeting ended at 10.50am.

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