

UCP COUNCIL

14 March 2024

16:30 - 18:00

Remote

ATTENDANCE

PRESENT

Professor Sir Les Ebdon (Chair)

Alison Davies

Matthew Bradbury

David Dixon

Peter Walker

Tony Keeling

Rachel Nicholls (CEO IEG)

Louise Perry (CFO IEG)

Liz Knight (UCP Academic Director)

Molly Woodthorpe (Student Officer)

IN ATTENDANCE

Joanne Ulyatt (Governance Director)

APOLOGIES

Mark Woods

Rachel Pishhorn (Staff Governor)

Sameena Aziz

12. UCP COUNCIL MEETING - WELCOME

Standing item

Speaker: Chair

Time: 16:30

(a) Apologies for absence; Apologies were as noted.

(b) Eligibility, quorum and declarations of interest; No notice had been received of any Member becoming ineligible to hold office, the meeting was quorate and there were no unregistered interests declared; the register was available for scrutiny.

(c) Requests for urgent business; None received.

13. MINUTES

Decision item

Speaker: Chair

Time: 16:35

- (a) Minutes of the last meeting (06.12.23);
- (b) Matters arising from the minutes;
- (c) Actions from the minutes;
- (d) UCP Audit Committee Minutes (20.02.24); and
- (e) HE Academic Board Minutes (06.12.23)

a. The Minutes of the last meeting held on 6 December 2023 were confirmed for signature with one minor correction made during the meeting. **(ACTION 5)**

b. There were no matters arising.

c. Actions from the last meeting were considered; all had been completed.

d. There was discussion around courses with low numbers which had been a topic at UCP Audit Committee. The option to close courses with low numbers is not available in HE in the same way as in FE due to statute in place; the validity and usefulness of the information requested by UCP Audit Committee is in respect of planning of provision for the following years.

e. HE Academic Board had also met and minutes of the meeting were shared.

14. ACADEMIC DIRECTOR'S REPORT

Information item

Speaker: Academic Director

Time: 16:40

a) The government's Higher Education Freedom of Speech Bill became law in May 2023, putting more responsibility on universities to ensure students are able to speak freely in and out of the classroom, while offering more protection for academics who teach material that may offend some students. There was discussion around confusion in the sector amidst problematic briefings which have posed questions. The Office of the Independent Adjudicator (OIA) are reviewing their policies and procedures in light of the changes. The new duty will come into force on 1 August 2024. Work is underway to understand how to respond to the changes as an organisation.

Further information regarding the Teaching Excellence Framework (TEF) outcomes was provided with benchmarking performance data.

b) Concerns have been raised across the sector due to the absence of a quality assurance body within the OfS but the reinstatement of an independent body remains unlikely in the short term.

c) Members congratulated the team on having no unresolved complaints being put forward to the OIA in the OIA annual return.

- d) A curriculum update was provided. Another Open University (OU) validation is expected in April. This will then be sent to IFATE to achieve HTQ accreditation which can be delivered under the Lifelong Learning Entitlement (LLE) funding framework.
- e) Ongoing work is being conducted with Pearson on HTQs.
- f) A number of academic reviews for subcontracted provision have been undertaken and went well.
- g) APT will be vacating Endeavour House and relocating to a new base within UCP. More information will be available at the next meeting.
- h) A Memorandum of Understanding (MoU) has been submitted to ARUP for review, setting out broad principles for collaboration to support each other and work together on increasing participation. Regarding references to research in the MOU, members questioned on the scope and how much is envisaged; this is not necessarily just linked to PhDs but also to social projects and civil impact, so relates to research in a broader sense. The Council expressed its satisfaction with the focus on partnership and student-centred initiatives within the MoU. There had been clear and frank discussions around staffing and student recruitment
- i) The new UCP website will be launched in April which will provide valuable data analytics from website traffic and social media.
- j) UCP is working with the Arts Council to develop student freelance skills and bid-writing capabilities, further enhancing employability.
- k) A successful performance and exhibition event was held at the Key Theatre in March, attracting approximately 300 visitors and providing a valuable opportunity for student engagement with the wider community.
- l) The Institute of Engineering and Technology (IET) will be hosting their first membership conference at UCP since COVID; TK noted that he is a Fellow of IET and may be able to engage with this event, diary permitting. LK to liaise with TK. **(ACTION 6)**

15. UCP KPIS DASHBOARD

Discussion item

Speaker: Academic Director

Time: 16:50

- a) Course satisfaction ratings were discussed, noting a need for improved understanding of OU regulations. When results from the course satisfaction surveys undertaken in Semester 1 were explored, it was found that there were some anomalies due to understanding of classifications and regulations, so this has been addressed.
- b) There has been a decline in academic offences, but with a common theme relating to use of AI without permission and authenticity of graded assessment pieces. The Academic Integrity Policy will be reviewed to ensure it effectively clarifies use of AI.
- c) Assessment methodologies are being reviewed with the OU.
- d) On track in terms of growth, however, limitations of the ALL allocation are proving restrictive and will likely affect the overall ability to reach the targeted 767 enrolments. However, retention rates are strong at 97.9% but it is disappointing not to be able to recruit more potential learners to Coding courses. When funding shifts to LLE there will be more opportunities to recruit so this remains a watching brief.
- e) Staff turnover is improving, with recent departures noted as relating to career changes. Low staff absence rates were attributed to successful work ongoing around wellbeing initiatives and strong staff support which has been key.

16. FINANCE UPDATE

Decision item

Speaker: CFO

Time: 17:05

- (a) Finance Report & Performance Update

(b) Annual Review of UCP Financial Regulations

- a) Financial performance YTD is higher than expected at a £60K surplus, against a budgeted deficit of £72K. The full year forecast remains unchanged at £14K surplus. The main reasons for variance were outlined and discussed.
- b) The format of the report has been updated to align with IEG Board reporting and includes KPIs approved within the Business Plan last year. Aged debt information had been added as requested at UCP Audit Committee. The data is broadly in line with expectation; staffing costs are up but this was to be expected following the 7% pay award; a number of non-pay savings are offsetting from a capital perspective; capital spending by end of March is on track; and, HTQ money has started to be spent.
- c) The Council commended the team on an excellent, comprehensive report that clearly explains variances and indicates that UCP is performing well in a competitive environment.
- d) In order to better analyse aged debt, members suggested the inclusion of additional categories showing 120-180 days and then 180 days plus. £396K of the 120 days plus debt relates to prior years and therefore only circa £13K is current year debt which is reassuring. Comparative data included below against the same time in the previous year would also help to show if progress is being made. It was explained that within the 60-90 days category, the majority relates to funds owed from SLC simply because invoices are raised in October but are not due for payment until April. Members suggested that the report could be based on overdue rather than just due. Feedback will be taken onboard and built into the next iteration of the report. **(ACTION 7)**
- e) Members sought clarification as to the amount currently considered at risk; since the vast majority will be recovered from SLC, and removing the £396K from prior years, the maximum potential risk for bad debt is circa £90K. Some of this will relate to student withdrawals where the students are liable for half of the fees.
- f) The Service Level Agreement schedule shows a total management charge and members questioned whether this charge is solely in one line within the Income & Expenditure account, or whether it is spread over a number of lines. It is contained within the Other Administration line; members indicated that it would be useful if possible for this to be split out to indicate group charges and non-group charges. **(ACTION 8)**
- g) The second half of the report provided an update on the business plan from an operational perspective, reporting against KPIs drawn from the strategic plan. Student Satisfaction metrics require revision due to changes in NSS.
- h) Members asked about the margin between a surplus and deficit position and the confidence level in achieving a surplus at year end; there is high confidence in achieving a surplus because at this point in the year, the final trigger point with the SLC has been passed, and there is a level of certainty around income and staff costs. There has always been a fine balance between surplus and deficit for UCP, and student numbers have been constrained this year due to the ALL allocation, however, once LLE is introduced UCP will be able to stave off a deficit going forward with mid-year recruitment. Otherwise cost control is the only way to maintain the balance.
- i) Approval was sought regarding amendments to the UCP Financial Regulations. Whilst not usually reviewed at this point in the year, an error following the ONS reclassification was flagged up by the External Auditors, and consequently an amendment to correct the threshold for debt write-off escalation to DfE (from £50K to £45K) was required. This opportunity was then taken to include an appendix of decisions reserved to the IEG Board to improve the document, and to update approval thresholds to align with IEG.

The revised Financial Regulations were **APPROVED** by the UCP Council.

17. SERVICE LEVEL AGREEMENT: IEG/UCP

Decision item

Speaker: CFO

Time: 17:20

a) An updated SLA was provided for approval. Schedule 1 had been reviewed widely across the organisation, formalising responsibilities across a range of activities between IEG and UCP. The agreed management charges for 2023/24 and the proposed charges for 2024/25 were included on Schedule 2.

b) Members noted this is a very comprehensive document and clarifies responsibilities, and suggested removing the academic year 2023/24 on the front page in order that it can just be used as an ongoing agreement. Similarly, it was suggested that Schedule 2 does not need to form part of the agreement, instead stating that charges will be estimated annually and then keeping Schedule 2 as a separate agreement between the two management teams outside of formal legal agreement. This would also then not give external parties such a level of detail. **(ACTION 9)**

c) At clause 11.5 regarding charges excluding VAT, it would be useful to note that there is a group VAT election in place for which IEG is responsible for maintaining. **(ACTION 10)**

d) The Council questioned as to what the 5-year plan adjustment relates to; this is to ensure that the charges are capped at a reasonable level; there was discussion about whether this would be better presented as a percentage rather than a figure.

e) From a practical point, Schedule 1 is the important part of the document and the Council suggested annual review by the management teams be written into the agreement since these documents can very quickly become outdated. It was agreed that it is not necessary to be reviewed by the Council itself annually. **(ACTION 11)**

f) Since there is no formal lease arrangement of the building between UCP and IEG yet, the Council suggested incorporating it as part of this agreement by including a schedule with the basic terms of the lease; LP to take legal advice in this regard. **(ACTION 12)**

g) The student governor asked for clarification around provision of a catering service which "meets the needs of customers" since there has been some negative feedback in this regard; it was advised that there has been some long-term sickness in UCP catering, but as an internal service it must break even which in turn drives availability. The catering function cannot run at a loss and take money away from curriculum so there is a limit to what can be done. It was clarified that to meet the needs of customers does not mean that the service has to be run within the UCP building itself, and since there is good provision at IEG which is accessible to UCP students, it is therefore deemed suitable.

The Service Level Agreement was **APPROVED** by the UCP Council.

18. SAFEGUARDING ANNUAL UPDATE

Decision item

Speaker: Academic Director

Time: 17:30

a) The Annual Safeguarding Report 2022-23 was presented, noting it had already been presented to the IEG Board and the policies and procedures for UCP are aligned.

b) UCP has completed its Prevent Return with no areas of concern and no further action required.

c) The Council stressed that this is an important subject and it is pleasing to see duties being met so well.

19. STUDENT OFFICER REPORT

Speaker: Student Officer

Time: 17:40

a. The report was presented, noting struggles encountered in getting students to engage and efforts underway to establish why this is the case and how it can be improved. A number of suggestions to encourage engagement and involvement were discussed, including establishing societies and

switching to daytime events rather than evening. A BBC documentary aired on Monday was noted which had considered whether it was worthwhile to go to university or not. There are post-Covid difficulties across the sector to get levels of engagement back up to where they were in the past.

b. Employability events were well received and valuable.

c. Changes to the UCP building have been positive; students are enjoying using the new spaces available.

d. It was noted that an announcement to students regarding re-opening of the coffee shop should hopefully reduce complaints about catering.

e. The appointment process for a new Student Officer and deputy, and the handover period to reduce impact on students was highlighted.

20. RISK REPORT & BOARD ASSURANCE FRAMEWORK

Discussion item

Speaker: CFO/AD

Time: 17:40

a) The report was presented for comment having already been scrutinised by UCP Audit Committee in February.

b) All three principal inherent risks on the Board Assurance Framework had been revised with updates shown in red font.

c) Overall the risk register is at a relatively steady state at this point in the year.

d) The Council questioned whether Risk 251, the post-merger compliance risk is still relevant; the risk remains relevant as the ongoing conditions remain, though it would be appropriate to now remove the "post-merger" wording. **(ACTION 13)**

e) The Council asked when the Addict risk can be retired; this risk will remain whilst students are still with UCP on the teach-out basis.

f) Risk 264 regarding Halls of Residence was discussed which largely relies on the provider of the accommodation. Numbers have dropped considerably to circa 6 students. There are regular reviews and meetings in place with the managing agent. An ongoing issue relating to a contentious bill that is not yet resolved was noted.

21. URGENT BUSINESS (RE. ITEM 12C)

Standing item

Speaker: Chair

Time: 17:50

None received.

22. DATE OF NEXT MEETING: 6 JUNE 2024

Scheduling

There being no other business, the meeting closed at 18:02.