4 SCHOOL OF LAW

Received

4.1 A presentation from the Dean of the School of Law, explaining the School’s strategy and focus for the next five years. The School was coming to the end of the five year plan that had been developed to establish that it was sustainable as a single subject School. It had achieved its student number targets. Going forward the School planned to consolidate its growth, maintain or increase its surplus and continue to work to improve the student experience while carefully managing staff costs.

4.2 The School planned to explore ways to increase student contact hours, particularly on the qualifying law degree which would continue to be the mainstay of Law provision at Birkbeck. It would also look to deepen its already strong ties with the University of London International Programme, and explore the potential to teach the Diploma in Law offered through the programme in Stratford.

4.3 A key focus for the School would be on improving opportunities for students to increase their employability, by building more connections with firms offering internships for students; developing and strengthening the network of contacts with students and former students in law related careers; and considering the possibility of funding a small number of graduates through the next stage of their legal training. Another idea being discussed was a legal clinic, with students getting experience by working on legal matters with the College, under appropriate supervision.
4.4 The School recognised that in the current job market, opportunities in its specialist areas, such as human rights and social justice, were decreasing due to cuts to Legal Aid. It was committed to fully exploring all the opportunities for careers for law graduates, including those that were not directly legal practice.

5 DIRECTOR OF FINANCE
Noted
5.1 The Chair noted the impending retirement of Peter Westley, the Director of Finance. On behalf of the Governors, he thanked Mr Westley for all his work throughout his time at the College and wished him well for his retirement.

6 DECLARATION OF INTERESTS
Noted
6.1 Governors were asked to disclose in advance any actual or potential conflicts of interest in relation to the matters under discussion. Mr Robert Allison noted a consultancy arrangement with the external auditor KPMG.

7 MINUTES
Received
7.1 The Minutes of the meeting of 15 October 2013.

Agreed
7.2 To amend “students” in minute 3.22 to “applicants”.
7.3 To amend minute 3.29 to record the staff Governors' expressed concerns about the impact of reduction in Certificate of Higher Education provision, which had previously been a core part of the College's provision.

8 CHARTER, STATUTES AND STANDING ORDER
Considered
8.1 Proposed amendments to the Charter, Statues and Standing Orders (G 2013 02)

Noted
8.2 The document reflected the changes already agreed in principle in July, as recommended by the Review of Governor Effectiveness. It was confirmed that the document had been circulated with sufficient notice and that the appropriate quorum of Governors were present to take a formal resolution to amend the constitutional documents.

8.3 The principal changes were:
- Updated descriptions and names of staff groups and the constituencies from which staff Governors were elected, reflecting the College’s current staffing structure.
- Removal of references to previous federal structures in the University of London
- Addition of degree awarding powers
- Provision for senior offices of the College to be appointed by Governors
- Replacement of references to the Birkbeck Society with references to the alumni network and the alumnus Governor
- Extension of the term of office of student Governors from one to two years
• Provision for virtual (online or phone) attendance at meetings where appropriate
• Formalisation of the Fellowship of Birkbeck College including post nominal letters
• Inclusion of the Memorandum of Understanding between the Students' Union and the College.

**Agreed**

8.1 Changes to the Charter, Statutes and Standing Orders as proposed, subject to any further amendment by the Privy Council.

9 **MASTER’S REPORT**

Noted

9.1 The College had made its REF return and the results would be published in late in 2014, potentially affecting funding from 2015-16. The College had entered 82% of academic staff, a very positive rate given the submission criteria. Where staff had been excluded there were various grounds including the quality or quantity of their published work, or because their work fell outside the academic areas in which Birkbeck had submitted. Governors thanked all the Birkbeck staff who had worked on the REF return, including the REF working party led by the PVM Research and staff in Registry Services.

9.2 The Government had announced that undergraduate National Scholarship Programme funding for 2014-15 would be reduced by two thirds from the allocation agreed in summer 2013 and removed altogether from 2015-16. Governors supported the decision for the College to honour its original scheme and entrance criteria and make up the shortfall from its own funds. Although this was an unexpected expense for the College there were long term advantages as once NSP ended there would be more freedom to offer students a choice between fee remissions and cash payments, rather than the fee remissions mandated by the NSP rules.

9.3 The reduction in funding made the success of the College’s own fundraising work increasingly important.

9.4 The College would give feedback to the Government on the impact of these changes wherever possible. The Pro Vice Master for Student Experience was participating in a group put together by HEFCE to review the impact of the National Scholarship Programme. The College would also ask the College’s President, Baroness Bakewell, to raise a question on the issue in the House of Lords. Governors also undertook to raise the matter with their own contacts.

9.5 It was noted that there was significant work ongoing in the College to explore the various opportunities offered by e-learning, including lecture capture, blended learning approaches, and the potential to offer some full online programmes working with the University of London International Programme and other partners.

**Agreed**

9.6 A short explanation of the changes around the National Scholarship Programme would be circulated to the Governors.
10 STUDENT BODY
Received
10.1 A report on the characteristics of the Birkbeck student population (G 2013 03)
Noted
10.2 The age profile for the student body as a whole was shifting to a younger distribution. The percentage of students from ethnic minorities had risen from 32% to 39%. Age and gender distributions on four year undergraduate degrees had stayed more constant, while for three year degrees the profile was younger and with a higher proportion from ethnic minorities. At postgraduate taught level, the profiles had not changed significantly for part time, but the percentage of full time Masters students who were 25 years old or younger had risen from 40% to 50%.
10.3 Governors noted that a significant percentage of students had declared a disability (11% overall for 2013-14) and heard that this proportion was higher than at other institutions in London. It was noted that in addition some students may not have declared their disability through the official channels and that the College would be undertaking further work on measures to ensure accessibility for students.
10.4 A more detailed piece of work was being planned exploring the motivations and demographics of applicants and students in more depth, which would be brought to the Governors away morning in March.

11 BIRKBECK STRATFORD
Received
11.1 A report on academic and building developments at Stratford (G 2013 04)
Noted
11.2 Since the last report to the Governors the construction project had been completed on time and approximately £1M under budget and the building was now in full use. There had been few problems with the functioning of the new building. A joint University of East London – Birkbeck group was overseeing operational management of the facility.
11.3 More than 400 students were studying in Stratford. In addition, the percentage of students from an east London postcode studying at Stratford had increased since the College had started to work in the area. It was thought that this was attributable to the large amount of widening participation, community engagement, and name recognition work that Birkbeck had carried out. The College continued to actively work with Colleges, Sixth Forms, and other organisations in east London to promote access to higher education. This strategy of becoming embedded in the local community could be used as a model to raise the profile of Birkbeck elsewhere.
11.5 The College would continue to explore the potential to put courses on in Stratford, including more three year UCAS programmes as appropriate. There were already 20 students in Stratford doing three year programmes in business and accounting. The Schools had also been asked to consider what additional provision they could offer at Stratford.
Governors seconded the Vice Master’s thanks to all involved in the long and successful journey since the project had been approved by the Governors in 2005 and also thanked the Vice Master personally for his leadership of the project.

Agreed

To confirm what east London postcodes were being targeted and monitored.

12 ANNUAL REPORT OF THE AUDIT COMMITTEE

12.1 The Annual Report of the Audit Committee for 2012-13, enclosing the internal auditor’s annual report and the annual report on value for money.

12.2 Governors were satisfied with the Audit Committee’s opinion that Birkbeck’s system for risk management, control and governance; and for promoting economy, efficiency and effectiveness and securing Value for Money; were adequate and effective. The Audit Committee’s overall opinion was informed by its opinion that the management control and quality assurance of data provided to HEFCE, HESA and other public bodies were effective.

Noted

12.3 Good progress had been made on improving financial control for capital building projects.

12.4 The Value for Money report had been upgraded to include more data and confirmed that cost and efficiency savings were substantial.

12.5 Audit Committee reported that, although uptake of staff Progress and Development Reviews (PDR) had improved, it was still low in some areas. The Academic Staff Governor noted concerns about possible links between PDR and promotion. It was reported that there was no formal link between the two, but that PDR was an opportunity for colleagues to discuss their career plans and promotion prospects with a senior member of staff. This was intended to be a facilitative process rather than a disciplinary one. Reviews should be seen as an opportunity to discuss career development and could be used to help prepare for the next (2020) Research Excellence Framework. The Audit Committee’s view was that universities had fallen behind other sectors on effective staff appraisal. It strongly recommended that the College take further measures to increase uptake of PDR. Governors heard that the College would continue to work to increase uptake and would ensure that the positive advantages of the process were emphasised.

13 FINANCIAL STATEMENTS 2012-13

13.1 Finance and General Purposes Committee had considered and was satisfied with the Financial Statements for the year ended 31 July 2013 and recommended that Governors approve them (G 2013 06A)

13.2 The Audit Committee had considered and was satisfied with the external auditor’s report on the financial year. The auditor confirmed an unqualified opinion on the accounts. Audit Committee therefore recommended that the Chair of Governors
be authorised to sign the letter of representation to the external auditor, concluding the audit. (G 2013 06B)

13.3 The overall position was a £6.7M surplus, compared with £6.5M in 2011-12. This reflected an impressive response to the change and challenge of the new fees and funding system. While there had been a 40% decrease in part time undergraduate uptake, the College had brought in income from other courses including the expanding three year degree offer and the postgraduate taught degree portfolio. There was a significant favourable difference between the summer term forecast and the actual outcome, mainly due to having held contingency provision related to student loans and fee debts while the position was resolved; and cautious forecasting on expenditure.

13.4 Governors congratulated the staff of the College for the hard work which had allowed Birkbeck to be in surplus at the end of a very challenging year.

Approved
13.5 The Financial Statements for the year ended 31 July 2013.

Agreed
13.6 To authorise the Chair of Governors to sign the letter of representation to the external auditor.

14 FINANCIAL FORECASTS
Approved
14.1 Updated financial forecasts to be submitted to HEFCE. These were the same as submitted in July 2013, except that the outcome for 2012-13 and the forecast for 2013-14 had been updated. (G 2013 07)

15 FINANCE AND GENERAL PURPOSES COMMITTEE REPORT
Received
15.1 The Report of the Finance and General Purposes Committee (G 2013 08)

Noted
Student recruitment
15.2 F&GPC noted the significant increase in recruitment to three year evening undergraduate degrees in 2013-14. The College had recruited more than 900 students against a student number control target of 700 and this would trigger an automatic fine under HEFCE’s system. The College would appeal, citing its ongoing dialogue with HEFCE on expansion and enhancement of three year degrees given the proven demand for them. Birkbeck continued to recruit a high proportion of students on low incomes who qualified for financial support.

Budget estimates 2013-14
15.3 The forecast surplus had increased from £235K to £1.6M since the budgets were approved in the summer term. This was due to an increased forecast return on investment income, increased forecast on commercial space letting income, a reduction in School pay cost estimates and the release of pay contingency provision based on spending to date. £1.4M of contingency provision had been retained. Although the College would continue to be cautious, the improved financial outlook
had made it possible to set £0.5M aside for a strategic development fund to support new initiatives.

**Investment Committee**

15.4 F&GPC endorsed Investment Committee’s view that the College should keep a substantial cash holding but also make appropriate long term investment in capital projects.

**Strategic Planning Committee**

15.5 SPC reported on its monitoring of student recruitment and College finances and its consideration of strategic priorities, including online provision strategy, development of the three year undergraduate degree portfolio, a marketing strategy for Masters programmes and the development of flexible and blended learning models.

15.6 The Chair of SPC reported on a review of technical services in the Department of Biological Sciences. The recommendations of the review included restructuring, in order to optimise support for the wide range of teaching at different levels and world class research carried out in the Department. This was likely to lead to a business case for redundancies to be considered using the established College policy, with Governors kept informed.

**Estates Committee**

15.7 Estates Committee had commended the space planning, front of house and technical teams for the successful start of term operations for 2013.

15.8 Most of the summer 2013 capital funded projects were complete and the spending was within the agreed budget. Estates Committee had started to oversee planning and budgeting for the 2014 programme.

15.9 Looking forward, negotiations continued with the University on the site on Torrington Square where Birkbeck proposed building a Toddler Lab, complementing the existing Baby Lab facility. Two significant charitable donations for the project had been confirmed. Birkbeck was also in positive talks with University College London on the potential to build a joint science building on a Torrington Square site identified in the 2013 Masterplanning exercise.

**HR Strategy and Policy Committee**

Approved, as recommended by HRSPC and F&GPC

15.10 The following revised policies, changes to which had been discussed with the Trade Unions.

- The Disciplinary and Dismissal Policy
- The Grievance Policy
- The Dignity at Work and Study Policy
- The Relocation Policy
- The Managing Conflicts of Interest Policy

**REPORT OF AUDIT COMMITTEE**

Received

16.1 The Report of the Audit Committee (G 2013 09)
16.2 The Audit Committee had co-opted an external expert member, Mr Clive Birch, as provided for in its Terms of Reference. The Committee had also added an extra meeting in the Autumn term to allow more time to be spent considering both internal and external reports. It recommended an amendment to its terms of reference to reflect this new arrangement.

**Approved, as recommended by the Audit Committee**

16.3 Amendments to the Committee’s terms of reference to reflect the additional meeting in the autumn term.

16.4 Audit Committee had received and was satisfied with reports from the internal auditor on UKBA student visa compliance and attendance monitoring; estates maintenance and capital projects, library and media services, external letting income, budgetary control, financial planning and University Square Stratford.

16.5 Audit Committee received progress reports on Key Performance Indicators on top ranked risks. The overall risk profile in October was the same as had been reported in summer 2013. The three top risks were financial sustainability, student recruitment and national HE policy. Following the good student recruitment outcome in 2013-14 and good financial performance in 2012-13, in November the Committee endorsed an improvement in the ratings for financial sustainability and student recruitment.

16.6 The Committee noted the need to continue to monitor the University Square Stratford project to ensure effective use of the space in the early days of operation.

16.7 A new area of risk had emerged around cost of investment in long term building maintenance, following the completion of a building condition survey. Audit Committee had confirmed that the College would define a plan for building maintenance and refurbishment and the Audit Committee would continue to monitor this as a risk.

17 ACADEMIC BOARD

Received

17.1 The Report of the Academic Board (G 2013 10)

**Noted**

17.2 Academic Board had discussed the implications for the College of the demise of the 1994 Group of research in intensive smaller universities, of which the College was a member. It heard that the group had not had significant resonance with Birkbeck’s mission and had lost its focus over recent years, so the impact was not expected to be significant. The College was exploring other ways of keeping in touch with smaller research, active Colleges and universities in London.

17.3 The University of London had confirmed that Birkbeck could use its degree awarding powers and continue as a College of the University, provided the College’s application to do so had been sanctioned by the Governors. Any further proposals to use the degree awarding powers for specific programme developments involving
partnership provision would be brought back to Academic Board as part of the programme approval process.

**Endorsed**

17.4 The College’s application to the University to use its degree awarding powers

18 **SEALING OF DOCUMENTS**

Noted

18.1 The College Seal had not been used since the last report was made in July 2013.

19 **MEMBERSHIP OF THE GOVERNING BODY**

Noted

19.1 The membership of the Governing body for 2013-14 (G 2013 11)

20 **STATEMENT OF PRIMARY RESPONSIBILITIES**

Noted

20.1 The Statement of the Governors’ primary responsibilities and responsibilities delegated by Governors to Committees.

21 **INFORMATION FOR GOVERNORS**

Noted

21.1 That guidelines and information for Governors were available from http://www.bbk.ac.uk/committees/governors

22 **HONORARY LIFE MEMBERSHIP**

Noted

22.1 That the Chair of Governors agreed the appointment of Dr Elaine Hawkins to Honorary Life Membership of the College by Chair’s Action on 25 September 2013.

23 **PRO VICE MASTER INTERNATIONAL LINKS**

Approved

23.1 The Master’s proposal to extend of the term of office of Professor Costas Douzinas as Pro Vice Master for International Links until 31 December 2014.

23.2 The appointment of Professor Julian Swann as Pro Vice Master for International Links from 1 January 2015 initially until 30 September 2017.

24 **MEETING DATES**

Noted

24.1 The dates of the remaining meetings this session:

Wednesday 19 March 2014
Wednesday 9 July 2014
at 4.30pm