

The University of Manchester

**BOARD OF GOVERNORS**

Wednesday, 10 July 2013

*Present:*

Mr Anil Ruia (in the Chair),

President and Vice-Chancellor, Mr Michael Crick, Mr Stephen Dauncey, Professor Colette Fagan, Mr Mark Glass, Dr Reinmar Hager, Mr Robert Hough, Dame Sue Ion, Dr Caroline Jay, Cllr Afzal Khan, Mr Paul Lee, Mrs Christine Lee-Jones, Dr Keith Lloyd, Mr Neville Richardson, Dr Brenda Smith, Ms Grace Skelton, Mr Andrew Spinoza, Dr John Stageman, Professor Chris Taylor, Dr Andrew Walsh, Professor Pamela Vallely, Mr Gerry Yeung (23)

*In attendance:* The Deputy President and Deputy Vice-Chancellor, the Registrar, Secretary and Chief Operating Officer, the Deputy Secretary, the Director of Finance, the General Counsel, the Director of Estates and Facilities and the Head of Compliance and Risk. Also in attendance for *agendum 8*, the report of the Gift Oversight Group, was Professor Ian Jacobs and Mr Chris Cox. Ms Andrea Strachan joined the meeting for *agendum 7*, the Report from the Students' Union

*Apologies:* Professor Maggie Gale and Professor Andrew Gibson.

*NB.* At the outset of the meeting the Chair welcomed Ms Grace Skelton, General Secretary of the Students' Union, who had taken up office on 1 July 2013 and was attending her first formal meeting as a governor.

**1. Declarations of Interest**

**Noted:** That the declaration of interest made by the Chair, Mr Anil Ruia, in relation to his role on the HEFCE Board and previously declared in the session, remained relevant to some items on the agenda.

**2. Minutes**

**Confirmed:** The minutes of the meeting held on 15 May 2013 and the minutes of the extraordinary meeting to approve the launch of the public bonds, held on 19 June 2013.

**3. Matters arising from the minutes**

**Received:** A report summarising actions consequent on decisions taken by the Board.

**4. Summary of business by the Deputy Secretary**

**Received:** A report prepared by the Deputy Secretary on the main items of business to be considered at the meeting.

## 5. Chairman's report

### (a) Issue of Public Bond

#### Reported:

- (1) That the University of Manchester had successfully raised £300m through its public bond issue. As the Board had previously been advised, the bonds had been assigned a rating of Aa1 by Moody's, and on issue were priced at a spread of 0.80% over the relevant reference gilt. The University proposed to use the net proceeds from the bonds for general corporate purposes, including the continuation of its £1bn Campus Masterplan. In updating the Board, the Chair thanked senior staff and all those that had worked on the issue, particularly staff across Finance, Planning, Legal, Communications and other areas of the PSS, and also thanked the external legal and financial teams and advisors that had been brought in to assist the University in the launch.
- (2) That the issue had provided a strong example of the Board and the University working together effectively, noting that the Board had, only a year previously, brought forward and approved the Campus Masterplan in October 2012 and had only agreed upon the financing of it via a public bond issue in February 2013. The Chair also highlighted the role of the Finance Committee in bringing forward the proposals and recognised the important role it would play over the next few years in overseeing the expenditure in support of the Masterplan and in treasury management.
- (3) That the bond issue had been four times over-subscribed, demonstrating the confidence of the market in the University's plans and longer term security, and the Chair remarked that the funding would provide a stable platform for the development of the University and investment in the estate and infrastructure in future years. In terms of external communication, the University would take care to ensure good investor relations were maintained over the period of the bond and would support this appropriately.

### (b) Review of Board Committees

**Received:** A report from the Chair on the membership of the Board's committees.

**Noted:** That the retirement from the Board of a number of members would necessitate changes to the membership of some Board committees over the summer. Any changes made would be discussed with the relevant board members and respective chairs and subsequently be reported to the October meeting.

### (c) Report from the Nominations Committee on membership of the Board of Governors and General Assembly

#### Noted:

- (1) (a) That the membership of the Committee over the year was:

The Pro-Chancellor (Mrs Gillian Easson) (*in the Chair*)

The following three members of the Board of Governors, appointed by the Board, from the categories of membership indicated:

Lay: Mr Andrew Spinoza

Senate: Professor Chris Taylor

Staff: Mr Mark Glass

The following four lay members of the General Assembly (one place was vacant), appointed by the Board on the nomination of the General Assembly:

Professor Sir Robert Boyd  
Mrs Janet Pickering  
Mrs Elizabeth France, CBE, FRSA  
Mr James Hancock

(b) That the Committee's principal matters of business were:

- to recommend to the Board of Governors appointments and re-appointments to Category 2 of the Board (lay members);
- to recommend to the Board of Governors re-appointments to Category 3 of the General Assembly (lay or former members of the Board who are not otherwise members of the General Assembly);
- to recommend to the Board of Governors appointments to Category 9 of the General Assembly (lay members appointed by the Board);
- to recommend to the General Assembly co-optations to Category 10 of the General Assembly (members co-opted by the General Assembly);
- to recommend to the General Assembly the appointment to be made to the office of Pro-Chancellor;
- At regular intervals, to recommend to the Board on the representation afforded by the sponsoring organisations within Categories 5 through 8 of the General Assembly. The exercise was last conducted in 2012.

The report provided the Committee's secondary recommendations to the Board of Governors, concerning the appointment of lay members to the Board of Governors in Category 2, on appointments to the General Assembly in Category 3 of the General Assembly, for approval and a report of appointments approved by the recent General Assembly meeting within Category 10 of the General Assembly.

(2) That to assist it in these tasks, the Committee received:

- statements of appointments terminating on 31 August 2013 in Category 2 and Category 3 of the Board of Governors and in Categories 9 and 10 of the General Assembly;
- details of the full lay membership of the Board of Governors and the remaining membership of Categories 9 and 10 of the General Assembly, including data with respect to a broad balance within those memberships in terms of gender, ethnicity, and above all experience and expertise specifically as regards their benefit to the University;
- details of the applications and testimonies from and concerning applicants within the "pool" of suitably experienced individuals established by the Committee.

(3) That in the course of its deliberations, the Committee recognised the continuing need to appoint to some new people with a record of achievement, within or outside their

substantive careers, which can be applied in a variety of ways to the University's benefit to the Board of Governors and to the General Assembly. At the same time, the Committee has endeavoured to ensure that the overall range of expertise across the Board's lay membership continues to reflect the needs and aspirations of the University, as well as helping to fulfil the requisite responsibilities for proper institutional governance, and that the overall lay membership of the General Assembly was representative of the diversity of the University and of the communities served by it.

(4) That the Fletcher Review of Governing Body Effectiveness had, in the previous year, made a number of observations in relation to the operation of the Nominations Committee. The Committee considered the observations made in the report, and noted the following:

- That a recommendation made previously that the Board should include a member with international level expertise in academic matters appeared not to have been followed through, and that this should be considered again.
- That vacancies on the Board were not normally advertised.
- That there would be benefits in drawing up a formal matrix of skills and experience across the lay membership and that the Board should be involved in discussing the skills matrix of members.
- That there was scope to continue to improve the balance of the Board of Governors both in terms of gender and ethnicity.
- That the Nominations Committee appeared to operate in a rather invisible way.
- That consideration should be given to appointing staff members of the Board via Nominations Committee rather than through an elections process.
- That there was no mechanism for evaluating Board members' contributions and giving feedback.
- That it was unusual for a body, such as the General Assembly, to play such a key role in the process of finding and appointing members of the Board, and that the Nomination Committee's procedures and membership should be reviewed.

In discussion the Committee agreed the following:

- (i) The process of selecting members of the Board should be more open and transparent, with vacancies advertised publically, applications invited with a closing date and the process brought into better focus.
- (ii) There should be a regularly updated skills matrix, reviewed and iterated between the Board and Nominations Committee. Consequently,
  - A draft skills matrix should be considered;
  - The skills matrices of other HEIs should be considered
  - Consideration should also be given to broadening the definition of skills and experience beyond professional activities.
- (iii) The Committee supported a more visible presence, particularly on the University's governance website.
- (iv) The Committee was opposed to having a role in the appointment of staff members to the Board, and considered the principle of election by one's peers as an important one.

- (v) The Committee strongly supported the present arrangements of a Nominations Committee chaired by a Pro-Chancellor, who was not a member of the Board, and a majority of members elected by the General Assembly. This gave the Committee a degree of both real and publically apparent autonomy, while still working under the direction of the Board.

**Resolved:** That the Board approved the following recommendations for appointment/re-appointment:

(1) For appointments to the Board of Governors in Category 2

That the following new appointments were recommended to the Board of Governors, for a period of three years, *vice* Mr Gerry Yeung and Dr Keith Lloyd

Dr Neil McArthur  
Dr Angela Strank

Biographical information is provided in Appendix 1

*Note:* That in making the recommendation for membership for Dr Angela Strank, the Committee was cognisant of the University's strategic partnership with BP, and her ongoing involvement through her membership of the steering group. The Committee sought assurances that the relationship would be properly declared and where necessary, arrangements would be put in place to manage the interest properly, particularly in respect of any future consideration given by the Board to matters concerning the development of the partnership.

(2) For appointments/re-appointments to the General Assembly in Category 3

That the following current and former members of the Board of Governors be re-appointed in Category 3 of the General Assembly for a further period of three years from 1 September 2013:

Mr Norman Askew  
Mr Nigel Llewellyn  
Mr Keith Lloyd (retiring from the Board on 31 August 2013)  
Mr Robert Owen, MBE  
Dr Robina Shah, MBE DL  
Mr Gerry Yeung (retiring from the Board on 31 August 2013)

(3) For appointments/re-appointments to the General Assembly in Category 10 (for information)

- (i) That the following current members of the General Assembly be re-appointed, for a further period of three years from 1 September 2013:

Dr Paul C Banford  
Mr Alan Clarke  
Dr Anand Dutta  
Ms Michelle Gregg  
Mrs Janet Pickering  
Mr David Ryan  
Mr Philip Smith  
Dr Vincent Wilkinson

Biographical information is provided in [Appendix 2](#)

- (ii) That the following be appointed to the vacancy arising from a departure, for a three year period from 1 September 2013:

Mrs Ann Barnes

Biographical information is provided in [Appendix 2](#)

**(d) Honours for University staff**

**Reported:** That four members of staff had been recognised in this year's Queen's Birthday Honours awards. Professor Nicky Cullum, from the School of Nursing, Midwifery and Social Work, had been made a Dame for her services to nursing research; and Dr Teresa Anderson, Director of the Jodrell Bank Discovery Centre, had been awarded an MBE. Professor Anthony Heath, from the School of Social Sciences, had received a CBE; and Professor Rodney Brazier had been made a Member of the Royal Victorian Order (MVO).

**6. Secretary's report**

**(a) Election of members of the Senate to the Board of Governors in Category 3**

**Reported:**

- (1) That the constitution of the Board of Governors provides for the election by Senate of seven of its members to serve as members of the Board.
- (2) That membership of the Board for Dr Reinmar Hager, Life Sciences and Professor Maggie Gale, Humanities, was due to come to an end on 31 August 2013 and therefore there were two places available from 1 September 2013. Both Dr Hager and Professor Gale were eligible to stand again.
- (3) That five representatives of Senate would continue in membership for the session 2013-14:

Professor Colette Fagan (2015), Humanities  
Professor Andrew Gibson (2014), EPS  
Professor Chris Taylor (2015), MHS,  
Professor Pamela Vallely (2015), MHS  
Dr Caroline Jay (2015), EPS

- (4) That nominations were invited for the two places available, each for a period of three years. All members of Senate from 1 September 2013 were eligible to be nominated except:
- (a) those who hold *ex officio* membership of the General Assembly (President and Vice-Chancellor, Deputy President and Deputy Vice-Chancellor, Vice-Presidents, Vice-Presidents and Deans of Faculties);
- (b) those who hold co-opted membership of Senate (Librarian, Director of the Manchester Museum, Director of the Whitworth Art Gallery);
- (c) the student members.
- (5) That at the close of nominations, only two nominations were submitted; for Dr Reinmar Hager, of the Faculty of Life Sciences and Professor Maggie Gale, of the Faculty of Humanities. Therefore both members were re-elected to the Board of Governors from 1 September 2013, for a period of three years.

#### **(b) Election of members of the Senate to the Board of Governors in Category 4**

##### **Reported:**

- (1) That the constitution of the Board of Governors provides for the election by the General Assembly of two members of Staff serving on the General Assembly in Category 12 (one 'Academic related' member and one 'Other staff' member) to serve as members of the Board.
- (2) That a notice was issued recently inviting nominations for the two places available from 1 September 2013, *vice* Mr Mark Glass and Dr Andrew Walsh. Mr Mark Glass was eligible to stand again. Six valid nominations were submitted in total; four in the "Academic related" category and two in the "Other staff" category. General Assembly members have now been invited to vote in two contests; the first to select a representative within the "Academic related" category and the second to select a representative within the "Other staff" category to serve on the Board, both from 1 September 2013 for a three year term.
- (3) That at the time of report the ballot was underway with voting due to close on Friday 19 July. A report would be issued to the Board shortly after this date.

*Note:* That it was subsequently confirmed that Ms Iram Kiani (Academic-related) and Dr Pamila Sharma (Other staff) had been elected to the Board of Governors, for a three year term (or for as long as they retain membership of the General Assembly, whichever is the shorter period) from 1 September 2013.

#### **(c) Revision to Ordinance XIII, concerning Research Institutes, on reference from Senate**

**Received:** The Board of Governors received, on reference from Senate, revisions to Ordinance XIII concerning the governance of designated "Research Institutes" within the University.

##### **Noted:**

- (1) That Ordinance XIII concerned the governance of designated "Research Institutes" within the University. It charges the Board of Governors, on reference from Senate, with the establishment, modification or revision of schemes for the organisation of research which draws on different disciplines.
- (2) That the University of Manchester Research Institute (UMRI) had been created with the aim of providing a stronger vehicle through which interdisciplinary research can be nurtured and supported. UMRI will also ensure that the necessary structures, resources, and incentives are in place to foster interdisciplinary research and provide appropriate governance structures to oversee and maximise performance. It was subsequently proposed that a change in Ordinance was desirable in order to clarify UMRI's role and to charge it with the appropriate responsibilities.
- (3) That revised ordinances were considered by a putative UMRI board. It recommended a version that would formally establish UMRI within the Ordinance and give it primary responsibility for supporting and fostering interdisciplinary research and providing assurances to the board. The Board of Governors would have oversight of UMRI through PRC, and would also be responsible for approving a schedule of governance (on a regular basis) in respect of the institutes and other entities UMRI will oversee. The proposal was agreed by PRC on 11 June 2013 prior to referral to Senate and the Board of Governors, for approval.

**Resolved:** That, on reference from Senate, the Board approved the revision of Ordinance XIII to provide UMRI with oversight of the governance of research institutes (provided at Appendix 3).

**(d) Revision to Regulation XVI, concerning the Manchester University Press, on reference from Senate**

**Received:** The Board of Governors received, on reference from Senate, revisions to Regulation XVI, concerning the Manchester University Press.

**Noted:**

- (1) That the Planning and Resources Committee considered a Review of Manchester University Press on 7 May 2013. The Committee agreed that the University should continue to support Manchester University Press, but should look to improve the reputational benefits of the Press (as assessed by regular surveys of authors or analyses of REF returns) and establish a clearer governance and management structure, including a greater focus on financial targets. The Review's recommendations were approved while noting that further work was ongoing. Subsequently, at the Board of Governors, the Board was asked to approve the appointment of Professor Alistair Ulph as Chair of the Press Board from June 2013.
- (2) That, as indicated, the Review made a number of recommendations concerning the governance of the Press. One of those recommendations requires a minor change in regulation.
- (3) That Regulation XVI determines the membership of the Press Board, defines the role of the Editorial Committee and concerns its reporting relationship to the Board of Governors. This is currently via the Finance Committee, and in operational terms, takes place through the Subsidiary Undertakings Subcommittee. The change proposed would make the Planning and Resources Committee responsible, on behalf of the Board of Governors, for the oversight of the Manchester University Press. The Board of Governors was therefore asked to approve this minor amendment to Regulation XVI, having been recommended for approval by Senate.

**Resolved:** That, on reference from Senate, the Board approved the revision of Regulation XVI (provided at Appendix 4).

**7. Report from the University of Manchester Students' Union**

**Received:** The annual report on work of the Union was provided. Ms Andrea Strachan, Union Director, joined the meeting for this item and presented the report with Ms Grace Skelton.

**Reported:**

- (1) This had been the Union's first full year in a newly refurbished building, and its first full year operating under new governance arrangements with a new staff team seeking to develop in order to meet the demands of student members. The Union reported a number of major achievements in the year including the development of a Strategic Plan (previously reviewed by the Board of Governors), the introduction of a new post funded through OFFA funding specifically focussing on widening access and the development of a new website and online platform.
- (2) The Students' Union completed its first organisational strategic plan. The Strategic Plan sought to direct the organisation to achieve excellence in the core areas and roles of the Students' Union. Following extensive consultation with students and key stakeholders,



including the Board of Governors, the strategic plan outlined the purpose, vision and values of the Students' Union as an organisation. The plan had three distinct themes, Activities & Development; Insight, Innovation & Service Delivery and Voice. Within these three themes, there were thirteen key goals that clearly set out the direction of travel and targets for the Students' Union towards 2016.

- (3) That alongside the development of its services, the Union had built into the strategic plan processes and procedures through which students will be able to access services more flexibly, both physically and virtually. The Union had also introduced a new Ethical and Environmental Action Group to bring together the large range of student-led environmental and ethical initiatives. As a result of the work done in sustainability, it received a second Green Impact Gold Award. The Union's work on the socially responsible vending of alcohol was also recognised externally. In other areas of social responsibility, Student Action were now running over 30 voluntary projects in the local community, supporting those most at need including homeless people, adults with learning disabilities and isolated elderly people. It was reported that Manchester RAG had another successful year, with highlights including the Bogle walk, which was set to raise over £40,000 towards the annual total. Work had also begun on achieving the Investors in Volunteers award, to ensure that excellent standards are maintained across all the Union's volunteering work.
- (4) That in terms of representation and participation Elections saw both a record number of students standing in elections for sabbatical positions (52) as well as record voter turnout (8410). Assemblies had replaced the old General Meetings as the Union's key policy setting bodies and were operating successfully. The Union were confident that the Student Leaders were having an impact on the student experience across the University. The Union introduced a new training conference for student representatives in September and was working directly with more course level student representatives than ever before. The Union recognised that the Exec Team was working effectively to provide strong voice for students in high-level decision-making in the University including representing students at the University Senate and Board of Governors and on major working groups reviewing provision for students. In terms of national representation, the Union had made sure there were student representatives' at all national events. Members of our Exec Team were elected to NUS Society and Citizenship Committee, NUS LGBT Committee, to Women's place on the NUS National Executive Council and to the NUS Trustee Board. Student-run Societies operating through the Union were now numbering over 270 and are thriving under student leadership with support from SU staff. Harmony Gospel Choir won University Gospel Choir of the Year, and appeared on the finals of X Factor on ITV; the Manchester Debating Union had won the bid to host the 2013 European Universities Debating Championships, and so would be hosting 700 students from around Europe on campus in August; the Bhangra Society performed to over 3000 people when they competed in the national Bhangra Showdown at Hammersmith Apollo; and, four faith-based societies came together for a day of volunteering painting fences and gardening in Platt Fields Park.
- (5) That the Union had worked in partnership with the University in a number of important areas. In 2012, a full time Access Coordinator was appointed in the Students' Union to develop student-led access projects and provide them with a Union-based expert on access and widening participation. The post and an associated project budget had been funded by the University's Widening Participation department. Working in close partnership with the Registrar, Secretary and Chief Operating Officer, the Director for the Student Experience and the Director of Residential Services, the Students' Union had made a significant contribution to the review of Residents Associations. This brought forward robust governance arrangements and the Students' Union will have a central role in financial management, training, elections and other aspects of student support in

Halls of Residences. Through the Campus Masterplan the Union had been allocated £4m for improvements to the existing Students' Union building and to build an additional floor to provide much needed space for the expansion of student activity.

- (6) That the year had not been without challenges for the Union, notably in terms of press and publicity following an extremist incident within one of the student societies. This had prompted the Union to review of its approach to extremism within the Union, societies and on campus. In respect of Union elections, the February ballots were the first to be operated under new governing documents. These proved to be testing following some particularly challenging circumstances including disqualifications and appeals. In response, the Trustee Board had initiated a review by an independent expert into the Union's elections processes in order to identify improvements and changes. Recommendations from this review would be reflected in the regulations for 2013-14.

**Resolved:** That the Board acknowledged all the development work within the Union over the last year. It highlighted the development of the Strategic Plan, and also the improvements in member services and cross-working in collaboration with the University.

## 8. Report from the Gift Oversight Group

**Received:** The first annual report from the Gift Oversight Group to the Board of Governors was provided. Professor Ian Jacobs, Chair of the Gift Oversight Group, and Vice-President and Dean of the Faculty of Medical and Human Sciences, and Mr Chris Cox, Director of Development, were in attendance for the item in order to present the report and answer questions.

### **Reported:**

- (1) That the University Gift Acceptance policy was revised in 2011, in light of the events at the London School of Economics (LSE) and to ensure recommendations included within the Woolf Report on the LSE Libya situation and new national guidelines for best practice were fully addressed in the revised policy. As a direct result of this, the Gift Oversight Group (GOG) was created to strengthen the decision making process around the acceptance of gifts.
- (2) That all gifts in excess of £100,000 or any gift which will bring a donor's cumulative giving to £100,000 must go to the Group for consideration. In addition, it is the responsibility of the Director of Development to ensure that any other gifts below £100,000, where he considers that any potential ethical or reputational issue may arise, must also go to the GOG for review and consideration.
- (3) That the membership of the group was as follows

Chair - Professor Ian Jacobs, Vice-President & Dean, Faculty of Medical & Human Sciences

Mr Steve Mole, Director of Finance

Mr Chris Petty, General Counsel

Professor Nalin Thakkar, Associate Vice-President (Compliance, Risk & Research Integrity)

Prof James Thompson - Associate Dean for External Relations, Humanities

Two additional board members joined the Group in March 2013, to extend the relevant expertise and knowledge of the Group and to increase representation across the University:

Professor Kersti Börjars, Associate Vice-President (Teaching, Learning & Students)

Dr. Nick Merriman, Director of Manchester Museum.

- (4) That the remit for the Group is to ensure that the University, having considered a range of information and, where necessary, undertaken due diligence procedures, will only accept gifts which are consistent with its guiding principles and values where:

- the source and purpose of the gift are consistent with its core strategic objectives.
- the activity to be funded by the gift does not create unacceptable conflicts of interest for the University.
- all reasonable steps have been taken to ensure that the University is aware of the source of funding for each gift and has satisfied itself that the funds do not derive from activity that was or is illegal, or runs counter to the core values of impartial, independent research, scholarship and teaching.
- due regard has been taken of any reputational risk for the University which may derive from the acceptance of any particular gift.

- (5) That in terms of process, the Group works through consensus and therefore the Group must either:
- a) approve the gift approach;
  - b) decline the gift approach; or
  - c) postpone making a decision and request for second stage due diligence to be undertaken and presented back to the Group.

Where the members of the GOG are unable reach a consensus decision, the agreed Gift Acceptance Policy states that: *'In cases where the GOG decides that it cannot approve the acceptance of the proposed gift without further consultation, it will refer the information to the President and Vice-Chancellor for further consideration, who will, as appropriate, either reach a decision or choose to consult with a nominated lay Board member and/or with the Chair of the Board of Governors.'* Robert Hough (lay board member and Deputy Chair, Board of Governors) had kindly agreed to take on this role, though at the time of report his direct involvement had not been required.

- (6) That the Director of Development was also in attendance at the GOG meetings to provide the Group with relevant updates on current and anticipated future discussions with potential major donors, with a view to giving advance consideration to any potential ethical or reputational issues. He also shares with the Group any significant current and emerging national and international case studies, legal requirements or any other relevant issues relating to ethical and reputational considerations and the acceptance of gifts.
- (7) That the Gift Oversight Group had held four standard meetings since September 2012 and has convened one special meeting to review and consider a specific donor where the Group postponed making a decision and requested second stage due diligence to be undertaken and presented back to the Group. One of the initial core objectives for the GOG and the Division of Development & Alumni Relations (DDAR), which continues to remain a key agenda item, has been the creation and development of relevant due diligence processes and associated paperwork to accompany the policy, to ensure the members of the GOG are fully equipped to undertake their responsibility.
- (8) The Group have provided suggested amendments to the existing Gift Acceptance Policy to include:
- Additional points which are not currently covered (additional representation, role of Deputy Chair etc.)
  - Re-wording of text to ensure coherence throughout the document

The GOG will continue to appraise the policy to ensure it incorporates the most relevant information pertinent to the Group and the work which they are undertaking.

- (9) That the Group had reviewed, considered and approved 32 gift approaches to date. Out of the 32 potential gifts considered by the Group, 30 of them were above the £100,000 threshold in place. Two proposal approaches at lower levels were brought to the Group's

attention by the Director of Development. The sources and purpose of the gift approaches considered and reviewed by the GOG were provided in the Report to the Board.

- (10) That the Chair reported that the GOG had made strong progress since its first meeting in September 2012. Detailed paperwork for the supporting due diligence procedures had been put in place and these had been strengthened and developed. The Division had been proactive in their research activities relating to the work of the Group and the Director of Development had provided informative and valuable philanthropic updates at each meeting. The diverse knowledge and expertise of the Group had been crucial, and there have been many recommendations put forward with regards to improving the performance and advancement of the Group.

**Noted:**

- (1) That the Report on the work of the Group was welcomed by the Board, noting the professionalism and diligence applied in its processes.
- (2) That the work of the Group is limited to donations and philanthropy only, and does not examine research awards and/or contracts from research councils, charities, or established corporate entities. However, the issue of corporate ownership within donations, where it might mask the direct involvement or control by an individual, was identified as a potential issue and would be discussed within a future meeting of the Group.
- (3) That the Board considered the level of detail that might be provided in the Report, as the names of the individuals providing gifts had not been disclosed. In responding, the Chair and the Director of Development explained that although all the potential gifts had been reviewed, not all were firm proposals at this stage and therefore wider disclosure was not possible. Recognising that this was the first formal Report and that the work of the Group was evolving, the Chair and the Director of Development resolved to consider the issue further and report back within the next session.

**Resolved:** That the Board of Governors approved the minor changes to the Gift Acceptance Policy recommended within the Report of the Gift Oversight Group.

## **9. President and Vice-Chancellor's report**

### **(a) The Report of the President and Vice-Chancellor to the Board of Governors**

**Reported:**

- (1) That the Chancellor of the Exchequer had published his Spending Review for 2015/16. Several bodies submitted evidence on the case for public spending for higher education. These included reports on the impact of research funding, on-going work on efficiency in the higher education sector, and analysis of the broader economic impact of universities. A summary of the headline spending outcomes for the Department of Business, Innovation and Skills prepared by Universities UK was provided as an Appendix to this report. In broad terms, the President and Vice-Chancellor indicated that this was considered to be a good outcome for universities; however clarification is being sought from Ministers about the detail, including how the cut to HEFCE will be apportioned.
- (2) That to enable the University to become one of the leading universities in the world it was committed to positioning itself as an exemplary employer. A key performance indicator as set out in the University's strategic plan, Manchester 2020, and agreed previously by the Board, was staff satisfaction, with a target of achieving 80% of staff

satisfied with working in the University by 2020 and having at least a 50% response rate in the Staff Survey. Both of these targets have been exceeded: 71% of eligible staff took part in the Staff Survey 2013 and 94% 'tend to agree' or 'agree' that 'The University is a good place to work'; 82% 'tend to agree' or 'agree' that 'Overall, I am satisfied with my job' and 92% say that they are proud to work for the University. In addition our benchmark scores (against other higher education institutions surveyed by Capita in 2012/13) are consistently on the positive side. Overall this was recognised as a great achievement. However, there were a few areas where scores are lower than anticipated though in most case these are in line with other universities. The President and Vice-Chancellor and her team were pleased that that this level of participation means that the results will provide a reliable basis for judging how people feel about working here at the University. The survey had provided a really strong foundation on which to build action plans to improve everyone's experience at work. Capita, which carried out the survey on our behalf, has been analysing the results and following a presentation to the Senior Leadership Team at the end of May and to Heads in early June, the University-wide results have been communicated to staff. Based on the findings, action plans are being put together for the PSS; Library and visitor attractions; and the four Faculties; to address both University and more local level issues. Draft plans will be prepared by mid-July and following review by the Senior Leadership Team will be ready to put into practice in October.

- (3) That the President and Vice-Chancellor provided the Board with an update on the position in respect of expected student numbers for September 2013 entry. Home/EU and Overseas recruitment at UG level was likely to be on target given the number of acceptances at this point. However, recruitment in PG (T) programmes was likely to be more challenging, as Home and EU applications were down, though mitigated by a slight increase in Overseas applications. In terms of PGR programmes, applications were slightly up, though acceptances were lower than at this point in the previous year.
- (4) That UUK had recently launched a new website 'Safe Campus Communities'. The website, [www.safecampuscommunities.ac.uk](http://www.safecampuscommunities.ac.uk), contains links to a range of resources, research and case studies about security issues. Information includes links to the government's Prevent agenda, guidance on good campus relations, a summary of the legal context within which universities must operate and resources related to external speakers. It was essential that universities, like all individual citizens and other public bodies, take appropriate action to act responsibly to protect public safety. However a university has a special responsibility to protect the lawful freedom of expression and one of the greatest contributions that we can make to preserve an open, liberal, secure society is by upholding this freedom. The President and Vice-Chancellor advised Board members that the University would continue to take its responsibility within the Prevent agenda seriously, while balancing this against its other obligations.
- (5) That Staff House Conference Centre is a dedicated meeting facility located on the North Campus. In addition to University business it is extremely popular with external organisations for meetings and training events. The Centre is sold by the Hospitality and Events Conference Sales Team under the conferences and venues University sub-brand. Whilst profitable it had become dated and only limited investment can be made given the building's anticipated future life within the framework of the Campus Master-plan. However, the meeting rooms within Staff House had been refurbished recently with new décor, carpets and furniture. The Conference Sales Team know from their daily face to face contact with existing and prospective customers at exhibitions and buyer's events that a significant barrier to be overcome with events organisers is their preconceptions regarding academic venues. Typical preconceptions include: the venues only have vacation availability or are shared spaces with students, will be austere and sparsely furnished with a dated institutional feel. The name 'Staff House Conference Centre' does

nothing to quash these perceptions and was considered to be a considerable initial block to the Sales Team receiving enquiries outside of the University. In view of this and following consultation with relevant Officers in within the University it is recommended that Staff House Conference Centre is named "Manchester Meeting Place".

**Resolved:** The Board of Governors approved the re-naming of the Staff House Conference Centre as "Manchester Meeting Place".

**(b) Report from the Head of Compliance and Risk**

The report will include the Safety, Health and Environment Minutes from the meeting on 16 May 2013, which includes an executive summary, the Health and Safety Policy Statement and associated information and accident statistics

**Reported:**

- (1) That the memorandum describing the organisation to implement the University Health and Safety Policy was introduced as a separate supporting document in 2012-13. The Committee recommends that the Board approve the document with minor amendments for 2013-14.
- (2) That the Committee approved further new or revised chapters of the Health and Safety Policy, relating to substances which are carcinogenic, mutagenic or toxic to reproduction, the interface between Estates and Facilities and building users, and aspects of radiation safety.
- (3) That the Committee considered the accident statistics for the first quarter of 2013 and noted that they showed an initial downward turn but that it was too early to draw further conclusions about long term trends.

**Resolved:** The Board of Governors approved the Health and Safety Policy Statement for 2013-14.

**(c) Report to the Board of Governors on exercise of delegations**

**Reported:**

**(1) Appointments of a Head of School**

Acting on behalf of Senate and the Board of Governors, and on the recommendation of the relevant School Board and/or the Dean of the relevant faculty, the President and Vice Chancellor approved the appointment or re-appointment of the following Heads of School:

Professor Steve Watt, as Head of the School of Physics and Astronomy in the Faculty of Engineering and Physical Sciences for a further period of five years from 1 June 2013.

Professor Paul Coulthard, as Head of the School of Dentistry, in the Faculty of Medical and Human Sciences (appointment and term to add).

**(2) Directors of Institutes**

Acting on behalf of Senate and the Board of Governors, and on the recommendation of the Dean of the relevant faculty, the President and Vice-Chancellor approved the re-appointment or appointment of the following as directors of University Institutes:

Professor Nigel Scrutton, as Director of the Manchester Institute of Biotechnology (MIB), for a further three years from 1 September 2013.

Professor Melissa Denecke, as co-Director of the Dalton Nuclear Institute from 1 July 2013, for a five year term.

**(3) Emeritus Professor**

Acting on behalf of Senate and the Board of Governors, and on the recommendation of the relevant Head of School and Dean of the Faculty, the President and Vice-Chancellor awarded the title of emeritus/emerita professor to:

Professor Jean Shaoul, Manchester Business School, with effect from 1 January 2013.

Professor Alistair Sutcliffe, Manchester Business School, with effect from 1 June 2013.

**(4) Promotion Outcomes**

Acting on behalf of Senate and the Board of Governors, the following promotional cases were approved:

***Ad Personam Promotional Chair in Biomaterials***

Maria Alonso Rasgado, MSc (ESIA-IPN, Mexico), PhD (UMIST), at present Reader in the School of Materials, Faculty of Engineering and Physical Sciences at this University, as Professor of Biomaterials in the Faculty of Engineering and Physical Sciences from 1<sup>st</sup> December 2012.

***Ad Personam Promotional Chair in Economics & Management Innovation***

Silvia Massini, MSc (University of Warwick), PhD (University of Rome), at present Reader in the Manchester Business School, Faculty of Humanities at this University, as Professor of Economics & Management Innovation in the Faculty of Humanities from 1<sup>st</sup> December 2012.

***Ad Personam Promotional Chair in Developmental Signalling***

Keith Brennan, BA, PhD (University of Cambridge), at present Senior Lecturer in the Faculty of Life Sciences at this University, as Professor of Developmental Signalling in the Faculty of Life Sciences from 1<sup>st</sup> May 2013.

***Ad Personam Promotional Chair in (yet to be agreed)***

Arif Khurshed, BSc (University of Delhi), MSc (University of Buckinghamshire), PhD (University of Reading), at present Senior Lecturer in the Manchester Business School, Faculty of Humanities at this University, as Professor of (yet to be agreed) in the Faculty of Humanities from 1<sup>st</sup> August 2013.

**Reader**

Steven Magennis, Faculty of Engineering and Physical Sciences, promotion to Reader on 1<sup>st</sup> January 2013.

Jane Green, Faculty of Humanities, promotion to Reader on 1<sup>st</sup> May 2013.

### **Senior Lecturer**

Liam Harte, Faculty of Humanities, promotion to Senior Lecturer on 1<sup>st</sup> May 2013.

Konstantinos Stathopoulos, Faculty of Humanities, promotion to Senior Lecturer on 1<sup>st</sup> March 2013.

Stuart Shields, Faculty of Humanities, promotion to Senior Lecturer on 1<sup>st</sup> November 2013.

### **Senior Research Fellow**

Elvira Uyarra, Faculty of Humanities, promotion to Senior Research Fellow on 1<sup>st</sup> February 2013.

## **(5) Academic Appointments**

Acting on behalf of Senate and the Board of Governors, the following appointments were approved:

### **Professorial**

#### ***Ad Personam* Professor of Sociology and Social Gerontology**

Professor Christopher Phillipson, PhD (University of Durham), Faculty of Humanities, School of Social Sciences, from 1st November 2012

#### ***Ad Personam* Professor of Immunology**

Professor Daniel Davis, PhD (University of Strathclyde), Faculty of Life Sciences, School of Life Sciences, from 1st November 2012

#### ***Ad Personam* Professor of Bioethics**

Professor John Harris, BA, PhD (University of Oxford), Faculty of Life Sciences, School of Life Sciences, from 1st November 2012

#### ***Ad Personam* Professor of Astrophysics**

Professor Sarah Bridle, BA, M.Sci, PhD (University of Cambridge), Faculty of Engineering and Physical Sciences, School of Physics and Astronomy from 1st January 2013

#### ***Ad Personam* Professor of Modern Arabic Studies**

Professor Zahia Smail Salh, PhD (University of Exeter), Faculty of Humanities, School of Arts, Languages and Cultures, from 1st January 2013

#### ***Ad Personam* Professor of Human Geography**

Professor Stefan Bouzarovski, BA, MSc, PhD (University of Oxford), Faculty of Humanities, School of Environment and Development, from 1st January 2013

#### ***Ad Personam* Chair in Public International Law**

Professor Jean D'Aspremont, PhD (University of Louvain), Faculty of Humanities, School of Law, from 1st January 2013



***Ad Personam Professor of Immunology***

Professor Andrew MacDonald, BSc, PhD (University of Edinburgh), Faculty of Life Sciences, School of Life Sciences, from 1st January 2013

***Ad Personam Professor of Nursing***

Professor Sandra Dunbar, BSc, MSc, PhD (University of Alabama), Faculty of Medical and Human Sciences, School of Nursing, Midwifery and Social Work, from 1st January 2013

***Ad Personam Professor of Psychopharmacology***

Professor Joanna Neill, BSc (Bath), PhD (Birmingham), Faculty of Medical and Human Sciences, School of Pharmacology and Pharmaceutical Sciences, from 1st January 2013

***Ad Personam Professor of Nursing***

Professor Carol Tishelman, BSc, PhD (Karolinska Institute), Faculty of Medical and Human Sciences, School of Nursing, Midwifery and Social Work, from 3rd January 2013

***Ad Personam Chair in Health Psychology***

Professor Suzanne Skevington, BSc, PhD, Faculty of Medical and Human Sciences, School of Psychological Sciences, from 1st February 2013

***Ad Personam Professor of Ecology***

Professor Richard Bardgett, BSc, PhD (Lancaster University) Faculty of Life Sciences, School of Life Sciences, from 1st February 2013

***Ad Personam Professor of Cancer Sciences***

Professor Paul Townsend, BSc, Cert Ed., PhD (University College, London), Faculty of Medical and Human Sciences, Institute of Cancer Sciences, from 1st February 2013

***Ad Personam Chair in Marketing***

Professor Gary Warnaby, BA, MSc, PhD (Manchester Metropolitan University), Faculty of Engineering and Physical Sciences, School of Materials from 1st February 2013

***Ad Personam Professor of Education***

Professor Michael Apple, Ed.D (Columbia University) Faculty of Humanities, School of Education, from 1st February 2013

***Ad Personam Professor of Education***

Professor Mark Greenberg, BA, MA, PhD (University of Virginia) Faculty of Humanities, School of Education, from 1st February 2013

***Ad Personam Professor of Education***

Professor Luis Radford-Hernandez, Bsc, PhD (Universidad de San Carlos) Faculty of Humanities, School of Education, from 1st February 2013

***Ad Personam Professorial Research Fellow***

Professor Timothy Cornell, BA, PhD (University of London) Faculty of Humanities, School of Arts, Languages and Cultures, from 1st February 2013

***Ad Personam Professor of Social Statistics***

Professor Ian Plewis, B.Soc.Sci, MSC (London School of Economics), Faculty of Humanities, School of Social Sciences, from 1st March 2013

***Ad Personam Professor of Sociology***

Professor Alice Bloch, BA, Msc, PhD (Goldsmiths College, University of London) Faculty of Humanities, School of Social Sciences, from 1st April 2013

***Ad Personam Professor of Commercial Law***

Professor Gerard McMeel, BCL, MA (Brasenose College, University of Oxford) Faculty of Humanities, School of Law, from 1st April 2013

***Ad Personam Chair in Cognition and Cognitive Neuroscience***

Professor Sonja Kotz, MA, Msc, PhD (Tufts University), Dr. rer. nat. habil (University of Leipzig) Faculty of Medical and Human Sciences, School of Psychological Sciences, from 1st April 2013

***Ad Personam Professor of Cardiovascular Medicine***

Professor Bernard Keavney, MD (University of Oxford) Faculty of Medical and Human Sciences, Institute of Cardiovascular Sciences, from 1st April 2013

***Ad Personam Professor of Medicine***

Professor Ludwig Neyses, MD (Dierich, Institute of Immunology, Mainz, Germany) Faculty of Medical and Human Sciences, Institute of Cardiovascular Sciences, from 1st April 2013

***Ad Personam Professor of Respiratory Medicine***

Professor Paul O'Byrne, MD (University College, Dublin) Faculty of Medical and Human Sciences, Institute of Inflammation and Repair, from 1st April 2013

***Ad Personam Chair in Fungal Cell Biology***

Professor Nick Read, Bsc, PhD (University of Bristol) Faculty of Medical and Human Sciences, Institute of Inflammation and Repair, from 1st April 2013

***Ad Personam Chair in Health Psychology***

Professor Belinda Borelli, BA (Summ Cum Laude), MA, PhD (University of Illinois) Faculty of Medical and Human Sciences, School of Psychological Sciences, from 1st May 2013

### ***Ad Personam Professor of Population Health***

Professor Richard Wakeford, BSc, PhD (University of Liverpool) Faculty of Medical and Human Sciences, Institute of Population Health, from 1st May 2013

### ***Ad Personam Professor of Education***

Professor Erica Burman, BSc, PhD (University of Manchester) Faculty of Humanities, School of Education, from 1st May 2013

### ***Ad Personam Chair in Welding Technology***

Professor Michael Smith, BSc, D.Phil (Magdalen College, University of Oxford) Faculty of Engineering and Physical Sciences, School of Mechanical, Aerospace and Civil Engineering from 7th May 2013

### ***Ad Personam Chair in Geotechnical Engineering***

Professor Akbar Javadi, BEng, MA, PhD (University of Bradford) Faculty of Engineering and Physical Sciences, School of Mechanical, Aerospace and Civil Engineering from 1st June 2013

### ***Ad Personam Professor of Education***

Professor Ian Stronach, MA, Med, PhD (Manchester Metropolitan University) Faculty of Humanities, School of Education, from 1st June 2013

### **Readers**

Dr Keith Grainge, Faculty of Engineering and Physical Sciences, School of Physics on 1st January 2013

Dr Alistair Brand, Faculty of Humanities, Manchester Business School on 1st January 2013

### **Senior Lecturers**

Dr Linda Rush, Faculty of Humanities, School of Education on 1st November 2012

Dr Nongnooch Kuasirikin, Faculty of Humanities, Manchester Business school on 1st January 2013

Dr Alexandros Kostakis, Faculty of Humanities, Manchester Business school on 1st January 2013

Dr Erica Bafelli, Faculty of Humanities, School of Arts, Languages and Cultures on 1st January 2013

Ms Selma Carson, Faculty of Humanities, School of Environment and Development on 15th January 2013

Dr Tariq Aslam, Faculty of Medical and Human Sciences, Institute of Human Development on 1st May 2013

Dr Caroline Bradbury-Jones, Faculty of Medical and Human Sciences, School of Nursing, Midwifery and Social Work on 20th May 2013

Dr Karen Broadhurst, Faculty of Medical and Human Sciences, School of Nursing, Midwifery and Social Work on 1st June 2013

Dr Joanne Dunville, Faculty of Medical and Human Sciences, School of Nursing, Midwifery and Social Work on 1st April 2013

Dr Keith Jensen, Faculty of Medical and Human Sciences, School of Psychological Sciences on 5th December 2012

#### **Research Fellows**

Dr Denis Hilton, Faculty of Humanities, School of Social Sciences on 1st February 2013

Dr Paul Le Tissier, Faculty of Life Sciences, School of Life Sciences on 7th May 2013

#### **Honorary Chair**

Judith Jaeger, Honorary Professor, PhD (Yeshiva University), BA (City University New York), Faculty of Medical and Human Sciences, Institute of Brain, Behaviour and Mental Health on 25th April 2013.

#### **(6) Seal Orders**

Pursuant to General Regulation VII.4, the Common Seal of the University has been affixed to instruments recorded in entries no 1294 - 1312.

### **10. Report from the Senate**

#### **(a) A summary of matters for the attention of the Board, arising from the meeting of Senate held on 25 June**

##### **Reported:**

- (1) That Senate received summary reports on the results of the Staff Survey 2013, student numbers for entry in 2013, and UUK's launch of the 'Safe Campus Communities' website.
- (2) That members were updated on progress with the University College for Interdisciplinary Learning and a project to produce personalised teaching timetables for students. Senate approved a framework for Faculty Peer Review of Teaching, a Policy on the Recording of Lectures and Other Learning Activities, and the formation of a new Student Conduct and Discipline Committee to replace the existing Student Discipline Committee. This latter approval necessitates amendments to Regulation XVII: Conduct and Discipline of Students which were approved by Senate and also require approval by the Board. The amended regulation was provided under the Secretary's Report.
- (3) That the Vice-President (Research and Innovation) reported on preparations for the REF2014. Senate approved a Policy on the Use of Animals in Research and changes to the governance of the University of Manchester Research Institute.
- (4) That Senate endorsed amendments to the Terms of Reference for the Awards and Honours Group and endorsed the names recommended by the Group for honorary degrees.
- (5) That Senate approved changes to the Academic Promotions Policy and Procedure for Grades 5 to 6 and Grades 6 to 7. These changes were also forwarded to the Board for formal approval.

- (6) That Senate endorsed an amendment to Regulation XVI: The University Press, for approval by the Board.

**Resolved:** That the Board approved the Academic Promotions Policy and associated procedures, and the amendments proposed to Regulation XVII, on the Conduct and Discipline of Students, attached as Appendix 5.

- (b) **A confidential report from the Awards and Honours Group was tabled at the meeting. By way of background, a paper on the process for bringing forward recommendations for honorary awards and the award of the University Medal of Honour was also provided.**

**Reported:**

- (1) That in November of each year, the President and Vice-Chancellor, on behalf of the Awards and Honours Group, invites members of the Board of Governors, Senate, General Assembly and all staff and students, via the University of Manchester Students' Union Executive, to nominate individuals for honorary degrees and Medals of Honour. In addition alumni are invited to submit nominations.
- (2) That in the following April, after an initial sift undertaken by the President and Vice-Chancellor, conducted after seeking advice from relevant senior officers, the short-listed cases are considered by the Awards and Honours Group. Consideration is given gender and ethnicity, so that a balance is achieved, as far as is practicable, as well as to ensuring that the broadest range of fields of achievement is reflected. Of those which are not short-listed, some are considered unsuitable at this particular time and are removed from the database; others are kept on record and carried over to be reconsidered the following year.
- (3) That the Awards and Honours Group (AHG) reviews the candidates at its meeting and makes its selection. Thereafter Senate is asked to endorse the recommendations for honorary degrees, with final approval being sought from the Board of Governor in July each year. The Board is also asked to consider and approve the names being put forward by the AHG for Medals of Honour.

The Awards and Honours Group comprises:  
The President and Vice-Chancellor (ex officio)  
The Registrar, Secretary and Chief Operating Officer (ex officio)  
General Secretary of the Students' Union (ex officio) [since 2013]  
Four members of the Board of Governors  
Four members of Senate, one from each of the Faculties

The membership for the meeting on 15 April 2013 was as follows:  
Professor Dame Nancy Rothwell  
Mr Will Spinks  
Mr Nick Pringle  
Mr Robert Hough  
Cllr Mohammed Afzal Khan  
Mrs Christine Lee-Jones  
Mr Gerry Yeung  
Dr Stuart Allan  
Professor Kersti Borjars  
Professor Anthony Brown  
Professor Aneez Esmail

In effect, Senate and the Board of Governors delegate responsibility for managing the process and coming forward with recommendations to the AHG.

- (4) That the entire process is managed in a way which is designed to ensure that confidentiality is upheld. In the letter calling for names it is made clear that the AHG reserves the right to reject a nomination where the nominee and/or his or her family or colleagues are found to be aware of the nomination. The need for confidentiality also means that the nominations are tabled at the AHG meeting itself (with sufficient reading time given), and, similarly, any papers giving the names of the individuals are also tabled at the relevant meeting of Senate and the Board. In all three instances the papers are handed back at the end of the meeting.
- (5) That the names of the successful individuals can only be released once they have formally agreed to accept the honorary degree or Medal of Honour.
- (6) That at its recent meeting, members of the group considered whether, in the light of recent experiences at other universities, it would be desirable to formally state within its terms of reference that it has the authority to make recommendations to Senate and the Board of Governors in the case of honorary degrees, and to the Board of Governors only in the case of Medals of Honour, that awards be rescinded.

There was unanimous agreement that this should be one of its terms so it proposed that a fourth term is added.

The terms of reference are given here in full with the additional term italicised:

1. To consider the criteria and make recommendations to Senate and thereafter the Board of Governors for the award of honorary degrees of the University.
2. To consider the criteria, and make recommendations to the Board of Governors, for the award of the University Medal of Honour.
3. To advise the President and Vice-Chancellor on matters relating to the University's Distinguished Achievement Medals and on nominations for other internal and external honours and awards which may from time to time be introduced.
4. *To review any award where the University is in receipt of substantial new information which, for good reason, was not available previously or has subsequently been provided and which, potentially, could have affected the original decision to confer. In undertaking this task the Group will:*
  - *require substantial grounds for the review;*
  - *will review those grounds with the award holder, if appropriate and if possible; and will*
  - *after due consideration, make a recommendation to Senate and thereafter the Board of Governors (for honorary degree holders) or directly to the Board of Governors (for Medal of Honour holders), to either rescind the award or leave it in place.*

**NB** That further information on the awards approved by the Board and to be made in the 2013/14 academic year will be provided once the University has received responses from the nominated recipients.

## 11. Board committee reports

### (a) Finance Committee, 17 June

**Received:** The executive summary and minutes of the meeting held on 17 June 2013, including recommendations concerning the Budget for the University for 2013-14.

**Reported:**

- (1) That in addition to those matters already reported to the Board at its extraordinary meeting on 19 June 2013, Finance Committee also considered the following issues in respect of the Bond:
  - (i) Following discussions with the University's legal advisors, Mills and Reeve and Clifford Chance, a specific indemnity for members of the Board of Governors was not deemed to be necessary either in the context of the bond transaction or otherwise. It was highly likely that any claim would be brought against the University, as a body corporate, rather than against individual Governors. The decision to enter into the bond issue was a collective one and this collective approach was both a key part of the University's usual procedures and processes and was fundamental to the way in which the bond issue is to be approved. The prospectus had been drafted with input from all areas of the University and subject to review by both sets of lawyers and Rothschild (as financial adviser to the University). In addition, the recommendations and resolutions by Finance Committee and the Board of Governors have been made collectively, and at full meetings.
  - (ii) It was noted that the University will put in place Public Offering of Securities Insurance ("POSI") to cover liability specifically arising under the prospectus.
  - (iii) Directors and Officers liability cover had been doubled from £10 million to £20 million.
  - (iv) The University must disclose significant changes which may affect its obligations under the terms of the bond. Only in limited circumstances can disclosure be delayed and it was for the issuer (ie. the University) to demonstrate disclosure. However, the definition was broad and the key consideration was "materiality".
  - (v) In order to provide additional headroom in the first four years of the bond, an amendment to the existing private placement had been negotiated with the note holders so that the cash raised by the bond issue will be taken account of when calculating the debt to net asset ratio. Finance Committee confirmed its approval for this variation to the agreement.
  - (vi) Finance Committee noted that the de minimis amount for the non-payment of another debt, triggering an immediate repayment of the bond, was £20 million.
  - (vii) It was noted that all subscribers to the bond issue will be UK registered institutions and therefore compliant with all statutory regulations,

including those regarding money laundering. Separate (individual) disclosure would not be required.

- (2) That Finance Committee resolved to recommend for the approval of the Board of Governors the University's budget for 2013/14 and Five Year Financial Forecasts.
- (3) That Finance Committee resolved that the Chair was empowered to take Chair's Action to approve a temporary breach of the Treasury Management Policy following receipt of the bond monies in July 2013.
- (4) That BlackRock had informed the University that Mr Doug Shaw had taken over as Relationship Manager following the departure of Mr Willie Hartley-Russell. Aon Hewitt were currently undertaking a review of the current investment strategy, including value for money and Finance Committee will receive this report at its next meeting.
- (5) That Ernst and Young had been appointed by USS Ltd to assess the strength of the financial covenant and were due to visit the University of Manchester on 19 June 2013.
- (6) That Finance Committee noted the management accounts for April 2013 at the meeting. However, the May management accounts were provided to the Board, having been received and reviewed by PRC Finance Sub Committee on 18 June 2013 and Planning and Resources Committee on 9 July 2013.
- (7) That the Chair thanked the two members of Finance Committee attending their last meeting. Mr Nick Pringle, during his 12 months as General Secretary of the Students Union, and Dr Keith Lloyd, for his seven years as a member of the Committee, chair of Subsidiary Undertakings Sub Committee and latterly, as chair of Finance Committee.

**Resolved:** That the Board of Governors approved the budget submission for 2013/14.

**(b) Audit Committee 25 June**

**Received:** The executive summary and minutes of the meeting held on 25 June 2013.

**Reported:**

- (1) That the Committee noted it had previously requested that the audit plan for 2013-14 should be updated to address elements of the capital development plan within its coverage. A further iteration of the audit plan would be provided to the Committee in September 2013.
- (2) That the Committee agreed that a paper on whistleblowing, reviewing reports and investigations previously made and completed, would be brought to the next meeting.
- (3) That the planned update and training event for members of the Audit and Finance Committees and of the Board of Governors had, unfortunately, been cancelled. The main element was to have been a session from the Charity Commission, entitled "The Essential Trustee", however, the Charity Commission had been unable to deliver the training as originally planned. The training event would be re-scheduled early within the next academic session.
- (4) That Uniac presented reports on Cyber Security, Banking and cash management, Bribery Act Response and Environmental Sustainability. In respect of Cyber Security, where Uniac had identified significant opportunities to improve the



effectiveness of the system of internal control and governance, and significant opportunities to identify and evaluate risks and controls more appropriately for cyber threats, while the Committee concern about the nature of the risks the University faced in some of the areas described. The Committee anticipated that the issue of cyber security would be reflected within the risk registers and indicated that regular reports on progress in this area should be provided.

- (5) That, referencing the earlier discussion concerning cyber security, the Committee noted that it would be beneficial to separately identify the risks concerned with this from the more general risk of a failure in or breach of University IT infrastructure. As had previously been noted, the risks were presented as “net after considering controls in place”. However, it remained the case that the existence of those controls did not have an immediate effect on the impact and likelihood of the risk, and it was anticipated that the likelihood and/or impact would move left/down across the map as the control environment in each case mature. The Committee agreed that the risk map would be revised in line with the comments expressed at the meeting and presented this to the Board, as an appendix to the Audit Committee minutes.

**Noted:** That Treasury Management Policy and the Monitoring of the Campus Masterplan would be addressed within the Internal Audit Plan for 2013-14.

**(c) Staffing Committee, 12 June**

**Received:** An executive summary and minutes from the meeting of the Staffing Committee held on 12 June 2013.

**Resolved:** To approve the recommendations of the Staffing Committee that:

- (1) The University proceeds with the process outlined in the agreed contracts procedure to deal with those staff considered to be at risk on open ended contracts linked to finite external funding for the period through 1 February 2014 to 30 June 2014;
- (2) The University continues to ensure that all suitable and appropriate alternative strategies for resolution, including redeployment and restructuring, have been properly considered.

**R (d) Remuneration Committee, Annual Report and minutes from 17 April 2013**

A report on the work undertaken by the Remuneration Committee within the year was provided alongside the minutes of the meeting from 17 April 2013.

**Noted:**

- (1) That the Committee’s principal matters of business are:
  - (i) To consider and determine on behalf of the Board of Governors the remuneration arrangements for certain senior officers of the University (including the President and Vice-Chancellor, the Registrar and Secretary, Vice-Presidents and Deans, and Vice-Presidents).
  - (ii) To delegate to an appropriately constituted Senior Salaries Review Group (or Groups) the task of making recommendations on the remuneration of professorial and equivalent senior administrative staff not covered in ‘1’ above

and to scrutinise such recommendations as appropriate for consistency and fairness.

- (iii) To consider policies and procedures on the remuneration of senior staff, to recommend them to the Board of Governors and to oversee their implementation within the University.
- (2) That the Committee had prepared a comprehensive report on the work undertaken by the Committee and detailed information on the review of the salaries of the President and Vice-Chancellor, the Deputy President and Vice-Chancellor, the Vice-Presidents and Deans, the Policy Vice-Presidents, the Registrar, Secretary and Chief Operating Officer and the Chief Executive of UMI<sup>3</sup>.
- (3) That the Director of Human Resources presented the Remuneration Committee members with a detailed report on the Hay evaluation of grade 9 academic related roles. All roles in this category had now been evaluated by Hay consultants using up to date job descriptions. The report presented the overall scores for each role, a proposed banding framework and a proposed pay policy. The Board was asked to approve the recommendation from the Remuneration Committee on the University's approach to pay, recognition and progression for grade 9 academic related staff as outlined.

**Resolved:** The Board of Governors approved the approach to pay, recognition and progression for grade 9 academic related staff proposed.

## 12. Report from the Planning and Resources Committee

**Received:** A summary of matters discussed at the meetings of the Committee held on 7 May and 11 June was provided.

### **Reported:**

- (1) That during the period of this report, the Committee considered the draft management accounts for the period ended 30 April 2013. The Committee also received the Minutes of the Finance Sub-Committee meetings held on 30 April 2013, 21 May 2013 and 28 May 2013.

At its meeting on 11 June 2013, the Committee considered the University's draft submission of the Budget for 2013-14 and Five Year Plan, including the HEFCE submission comprising financial tables and commentary, and agreed to recommend them to Finance Committee for approval. The Committee noted that the plan included less contingency than had historically been the case.

At the same meeting, the Committee considered and approved the following tuition fee recommendations from the meeting of Finance Sub-Committee held on 28 May 2013:

- i) recommendations from the respective Faculty Senior Management Teams for the non-standard tuition fees to apply in 2014-15
- ii) recommendations from the Teaching and Learning Group that, with effect from September 2013, (a) undergraduate students permitted to repeat a year of study be charged full tuition fees at the rate applicable for the academic year concerned; and (b) undergraduate students permitted to carry 20 failed credits into a subsequent year will not be charged any additional tuition fee but will be required to cover any additional costs associated with the course unit(s) concerned e.g. mandatory field trip

- iii) guiding principles for additional costs incurred by students on undergraduate and postgraduate taught programmes
- iv) fees for joint postgraduate research programmes
- v) the proposal from the PBS Taskforce that the University's facility for the early payment of tuition fees should be promoted and that a mandatory £1,000 'deposit' be introduced for international taught postgraduate students applying to commence their study in 2014-15 (effectively from August 2013).

At its meeting on 11 June 2013, the Committee considered and endorsed the process for approval of the public bond.

- (2) That at its meeting on 11 June 2013, the Committee considered a paper highlighting some of the key proposals in the HEFCE consultation document: *Student number controls: Consultation on arrangements for 2014-15 onwards* (2013/10) and outlining the main elements of the University's response. The Committee also considered a paper summarising proposed changes to the HEFCE financial memorandum part 2 for the academic year 1 August 2013 to 31 July 2014. At the same meeting, the Committee approved proposals for the 2013 Management Satisfaction Surveys for the Faculties, PSS and The University of Manchester Library. The Committee noted that the Management Satisfaction Surveys would be reviewed in due course in the light of the findings of the Staff Survey. The Committee also approved proposals for the format of the 2013 Faculty APRs including a timetable for the APR process. The same set of documentation would be used for the 2013 Faculty APRs as in 2012, with the addition of a Social Responsibility spreadsheet and key results from the Staff Survey 2013 by Faculty and School together with the Staff Survey Action Plans. At its meeting on 11 June 2013, the Committee approved the Operational Priorities for the Faculties for 2013-14, including key targets, and the Operational Priorities for 2013-14 for the Professional Support Services. The Committee also considered tables providing comparative 2011-12 data for the Russell Group relating to students, staff and research income.
- (3) That at its meeting on 11 June 2013, the Committee approved the University's response to the HEFCE request, Knowledge exchange funding through HEIF: additional funding AY2013/14 & AY2014/15 for universities at the up-to-date, re-modelled maximum cap: KE Strategy Addendum. The Committee noted that the University had had its HEIF uplift of £500k, initially awarded for good performance, extended for two years and was required to return the structured addendum outlining how it would use the funding by 14 June 2013. The University proposed to continue the additional activities instituted last year, i.e. supporting student enterprise, internships and for 2-D Tech, reserving a small amount for support for an initiative to increase activity with SMEs.
- (4) That at its meeting on 11 June 2013, the Committee noted that, in its initial assessment of the University's Access Agreement, the Office for Fair Access (OFFA), had queried the amount of outreach spend and the University's student success measures. The University had been required to respond within four working days by 31 May 2013.
- (5) That at its meeting on 11 June 2013, the Committee received the results of the Staff Survey 2013. The Committee noted that the survey had been run for five weeks during March and April by an external company, Capita. The results showed that the University had met its target, as set out in Manchester 2020: "To achieve 80% of staff satisfied with working at the University by 2020, ensuring that we are within the upper quartile of HEIs or similar organisations, and have at least a 50% response to the staff survey". The final response rate was 71%. In the Survey, 82% of staff agreed or tended to agree that they were satisfied with their job. In addition, 94% of respondents agreed or tended to agree that 'The University is a good place to work' (compared to a sector average of 90%) and 92% said they are proud to work for the University (sector average of 88%).

Following the briefing of Heads of School and Directors on 4 June 2013, newsletters containing the key results had been emailed to all staff and the Survey report made available on the web. The results had also been discussed at HR Sub-Committee. Staff Survey Action Plans at University, Faculty/PSS and individual unit level would be produced by the end of September 2013. Staff Survey results and Faculty/PSS Action Plans would also be part of this year's APR process.

- (6) That the Committee received an update on national pay negotiations at its meeting on 11 June 2013.
- (7) That during the period of the report, the Committee received the Minutes of the Capital Planning Sub-Committee meeting held on 30 April 2013.
- (8) That at its meeting on 11 June 2013, the Committee approved the Acceptable Use Policy (IT facilities and services). The Committee noted that the Policy formed part of a suite of policies supporting University Regulation XV (Use of IT facilities and services). The Committee had endorsed the revision to Regulation XV at its meeting on 13 November 2012.
- (9) That at its meeting on 9 April 2013, the Committee had recommended the Anti-Corruption and Bribery Policy to Audit Committee and the Board of Governors for formal approval and had noted that the Bribery Policy formed part of a package to evidence the University's procedures. At its meeting on 11 June 2013, the Committee agreed to recommend the Money Laundering Policy to Finance Committee and the Board of Governors for approval. Also at its meeting on 11 June 2013, the Committee agreed to recommend the revised Ordinance XIII, which concerned the governance of designated "Research Institutes" within the University, to Senate and the Board of Governors for approval, in order to clarify the role of The University of Manchester Research Institute (UMRI) and to charge it with the appropriate responsibilities.

### **13. Retiring Board Members**

**Noted:** On behalf of the Board of Governors, the Chair expressed his sincere thanks to the lay members Dr Keith Lloyd, Mr Gerry Yeung, and the staff representatives Dr Andrew Walsh, and Mr Mark Glass, who were due to stand down from the Board on 31 August 2013. An event to mark their service to the Board, and that provided by Mr Nick Pringle, as the Student Union's representative, was scheduled to take place immediately after the meeting in the Manchester Museum.

**Close.**

**New appointment to the Board of Governors in Category 2**

**Dr Neil McArthur**

Dr Neil McArthur MBE, the founder of national telecommunications operator Opal Telecommunications. In 2002 Opal was acquired by Carphone Warehouse Group, in a deal worth £108 million to Opal shareholders, to establish the fixed line division of TalkTalk. In 2010 TalkTalk demerged from Carphone Warehouse Group and after seven years as Managing Director of the TalkTalk Technology Neil was appointed Head of Group Innovation. TalkTalk Technology is responsible for building and supporting the Next Generation Network and delivering residential voice, broadband, TV and business voice and data services.

Neil is a chartered engineer and a fellow of the Institutes of Engineering and Technology & Mechanical Engineers. He has worked on telecommunications networks for the last 16 years and received a doctorate from Essex University for his work in telecommunications and in 1992 was awarded an MBE for his services to engineering. Neil is a member of the advisory board of Essex Business School and Chairman and a Trustee of the Hamilton Davies Trust, a north west based charity.

**Dr Angela Strank**

Dr Angela Strank joined BP in 1982 as a geologist and biostratigrapher in exploration and production. In 1989, she set up Frontiers Exploration Methods, a new team charged with research and development of new exploration techniques including magnetotellurics, seep geochemistry, airborne remote sensing and slimhole drilling. Subsequent roles with the company have ranged from senior business analyst to reputation manager in Angola.

She was appointed BP's technology vice president in May 2008. In 2012, she was appointed as Vice President, within the Head of BP Group Chief Executive's Office, providing executive leadership for the CEO Bob Dudley in all aspects of managing BP. Accountable for preparation of BP Board and BP executive Leadership Team materials, attending the meetings and providing executive support for the CEO. In 2010, she was the winner of the 'UK First Women's Award,' in Science and Technology. The award was sponsored by the UK Government (CBI) and Lloyds Bank in recognition of pioneering UK women in business and industry. She is an alumni of the University of Manchester, having previously gained her doctorate in Geology from the Victoria University.

**Re-appointments to the General Assembly in Category 10 (for information)****Dr Paul Banford**

Paul graduated from the University of Manchester with BSc in Biochemistry and a PhD. He is now a patent attorney with over 16 years of experience in working to optimise the intellectual property portfolio of life science businesses. He was, until 2010, a partner at Marks and Clerk, specialising in bioscience and pharma work. He is now Managing Director and principal consultant of Bioscience IP Limited.

**Mr Alan Clarke**

Alan is a Chartered Accountant and has been Chair and Finance Director of both private and public companies. He is currently a non-executive Director of Manx Financial Group PLC, a Director of Downham Mayer Clarke Limited, non-executive Director of Kelpack Holdings Limited, non-executive Director of UM13 Limited, the University of Manchester company specializing in technology transfer and spin out companies.

**Dr Anand Dutta, JP**

After obtaining a PhD in Chemistry, Anand has spent his career in research directed toward discovering new medicines. He acts as a consultant to several pharmaceutical companies, advising on various matters related to the drug discovery and development process. He is also an honorary lecturer at the University of Keele, giving lectures to Pharmacy students on medicines related issues. He is a Governor of Stockport NHS Foundation Trust, a Governor of Cheadle and Marple 6<sup>th</sup> Form College and 'Hospital Manager' for the Central Manchester Mental Health Trust to review detained mental health patients.

**Ms Michelle Gregg**

Michelle graduated from the University of Newcastle with a BA in Social Studies and holds qualifications from Lancaster University and Sheffield Hallam University. She has spent her career in the field of housing and is currently Deputy Chief Executive of Your Housing Group, having recently moved from being Executive Director for Service Delivery of Harvest Housing Group. In her current job she is responsible for all services delivered to 50,000 customers living in 32,000 homes across the North West, Staffordshire and Yorkshire.

**Mrs Janet Pickering**

Janet graduated with a BSc in Biochemistry from the University of Sheffield and spent the first part of her career in the Universities of Sheffield and Leeds before moving to school teaching, eventually serving for 10 years as Headmistress of Withington Girls' School. Since 2010 she is a Lead Inspector, trainer and consultant for the Independent Schools Inspectorate, NW Educational Consultant for the Ogden Trust, Founder Trustee of Mersey Youth Support Trust and Governor of Chetham's School of Music and Bury Grammar Schools.

### **Mr David Ryan**

David has over 20 years experience of executive and board level responsibility. He was employed for over 10 years with PricewaterhouseCoopers, ultimately in the role of Director in the UK Financial Services Consulting Practice. In 2002 he formed Integration Associates to focus on the execution of business transformation for financial service clients. These include KPMG, Virgin Money, where David leads a team responsible for key aspects of combining the change and integration functions of Virgin Money and Northern Rock plc and Co-operative Financial Services.

### **Mr Philip Smith**

Philip graduated LLB from the University of Manchester and qualified as solicitor. He is a senior partner and former managing partner of Sinclair, Smith, Solicitors, Stockport, which by acquisition and merger has become SAS Daniels, the biggest legal practice in Cheshire. He is a former President of Stockport Law Society, Chair of Stockport Independent Panel, reviewing local councillors' allowances, and former Chair of Stockport Health Authority and of Greater Manchester Strategic Health Authority.

### **Dr Vincent Wilkinson**

Vincent completed postgraduate training at the Victoria University of Manchester and is a former Service Manager at Manchester Children's Services (formerly the Education Department) with responsibility for the exclusion of pupils from schools. He is currently a team manager in adult social services, with responsibility for transport and parking facilities for the disabled and older people. He is also involved with teaching on the graduate social science programme at MMU and is Chair of the Louise Dacacodia Cariocca Trust.

## **New appointment to the General Assembly in Category 10**

### **Mrs Ann Barnes**

Ann is a graduate of the University of Leeds, with a BA in Social and Public Administration, and has held a number of administrative posts in the North Western Regional Health Authority, Trafford District Health Authority, Tameside and Glossop District Health Authority and Stockport NHS Foundation Trust. In the latter she has been Director of Operations, Deputy Chief Executive and from January 2013, Chief Executive.

**Ordinance XIII**

1. Pursuant to Article IV(b) of the Charter, the Board, on report from the Senate, may establish, modify or revise schemes for the organisation of a University of Manchester Research Institute ('UMRI') for the purpose of promoting research of a nature which draws on the skills and resources from a range of appropriate disciplines, intra- or inter-Faculty.
2. UMRI reports to the Planning and Resources Committee, and thereafter to Senate and the Board, and is responsible, in liaison with schools and faculties, for supporting and fostering interdisciplinary research via the establishment and review of designated structures which may include interdisciplinary research institutes, networks, centres or units. All Research Institutes which have been previously recognised by the Board of Governors will fall within its oversight. The structures overseen and agreed by UMRI should also be endorsed on a regular basis by the Board of Governors. UMRI will also be responsible for the direction of University resources allocated for the promotion of interdisciplinary research activity. The role of Chair of the UMRI Board will normally be fulfilled by the Vice-President for Research and Innovation.
3. For any new major institutes, centres or other entities included within its scheme, UMRI will constitute a separate Management Board to oversee their activities and, on the recommendation of the President and Vice-Chancellor, who shall seek advice as appropriate, shall appoint a Director. The Director will be responsible for providing UMRI with an annual report on activities. The Director will report to a Vice-President and Dean recommended by the President and Vice-Chancellor to chair the Institute's Management Board.



**Regulation XVI: The University Press**

**[Note: Use of the term 'Board' without further qualification means the Board of Governors.]**

1. Pursuant to the provisions of Ordinance XIX.3, the membership of the Press Board shall comprise the Chair of the Finance Committee, the Chair of the Editorial Committee of the Press Board (as provided for in paragraph 2 below) and no fewer than four other persons appointed by the Board for such periods as the Board shall determine, one of whom the Board shall designate as the Chair.
2. The Press Board shall appoint an Editorial Committee, whose Chair shall be appointed by the Senate in consultation with the Press Board, and shall also have power to appoint such other committees on such terms as it may from time to time determine.
3. The Press Board shall report to the Board, through the Planning and Resources Committee at least once each year.

## Regulation XVII

### Conduct and Discipline of Students

**Note: any reference in this Regulation to named officers should be read also as a reference in each case to a delegated nominee;**

#### Powers

1. Statute XXI requires that every student shall maintain at all times and in all places an acceptable standard of conduct and shall comply with regulations made by the University or by the authorities of any institution or organisation which a student may be required to work in or visit as part of his or her prescribed programme of study. In accordance with Statute XXI, Senate has the power to expel or to suspend or to exclude from programmes of study or to impose a fine or other lesser penalty upon any student found guilty of misconduct or breach of discipline. Senate's power in this matter is delegated through this Regulation and through the Student Conduct and Discipline Committee to University Student Disciplinary Panels.

#### Student Conduct and Discipline Committee

2. The Student Conduct and Discipline Committee is responsible to Senate for the operation and review of all matters relating to student conduct and discipline. The Committee has two key purposes in particular:
  - a) To have oversight on all matters relating to student conduct and discipline, and to report and to make recommendations to Senate as appropriate. This role is carried out through:
    - annual reviews of student discipline, misconduct and appeal cases (to include, for example, nature of cases, emerging trends, consistency of penalties, ways of reducing incidents of academic misconduct);
    - periodic reviews of the various regulatory and supporting procedural documents to ensure that they remain fit for purpose;
    - considering student conduct and discipline issues more broadly: eg procedures for handling students with criminal convictions, scope of University disciplinary powers.
  - b) To establish University Student Disciplinary Panels to investigate and hear allegations of misconduct against students and to impose penalties on students.
3. The Student Conduct and Discipline Committee shall be composed as follows:
  - Vice-President for Teaching, Learning and Students (Chair)
  - Associate Vice-President for Research (or nominee)\*
  - Associate Dean (UG)\*
  - Associate Dean (PGT)\*
  - Ten members of academic staff\*
  - Two members of Professional Support Services (to be nominated by the Registrar, Secretary and Chief Operating Officer)
  - Warden of a University Residence (to be nominated by the Director of Residential Services)
  - Two Officers of the Students' Union
  - Students' Union Advice Centre Manager

*Those marked with \* can act as chairs of University Student Disciplinary Panels*

The membership of the Committee will be reported annually to Senate for information.

#### Scope and applicability

4. The essence of misconduct under this Regulation is the improper interference, in the broadest sense, with the proper functioning or activities of the University or of those who work or study in

the University, or action which otherwise damages the University or its reputation. The provisions of this Regulation define that behaviour which constitutes misconduct as it relates to students studying or registered at the University and the consequences of that misconduct. This Regulation does not apply to students registered at a Partner Organisation on programmes of study approved or accredited by the University. Such students are subject to the disciplinary procedures of the Partner Organisation.

5. This Regulation does not cover action to be taken, pursuant to Statute XXI.4, against students following failure in examinations or lack of diligence in their studies or failure to meet other academic requirements.

#### **Definition of misconduct**

6. Without prejudice to the generality of Statute XXI.1, a student may be liable to disciplinary action in respect of conduct which:
  - (a) disrupts, or improperly interferes with, the academic, administrative, sporting, social or other activities of the University, whether on University premises or elsewhere;
  - (b) obstructs, or improperly interferes with, the legitimate functions, duties or activities of any student, member of staff or other employee of the University or any authorised visitor to the University;
  - (c) involves violent, indecent, disorderly, threatening or offensive behaviour or language (whether expressed orally or in writing, including electronically) whilst on University premises or engaged in any University activity;
  - (d) involves distributing or publishing a poster, notice, sign or any publication which is offensive, intimidating, threatening, indecent or illegal, including the broadcasting and electronic distribution of such material;
  - (e) involves fraud, deceit, deception or dishonesty in relation to the University or its staff or students or in connection with holding any office in the University, in a residents' association or equivalent body, in the Students' Union or the Athletic Union, or in relation to being a student of the University;
  - (f) involves action likely to cause injury or impair safety on University premises;
  - (g) constitutes a breach of the University policy on harassment of any student, member of staff or other employee of the University or any authorised visitor to the University;
  - (h) breaches the provisions of the University's Code of Practice on Freedom of Speech or of any other Regulation or University rule which provides for breaches which would constitute misconduct under this Regulation, including the submission of a complaint found to be frivolous, vexatious or motivated by malice;
  - (i) has been found to be misconduct in research following an investigation under the Code of Practice for Investigating Concerns about the Conduct of Research
  - (j) involves the possession of unauthorised material or the use or attempted use of unauthorised or unfair means (including academic malpractice such as plagiarism or collusion with other students or fabrication or falsification of results) in connection with any examination or assessment;

- (k) causes damage to or defaces University property or the property of other Members of the University caused intentionally or recklessly, and/or misappropriation of such property;
- (l) constitutes the misuse or unauthorised use of University premises or items of property, including misuse of computers and the communications network or any other breach of the University policy on use of information systems;
- (m) constitutes a criminal offence where that conduct or the offence:
  - (i) takes place on University premises; or
  - (ii) affects or concerns other Members of the University; or
  - (iii) damages the good name of the University; or
  - (iv) itself constitutes misconduct within the provisions of this Regulation; or
  - (v) is an offence of dishonesty, where the student holds an office of responsibility in the University, a residents' association, the Students' Union or the Athletic Union; or
  - (vi) is such as to render the student unfit to practise any particular profession or calling to which that student's programme of study leads directly;
- (n) involves failure to disclose name(s) and other relevant information to an officer or employee of the University in circumstances when it is reasonable to require that such information be given;
- (o) constitutes a failure to comply with a previously-imposed penalty or reasonable instruction under this Regulation or any other University Code, rule or regulation;
- (p) renders a student who is enrolled on a programme of study leading directly to a professional qualification or eligibility for registration to practise, or to the right to practise a particular profession or calling not fit to be admitted to and practise that profession or calling. This specifically applies to students on the following programmes:
  - BA in Community Justice
  - BA in Social Work
  - BDS
  - BMidwif
  - BNurs
  - BSc in Audiology
  - BSc in Nursing Practice
  - BSc in Oral Health Science
  - BSc in Speech and Language Therapy
  - ClinPsyD
  - MA in Counselling
  - MBChB
  - MOptom
  - MPharm
  - MSc in Audiology
  - MSc in Educational Psychology
  - MSc in Genetic Counselling
  - PGCE
  - Dip in Professional Studies in Midwifery
  - Dip in Professional Studies in Nursing
  - MA in Social Work
  - Dip in Social Policy and Social Work
  - Dip/MSc in Psychiatric Social Work
 and to such other programmes as the Senate shall from time to time determine.

[Note: This relates to instances of general misconduct and not to matters of professional conduct or behaviour. Such professional matters will normally be dealt with by the appropriate authority through the Programme Regulations.]

7. The conduct covered by paragraph 6 shall constitute misconduct if it took place on University property or premises, or elsewhere if the student was involved in a University activity, was representing the University, was present at that place by virtue of his or her status as a student of the University or if the conduct raises questions about the fitness of the student on a programme leading directly to a professional qualification or calling to be admitted to and practise that profession or calling.
8. The University shall take no account of misconduct prior to enrolling as a student, which has subsequently been revealed or is still in the process of being dealt with by other authorities, unless:
  - (a) the conduct is of such a serious kind and character that it raises questions about the fitness of the student to remain a member of the University, for example, with regard to the safety of other students; or
  - (b) the conduct raises questions about the fitness of the student on a programme leading directly to a professional qualification or calling to be admitted to and practise that profession or calling.

### **Penalties**

9. If the misconduct or breach of discipline is admitted by the student or is found to be proved, one or more of the following penalties may be imposed (except for misconduct in respect of examinations and assessments as covered in paragraph 6(j), for which the penalties are set out in paragraph 10):

***In respect of Summary action:***

- (a) a reprimand and warning about future behavior;
- (b) a requirement upon the student to give an undertaking as to his or her future good conduct within the University;
- (c) a requirement upon the student to pay for any damage to property he or she may have caused or to recompense the University for any loss it may have suffered arising from the student's misconduct;
- (d) a requirement upon the student to pay compensation;
- (e) a fine of not more than £500;
- (f) a requirement upon the student to undertake specified tasks or services for the benefit of the School or hall of residence or the University community up to a maximum of forty hours;

***In respect of University Student Disciplinary Panels: any of the above and the following:***

- (g) a fine of not more than £1000;
- (h) restriction of access to the University or a specified part thereof for a fixed period ('exclusion'). A student who receives such a penalty will have restricted rights to enter University premises and/or to participate in University activities or access to University services, the terms of the restriction being notified to the student. An order of restricted access may include a requirement that the student shall have no contact with a named person or persons;
- (i) suspension from the University for a fixed period. A student who is so suspended will be prohibited from entering University premises and from participating in University activities although the suspension may be subject to qualification, such as permission to take an examination. An order of suspension may include a requirement that the student shall have no contact with a named person or persons;
- (j) expulsion from the University, which means that the student shall cease to be a Member of the University and will lose all rights and privileges of Membership.

- 10 If a breach under paragraph 6(j) has been established, the penalties imposed may be one or more of the following. When determining the penalty to be imposed, account shall be taken of the consequences which the penalty will have for the academic progress of the student concerned, as laid out in the relevant degree regulations:

[*Note:* guidance on the procedure for handling cases of alleged academic malpractice in accordance with this regulation is set down in the document 'Academic Malpractice: Procedure on the Handling of Cases', available on line at [www.manchester.ac.uk/policies](http://www.manchester.ac.uk/policies).]

***In respect of Summary action by Schools:***

- (a) a reprimand and warning about future behaviour;
- (b) Requirement to undertake a piece of work, not connected to the student's academic programme but related to the offence committed
- (c) the Examining authority to be informed that the piece of work be marked, if not already marked, and the mark awarded for the piece of work or for the course unit be reduced by a specified amount;
- (d) Recorded mark of zero for the examination paper or other assessed work in which unfair practice occurred;\*
- (e) Recorded mark of zero for the course units(s) in which the unfair practice occurred;\*

***In respect of Summary action by Faculties, any of the above and (f) – (g) below:***

- (f) the student being not allowed a re-assessment of the piece of work or course unit(s) in which the unfair practice occurred;
- (g) the student being not allowed a re-assessment and being not allowed to substitute any other assessed work;

***In respect of the University Student Disciplinary Panel, any of the above and the following:***

- (h) Recorded mark of zero for all examination papers and other assessed work taken during the particular examination period (i.e. end of first semester (January); end of second semester (May/June); resit (August/September)) in which unfair practice occurred;\*
- (i) Recorded mark of zero for all examination papers and other assessed work taken during the academic year;\*
- (j) the Examining authority to be required to reduce the class of degree by one or more classes from that which would have been awarded on the basis of the student's academic progress, or to award a lesser qualification;
- (k) suspension from the University for a fixed period, up to a maximum of twelve months. A student who is so suspended will be prohibited from entering University premises and from participating in University activities although the suspension may be subject to qualification;
- (l) expulsion from the University, which means that the student shall cease to be a Member of the University and will lose all rights and privileges of Membership.

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\* This penalty may be imposed 'without loss of credit' in circumstances in which it is judged that the penalty would otherwise have a disproportionate consequence. See 'Academic Malpractice: Procedure on Handling Cases' for further advice.

- 11 In imposing a penalty on a student pursuing one of the programmes listed in paragraph 6(p), an officer authorised under paragraph 15 to deal summarily with alleged offences, or the University Student Disciplinary Panel shall, if appropriate, have regard to the relevance of the misconduct in relation to the student's fitness on graduation to be registered in the profession or calling to which the programme leads and shall in this connection seek the advice of the Dean of the appropriate Faculty or the Head of the appropriate School before deciding on the penalty to be imposed.

### **Disciplinary Procedures**

- 12 Cases of alleged misconduct or breach of discipline may be dealt with either summarily as set out in paragraphs 15 to 18 below or by a University Student Disciplinary Panel established in accordance with paragraph 20 of this Regulation.
- 13 Disciplinary procedures may be adjourned at any time if it is known or suspected that the student concerned is not fit to participate in them. In such circumstances, the proceedings may be suspended or terminated subject to specified conditions.
- 14 The procedures to be followed where the alleged misconduct would also constitute an offence under the criminal law if proved in a court of law and for arrangements to suspend or exclude a student pending a disciplinary hearing are set out in paragraphs 39-45.

### **Summary Procedures**

15. Pursuant to Statute XXI.3, the following University officers (or their delegated nominees) are empowered to deal summarily with alleged offences as follows:
  - (a) *Heads of Schools or Deans of Faculties*  
in respect of breaches of published School, Faculty or Programme Regulations, misconduct occurring within Schools or Faculties, or misconduct occurring while on external placement, or other similar activity undertaken as part of a programme of study;
  - (b) *General Manager, Pastoral Care, Residential Services*  
in respect of breaches of Student Residence Regulations or Conditions of Residence or Licence Agreement, or misconduct occurring within the Residence concerned as they apply to a student of that residence;
  - (c) *The Librarian*  
in respect of breaches of Library Regulations or misconduct occurring on the Library premises;
  - (d) *The Director of IT Services*  
in respect of breaches of Regulations concerning the use of the University's information systems;
  - (e) *The Registrar, Secretary and Chief Operating Officer*  
in respect of breaches of other published University rules and regulations and other misconduct described in paragraph 6 not covered by the above officers. The Registrar, Secretary and Chief Operating Officer may also act summarily in the absence of the appropriate officer in (a) to (d) above. Where an officer authorised under (a) to (d) above is of the view that an allegation of misconduct or breach of regulations made against a student is of such seriousness that the matter should be dealt with at a higher level (eg where it is considered that the alleged offence might warrant a greater penalty than can be imposed by the officer concerned), he or she shall refer the matter to the Registrar, Secretary and Chief Operating Officer and the student shall be notified accordingly. In such cases the Registrar, Secretary and Chief Operating Officer shall decide whether to deal with the matter summarily or to refer it to

the University Student Disciplinary Panel. (In the case of research students accused of academic malpractice, the Registrar, Secretary and Chief Operating Officer will refer the matter to the Vice President for Research for handling in accordance with the Code of Practice for Investigating Concerns about the Conduct of Research)

16. In all instances dealt with summarily, the student concerned shall be given the opportunity to state his or her case prior to any decision being made. The officer dealing with the matter shall consider written or oral evidence as he or she thinks fit. The student shall be informed in writing within five working days of the decision and of their right of appeal against such decision.
17. In the case of disorderly or improper conduct in a room being used for academic purposes, any member of the academic staff may, if he or she deems it necessary, require any student to withdraw from the class and shall bring details of the offence, in writing, to the notice of the Head of School concerned.
18. The officers listed in paragraph 15 are empowered to impose the penalties (a)-(f) of paragraph 9, or in the case of academic malpractice the penalties (a)-(e) of paragraph 10, under these summary procedures, within the scope of their respective jurisdictions. Deans of Faculties are additionally empowered to impose penalties (f) – (g) of paragraph 10. The Director of Residential Services is also empowered to impose a penalty under (h) of paragraph 9 where this refers to exclusion from a residence, or from use of the premises or facilities of the Residence, for serious breach of the regulation applicable, or of the conditions of residence or licence agreement, or where the presence of the student constitutes a source of danger or disruption to the residential community. Such exclusion shall remain in force pending an appeal (see paragraphs 32-38), unless the Director of Residential Services determines otherwise.

#### **University Student Disciplinary Panel**

19. If the Registrar, Secretary and Chief Operating Officer considers it appropriate, he or she shall refer any instance of misconduct or breach of regulation to a University Student Disciplinary Panel for the purpose of investigating and hearing evidence relating to such instances. If two or more students are involved in related misconduct or breaches of regulations, the Panel may at its discretion deal with their cases together.
20. The University Student Disciplinary Panel shall comprise the following, except that no person who is a party to or is a potential witness at a hearing before the Panel, or who is in the same School as the student concerned shall be a member of the Panel:

Chair (selected from the eligible membership of the Student Conduct and Discipline Committee)  
At least four members of the academic staff, drawn from a list established for the purpose by the Student Conduct and Discipline Committee  
A registered student of the University nominated by the Students' Union

The Panel shall have a quorum of any five members and shall have the power to co-opt additional members as appropriate.

21. With respect to misconduct in research (paragraph 6(i)) the University Student Disciplinary Panel will determine the penalty to be imposed where, following due process, a finding of misconduct in research has been established under the Code of Practice for Investigating Concerns about the Conduct of Research.
22. Any student who is the subject of disciplinary proceedings shall receive a fair hearing and shall have the opportunity to present his or her case at the hearing. The student may call witnesses and question witnesses upon whose evidence the case against him or her is based. The student may, and is encouraged to, be accompanied or represented at the hearing by a fellow student, a Students'



Union Officer or member of staff of the University of his or her own choice, who may speak on his or her behalf.

23. However, in particularly serious or complex cases, the student may be given permission at the discretion of the Chair of the Disciplinary Panel to be accompanied or represented by a legal representative. A request to permit legal representation must be submitted to the Chair of the Panel not less than five working days before the date of the hearing. Factors to be taken into account when considering such a request will include the seriousness of the alleged offence and potential penalty, capacity of the student to present his or her case, procedural complexity (eg in questioning witnesses), and the need for fairness between parties.
24. The Panel is empowered to require the attendance before it of a student who is the subject of an allegation to be considered by the Panel. If the student, having been given the opportunity to attend the hearing or being required to do so, fails to attend without good cause shown, the hearing may be conducted in his or her absence. Failure to attend when required to do so without good cause itself shall constitute a disciplinary offence.
25. The written notification to the student about the hearing shall include details of the allegations against him or her and the names of the members of the Panel, together with any documentary evidence to be made available to the Panel in advance of the hearing. Any objection to the membership of any person or persons listed shall be made in writing to the Secretary to the Panel with good cause shown not later than the fifth working day before that on which the meeting of the Panel is to be held. The Chair of the Panel shall have power to decide upon the validity of any such objection and may appoint an alternative member or members to the Panel.
26. The University Student Disciplinary Panel shall meet to hear the evidence without undue delay and the student concerned shall be given at least ten working days notice in writing to prepare for the hearing. If the student is able to show good cause, the Chair may delay the hearing for not more than five working days beyond the day on which the meeting of the Panel was to have taken place. The student may submit a written statement about the allegation for circulation to the Panel; any such statement must be received by the Secretary no later than three working days before the meeting.
27. The University Student Disciplinary Panel shall have power to require the attendance as a witness of any Member of the University who it has reason to believe is able to assist in its inquiry, and it shall be the duty of any such person to attend and give evidence accordingly. It may also request the attendance of any other person if such attendance is material to the case. The Panel may accept a witness's written statement in evidence where the student agrees that the witness need not attend, or where it is impractical for the witness to attend, or where in the opinion of the Panel it is for some other reason in the interests of natural justice to do so.
28. The University Student Disciplinary Panel shall conduct its hearings in accordance with the rules of natural justice. Those deciding on the issues should be satisfied on the evidence before them; findings shall normally be made on the balance of probabilities (the standard of proof "beyond all reasonable doubt" need not be observed). Decisions may be by a majority. The Chair may vote and shall have in addition a casting vote.
29. The penalty or penalties imposed by the University Student Disciplinary Panel may be any of those specified in paragraphs 9 and 10. The student shall have the opportunity prior to the penalty being decided to present evidence in mitigation.
30. The decision of the University Student Disciplinary Panel shall normally be announced to the student at the conclusion of the hearing. A written statement giving the findings of fact, decisions, reasons for the decisions and any recommendations of the Panel shall be sent to the student against whom the allegations have been brought within five working days of the Panel reaching its decision.

Decisions of the Panel may be published although the identity of the student(s) involved shall normally be withheld.

31. The University Student Disciplinary Panel has the power to adjourn a hearing to another date, as it thinks fit.

### **Appeals**

32. Following a finding of guilt, the student shall have the right of appeal against both the finding of guilt and any penalty imposed as a consequence on one or more of the following grounds:

- (a) procedural irregularity;
- (b) availability of new evidence which could not reasonably have been expected to be presented to the original hearing;
- (c) the disproportionate nature of the penalty.

33. Appeals shall be submitted as follows:

- (a) when any penalty has been imposed summarily by an officer authorised under paragraph 15, the appeal shall be:

- (i) to the Director of Teaching and Learning Support if the penalty has been imposed by a Dean of a Faculty or a Head of School, or the Librarian or the Director of IT Services;

- (ii) to the Director of Residential Services, who shall convene a panel of three members to hear the appeal, if the penalty has been imposed by the Genral Manager, Pastoral Care [Note: the panel shall comprise a nominee of the Director of Residential Services, a member of academic staff, drawn from a list established for the purpose by the Student Conduct and Discipline Committee, and a nominee of the Director of Student Support and Wellbeing];

- (iii) to the Chair of the University Student Disciplinary Panel if the penalty has been imposed by the Registrar, Secretary and Chief Operating Officer;

- (b) appeals against decisions of the University Student Disciplinary Panel shall be to an Appeal Board.

34. An appeal, including a statement of the grounds on which the appeal is being made, shall be submitted by the student concerned in writing within fifteen working days of the date on which written notification of the decision is sent to the student. A request for an appeal received after this time with good cause shown for its late submission shall only be granted at the discretion of the person(s) or Appeal Board designated to hear the appeal. Any student who has failed to participate in the original disciplinary hearing when invited or required to do so shall be entitled to appeal only by special permission of the person(s) or Board hearing the appeal.

35. The person(s) or Appeal Board hearing an appeal shall not re-hear the case afresh, but shall consider whether the initial hearing and outcome were fair by:

- (a) reviewing the procedures followed;
- (b) establishing whether the appellant has presented any new evidence that could not reasonably have been expected to be presented to the original hearing and that this evidence is material and substantial to the findings;
- (c) reviewing the penalty imposed.

The person(s) or the Appeal Board hearing an appeal shall seek to deal with the case on the basis of documentary evidence and may, at their discretion, call a meeting to which the appellant is invited to present his or her appeal in person. In such an event, the appellant may be accompanied by a

fellow student, a Students' Union officer or a member of staff of the University of his or her own choice, who may speak on his or her behalf.

36. The Appeal Board shall comprise:

A Vice-President, Dean of a Faculty, Associate Vice-President, or Associate Dean (in the Chair)  
A Head of School

One professorial member and one non-professorial member of the academic staff, drawn in each case from a list established for the purpose by the Student Conduct and Discipline Committee  
A registered student of the University nominated by the Students' Union.

Members of the University Student Disciplinary Panel that has reported on the case, or any person who has in any other way been closely connected with the case, or any person who is in the same School as the student concerned, shall not be a member of the Appeal Board.

37. The Appeal Board shall conduct its business in accordance with the rules of natural justice. Findings shall normally be made on the balance of probabilities and decisions may be by a majority. The Chair may vote and shall have in addition a casting vote.

38. The person(s) or Appeal Board considering an appeal shall have the authority to confirm, set aside, reduce or increase the penalty previously imposed or, if new evidence that is material and substantial has been established by an Appeal Board, to refer the case back for consideration by a newly constituted University Student Disciplinary Panel. The decision of the person(s) or the Board hearing the appeal shall be final and there shall be no further opportunity for appeal against that decision within the University.

**Misconduct that is also a Criminal Offence**

39. The following procedures shall apply where the alleged misconduct would also constitute a criminal offence if proved in a court of law:

(a) Where an offence is considered by the Registrar, Secretary and Chief Operating Officer to be serious, no internal disciplinary action other than suspension or exclusion from the University shall normally be taken under this Regulation unless the matter has been reported to the police and either a prosecution has been completed or a decision not to prosecute has been taken, at which time the Registrar, Secretary and Chief Operating Officer may decide whether disciplinary action under this Regulation shall be taken. [Note: a serious offence is one that is likely to attract an immediate custodial sentence if proved in a criminal court, or one that can be tried as a criminal offence only in the Crown Court.];

(b) where such an offence is considered by the Registrar, Secretary and Chief Operating Officer to be not serious, action under this Regulation may be taken, but such action may subsequently be deferred pending any police investigation or prosecution;

(c) the University reserves the right to report any criminal offence allegedly committed by a student to the police. However, if a person claiming to be the victim of a serious offence committed by a student does not wish the police to be involved, the Registrar, Secretary and Chief Operating Officer shall normally respect such wish;

(d) where a finding of misconduct is made and the student has also been sentenced by a criminal court in respect of the same circumstances, the court's penalty shall be taken into consideration in determining the penalty under this Regulation.

**Suspension or exclusion pending a hearing**

40. A student who is the subject of a complaint of misconduct, or against whom a criminal charge is pending, or who is the subject of police investigation may be suspended or excluded by the President and Vice-Chancellor pending the disciplinary hearing or the trial. The President and Vice-Chancellor may delegate his or her power under this paragraph, but a full report shall be made to him or her of any suspension or exclusion under this section made by delegated authority.
41.
  - (a) Suspension involves a total prohibition on attendance at or access to the University and on any participation in University activities; but it may be subject to qualification, such as permission to attend for the purpose of an examination.
  - (b) Exclusion involves either total or selective restriction on attendance at or access to the University or prohibition on exercising the functions or duties of any office or committee membership in the University or the Students' Union, the exact details to be specified in writing by the President and Vice-Chancellor or delegated authority.
42. An order of suspension or exclusion may include a requirement that the student should have no contact of any kind with a named person or persons.
43. The powers of temporary suspension or exclusion granted to the President and Vice-Chancellor under paragraph 40 shall be exercised only where necessary to protect a member or members of the University community, or the property of the University or of a member or members of the University, or where the student's continued presence might be a source of disruption to the University or any part thereof. Written reasons for the decision shall be recorded and made available to the student.
44. Unless the matter is deemed to be urgent by the President and Vice-Chancellor, no student shall be suspended or excluded unless he or she has been given an opportunity to make representations to the President and Vice-Chancellor or his or her delegated nominee. The representations may be made in person or in writing, as the student chooses, and may be put forward by the student or through his or her adviser, or representative. In cases deemed by the President and Vice-Chancellor to be urgent, a student may be suspended or excluded with immediate effect. In such circumstances, an opportunity will be given to the student to make representations as soon as reasonably practicable.
45. The President and Vice-Chancellor or other person who took the original decision shall review the suspension or exclusion every four weeks in the light of any developments and of any written representations made by the student either personally or through his or her representative.
46. A student may appeal to the Chair of the Board against an order of suspension or exclusion pending a hearing.

### **Annual Report**

47. Each year, the Director of Teaching and Learning Support shall prepare a report for the Student Conduct and Discipline Committee and the Senate on the number and nature of cases referred to the University Student Disciplinary Panel, identifying any general issues that may have arisen.

[Note: students who believe that their case has not been dealt with properly by the University or that the outcome is unreasonable may be able to complain to the Office of the Independent Adjudicator for Higher Education (OIA) if the complaint is eligible under its rules and once all internal procedures have been concluded. Information about the role of the OIA and the procedure for submitting complaints can be obtained from the Teaching and Learning Support Office, from the Students' Union Advice Centre or from the OIA website: [www.oiahe.org.uk](http://www.oiahe.org.uk).]

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