

In relation to matters marked as Closed

The Chair of Council joined the meeting and the Vice-Chair passed to him responsibility for Chairing of the meeting.

- 30. **Minutes of Meeting 26 October 2021** (C/21/23 Confidential Restricted)
Approved: The minutes of the meeting held on 26 October 2021.

- 31. **Matters Arising**
Noted: There were no matters raised.
Note 10.

- 32. **Action Log and Schedule of Business** (C/21/24 and C/21/25)
Noted: The status of the Action Log and Schedule of Business.

- 33. **Chair's Business**

Noted:

- a) **Upcoming 2020-2021 Academic Year** (C/21/26) (C/21/27) (C/21/28) (C/21/29) (C/21/30) (C/21/31) (C/21/32) (C/21/33) (C/21/34) (C/21/35) (C/21/36) (C/21/37) (C/21/38) (C/21/39) (C/21/40) (C/21/41) (C/21/42) (C/21/43) (C/21/44) (C/21/45) (C/21/46) (C/21/47) (C/21/48) (C/21/49) (C/21/50) (C/21/51) (C/21/52) (C/21/53) (C/21/54) (C/21/55) (C/21/56) (C/21/57) (C/21/58) (C/21/59) (C/21/60) (C/21/61) (C/21/62) (C/21/63) (C/21/64) (C/21/65) (C/21/66) (C/21/67) (C/21/68) (C/21/69) (C/21/70) (C/21/71) (C/21/72) (C/21/73) (C/21/74) (C/21/75) (C/21/76) (C/21/77) (C/21/78) (C/21/79) (C/21/80) (C/21/81) (C/21/82) (C/21/83) (C/21/84) (C/21/85) (C/21/86) (C/21/87) (C/21/88) (C/21/89) (C/21/90) (C/21/91) (C/21/92) (C/21/93) (C/21/94) (C/21/95) (C/21/96) (C/21/97) (C/21/98) (C/21/99) (C/21/100)

Noted:

- a) The University and Durham Students' Union (DSU) had recently run two training sessions, delivered by external partners from the University of Leicester, on the topic of students involved in the adult sex industry. The training was part of the University's overall offering of training for staff and students. This issue and training were not unique to Durham as over 1,000 higher education people had participated in such training across 60 universities. The University did not judge students when they disclosed their involvement in what could be perceived as controversial activities, such as drug and alcohol use, especially when doing so as a request for help;
- b) The paper provided a factual summary of the events, of which there had been misrepresentations in the media and other online forums. On being alerted to media interest, the University had been in communication with the Department for Education to correct misinformation prior to the story going public. When escalated to the Secretary of State for Education, the Acting Vice-Chancellor had presented the University's position and alignment with its Values;
- c) The DSU had received considerable social media backlash. The University and DSU had collaborated well throughout and had presented a "united front". The DSU President had been commended for her actions;
- d) The incident had been reputationally damaging and it was unfortunate that Durham continued to be the subject of negative media attention. A "deep dive" on reputational risk was on the Audit & Risk Committee schedule for later in the year and would be brought forward and the output from the discussion reported to Council;
- e) A formal investigation of the incident had been completed in 2018. The investigation identified a number of areas for improvement and these were being implemented. The University had also been working with the DSU to improve its support for students and staff.

- c) There had been positive feedback on how the Executive had responded to the pandemic over the past 18-months. There was general consensus that the University had reacted and operated well. This had been echoed in a recent external examination where the Department

39. Annual Assurance Reports (C/21/30 Confidential Restricted)

Received and Noted: The annual assurance reports for (i) Research Integrity, (ii) Quality and (iii) Audit and Risk Committee. The reports

- d) Approval authority for donations was noted as an area that GNC should address as a matter of urgency. The incoming Vice-Chancellor had highlighted this as an area for attention and where controls needed to be enhanced;
- e) A Governance Risk had been identified by the Executive as part of this year's reset of the Strategic Risk Register, however, the results of the Halpin CER and report indicated that the University's governance framework was in good order and that there was an openness for improvement in the few areas noted. As a result, the Executive should revisit the Strategic Risk Register related to this risk;
- f) A lack of support for the proposed SPaRC as it was felt that strategy and performance were responsibilities for Council that should not be delegated. The view was expressed that Finance Committee was functioning very well in fulfilling its current scope of responsibility via its membership which included subject matter experts. A separate people committee could be useful, however, and something to be considered initially on a trial basis.

David Allen and Shaun Horan left the meeting.

Nic Johnston and Joanne Race joined the meeting for the following item.

42. **Staff Concerns Policies** (C/21/33 Confidential Restricted)

Received: The new Staff Concerns Policy Statements and Process; the new Staff Code of Conduct; and the refresh and extension of the staff network (currently called the Bullying and Harassment Advisor Network).

Noted:

- a) The work represented a fundamental overhaul of policies and documentation. The comprehensive work had been undertaken over an extended period of time, which had been slightly delayed because of the pandemic, in collaboration with colleagues and trade unions, who had been consulted extensively throughout the process;
- b) Documentation had been prepared to help address staff concerns, highlight the different roles within the process, and provide support. The documentation had been well received by staff networks, Senate and Unions;
- c) The rollout would be supported via training and knowledge hubs that would house a variety of short and engaging resources (e.g., toolkits, checklists, podcasts, videos, advice, etc.) which should enable concerns to be addressed locally. During the initial rollout, managers would work closely with their HR Business Partners to help embed the new protocols and ensure consistency;
- d) Commendation of the work and acknowledgement of its usefulness. Council members expressed their support and looked forward to its implementation.

Nic Johnston left the meeting.

Trudy Coe (Advance HE) joined the meeting for the following item.

43. **Update on Inclusive Culture Programme** (C/21/34)

Received: A summary from the Discovery phase of the *Inclusive Culture and Leadership Behaviours Development Programme* provided by Advance HE.

Noted:

- a) There had been widespread recognition of the extensive work undertaken by the Human Resources & Organisational Development Team and that progress had been underpinned by commitment from the Executive and Council. The progress around EDI work had been rapid over the past few years, especially around gender equality. Participants in the discovery phase of work had expressed concern around the number and pace of initiatives that had resulted in some overload and lack of prioritisation;
- b) Some frustration had been expressed by staff in departments that not much was changing "on the ground", resulting in a disconnect between the good work undertaken at the centre

that had been thwarted by some areas locally. Some participants believed changes had not been ambitious enough. Specific concerns included:

- i. The behaviour of some students and/or staff which resulted in incidents that had been amplified in the press, with concern that these might be indicative of exclusionary

- b) The Space Management Policy did not require Council approval, but its endorsement would help support its rollout. The Policy reflected considerable work that had been undertaken to prepare and incorporate modern ways of working. The Estates and Infrastructure Sub-Committee had been actively involved in the process and had scrutinised the Policy in detail and had commended it. Resistance to operationalisation of the Policy in particular around office space reductions was anticipated but the Policy set out a good “direction of travel” and provided a foundation for ongoing work and dialogue.

Agreed:

- a) The Creating an Integrated and Next Generation Finance Outline Business Case with an overall capital expenditure of £5.288,000.

Kate Pretty and Leslie Ferrar left meeting.

49. Remuneration Committee Report (C/21/40 Confidential Restricted)

Noted: The report of the matters considered by Remuneration Committee at its meeting on 17 November 2021.

50. Ethics Committee Report (C/21/41)

Noted: The report of the matters considered by Ethics Committee at its meeting on 22 October 2022.

51. Governance and Nominations Committee Report (C/21/42 Confidential Restricted)

Received: The report of the matters considered by Governance and Nominations Committee at its meeting on 9 November 2022.

Noted:

- a) Convocation approves the appointment of the Chancellor on the recommendation of Council and Senate. The process needed to be closely managed and it was proposed that a Joint Council and Senate group be established to coordinate and oversee this. A first task of the group would be to review the role description to determine if updates were required to reflect today’s environment and anticipate what would be required in the next five to ten years. The current Chancellor would end his term of office in July 2022 and should the appointment process not be completed, in alignment with the Statutes, the Vice-Chancellor would cover the Chancellor duties in the interim. Council members interested in being part of the joint group should indicate this to the University Secretary; **All**
- b) Oversight of the DSU meeting of the requirements of the Education Act is a responsibility of the

