

Minutes of the 172nd meeting of the Council held on 24 September 2015 at Glyndŵr University

Present:

Members:

David Allen (Chair)
Dr David Blaney (Chief Executive)
Dame Sandra Burslem
Bethan Guilfoyle
David Mason
Dr Arun Midha
Professor Leni Oglesby
Professor Mark Smith
Professor Stephen Tomlinson
Professor Robin Williams
Ewart Wooldridge
Dr Colin Wyatt

Observers:

Mario Ferelli, HEFCE
Huw Morris, Welsh Government
Beth Button, National Union of Students Wales

Officers:

Dale Hall (Council Secretary)
Celia Hunt
Bethan Owen

Apologies:

Laurence Howells, SFC

1. Introductory remarks and declarations of interest

1.1 The Chair welcomed all to the meeting. Mark Caldecott and Emily Karim from the Glyndŵr University Students' Guild had asked to say a few words to the Council. They expressed their thanks to HEFCW for the help and support it had given the University through the UKVI issue last year. The Chair said that the Council would be happy to do anything further that it could to help Glyndŵr students.

1.1.1 Two new members' interests were declared:

David Allen had become an Associate of the Leadership Foundation for Higher Education, though noted that he would not be undertaking any work in Wales.

David Blaney's daughter was a student at Cardiff University.

1.2 Mark Smith declared a non-pecuniary interest in relation to agenda item 11 ('HEDIIP and HESA CACHED programme') as HESA Board member.

2. Minutes of the meeting held on 3 July 2015 (HEFCW/15/Min171)

2.1 The minutes were accepted as a true record of the meeting held on 3 July 2015.

3. Matters Arising (HEFCW/15/71)

3.1 Council received a report on action since the previous Council meeting held 3 July 2015.

The paragraphs below are exempt from publication under the Freedom of Information Act 2000 (prejudice to effective conduct of public affairs; commercial interests)

3.2 Exempt minute

3.3 Exempt minute

4. Chair's Report

4.1 Council received the Chair's Calendar of Meetings since the last meeting of Council on 3 July 2015. The Chair gave an update on the following matters:

4.2 Chair and Chief Executive's meeting with Minister (16 September) – This had covered a number of institutional issues; the potential HE Green Paper in England; the Quality Assessment Review consultation led by HEFCE; the Hazelkorn Review; and the implementation of Higher Education (Wales) Act and regulatory framework.

4.3 *Chair and Chief Executive's meeting with NUS Wales (16 September)* – The Chair reported that there had been a useful exchange of views with Beth Button and her colleague Graham Henry.

4.4 *UUK Annual Conference (8+9 September)* – Noted the speech given at the Conference by Jo Johnson MP (Minister for Universities and Science), which had focused on the proposed Teaching Excellence Framework and more generally achieving greater parity of esteem between research and teaching and the student experience. The speech had also covered:

- equality and diversity issues, especially the recognition that some groups of students showed lower levels of participation and achievement in higher education (OFFA to be asked to do more on these issues in England; HEFCW to consider for Wales re: the fee planning process)
- the desire for a diverse, competitive system in England;
- how graduates contribute to the economy;

- concerns about the length of the process for obtaining degree awarding powers and university title;
- a potential hint about allowing some universities to fail, and how the interests of students would be looked after in such circumstances;
- a commitment to simplify the regulatory landscape;
- championing the student interest, and the idea of students as purchasers;
- a commitment to the dual support system of funding research, though without specifying what this might mean in future in terms of who provided the support.
- REF consultation in England to be delayed until after the next Comprehensive Spending Review in November.

4.5 Given potential links to rises in fees, it was observed that it might prove difficult to deliver in England a 'light touch' Teaching Excellence Framework that had sufficient buy-in from the sector, and within the extremely challenging timetable that had been set by the government. The Minister's speech had been short of information about budgetary pressures in the context of the significant levels of planned cuts in England, and had included no references to either international students or the issue of alleged 'lad culture behaviour' on campuses. The HEFCE observer added that the HE Green Paper for England was expected to be published on 15 October.

5. Chief Executive's Report (HEFCW/15/CE5)

5.1 Review of the Regulation and Oversight of Post-Compulsory Education and Training in Wales, with special reference to the future role and function of HEFCW (Hazelkorn Review)

5.1.1 The last review of HEFCW had taken place in 2009. In view of the significant changes in the regulatory landscape in recent years, and the complexity around HE/FE relationships, this forthcoming review to be undertaken by Professor Ellen Hazelkorn seemed timely. Professor Hazelkorn had agreed to attend the Council's next Workshop on 5 November, and was due to talk to a wide range of stakeholders both within and outside of Wales. She was due to report to Welsh Government in April 2016.

5.1.2 Unlike the last Welsh Government review of HEFCW in 2009, this review excluded a number of its responsibilities (e.g. in relation to research) and instead focussed on education and training. The Welsh Government observer commented that this reflected changes in responsibilities in government since 2009 where, for instance, research oversight was coming increasingly under the auspices of the Chief Scientific Advisor rather than the Minister for Education and Skills. He offered to seek an amendment to the terms of reference of the review but Council said this was not necessary.

The paragraphs below are exempt from publication under the Freedom of Information Act 2000 (prejudice to effective conduct of public affairs)

5.1.3 Exempt minute

5.1.4 Exempt minute

5.2 Corporate Strategy 2017-20 timetable

Council agreed to develop its next Corporate Strategy for implementation from the beginning of FY 2017-18. This would enable it to factor in the outcomes of the Hazelkorn and Diamond reviews, and also any potential higher education policy developments following the next National Assembly for Wales elections in May 2016. It was noted that WG had previously agreed to this timescale.

Resolved:

To approve the timetable for developing the new Corporate Strategy, based on retaining the current Strategy until March 2017 as previously agreed with Welsh Government.

5.3 Update on Quality Assessment Review/Teaching Excellence Framework (TEF)

The paragraph) below are exempt from publication under the Freedom of Information Act 2000 (for future publication).

5.3.1 Exempt minute

5.3.2 Exempt minute

5.3.3 Exempt minute

5.3.4 Exempt minute

Resolved:

5.3.5 To note the update on the Quality Assessment Review and the Teaching Excellence Framework.

5.3.6 To delegate authority to the Chief Executive to decide on the date of implementation of new quality assessment arrangements, taking into account the HE (Wales) Act expectations and TEF developments.

5.4 Council Workshop, 5 November 2015

Resolved:

That the agenda for the Council Workshop on Thursday 5 November would include:

- Professor Ellen Hazelkorn on the Welsh Government's *Review of the Regulation and Oversight of Post-Compulsory Education and Training in Wales*
- HE (Wales) Act 2015 requirements
- Communications Strategy and Plan

- Demonstration of potential process for electronic distribution of Council papers

5.5 HEFCW and Universities Wales Conference, 20 October 2015 (oral report)
 There would be a meeting with Universities Wales on the morning of 20 October, at a venue in Cardiff Bay, to discuss the Hazelkorn Review. It was noted that this was not a replacement for the former Strategic Dialogue meetings, and that new arrangements were still to be planned involving Chairs of Universities Wales (ChUW), NUS Wales, Welsh Government, etc.

5.6 Inspection outcome of North and Mid Wales Centre of Teacher Education

The paragraphs below are exempt from publication under the Freedom of Information Act 2000 (information provided in confidence; prejudice to the effective conduct of public affairs).

5.6.1 Exempt minute

5.6.2 Exempt minute

5.6.3 Exempt minute

5.6.4 Exempt minute

5.7 Glyndŵr University update

The paragraphs below are exempt from publication under the Freedom of Information Act 2000 (commercial interests; prejudice to the effective conduct of public affairs).

5.7.1 Exempt minute

5.7.2 Exempt minute

5.7.3 Exempt minute

5.7.4 Exempt minute

5.7.5 Exempt minute

Resolved:

5.7.6 Exempt minute

5.7.7 Exempt minute

5.8 University update

The paragraphs below are exempt from publication under the Freedom of Information Act 2000 (commercial interests; prejudice to the effective conduct of public affairs).

5.8.1 Exempt minute

5.8.2 Exempt minute

5.9 Universities update

The paragraphs below are exempt from publication under the Freedom of Information Act 2000 (commercial interests; prejudice to the effective conduct of public affairs).

5.9.1 Exempt minute

5.9.2 Exempt minute

5.9.3 Exempt minute

5.10 The Welsh Conversation

Resolved:

To approve £30k funding for the 'Welsh Conversation' for 2015/16 and 2016/17, to be included within the Sector Funding Agency agreement with Universities Wales, with the funding for 2016/17, subject to the extension of that agreement into a third year.

5.11 Leadership Foundation for Higher Education funding 2015/16

The paragraph below is exempt from publication under the Freedom of Information Act 2000 (commercial interests; prejudice to the effective conduct of public affairs).

Resolved:

Exempt minute

5.12 Council received and noted a number of items for information:

- Chief Executive's Calendar of Meetings since the last meeting of Council on 3 July 2015.
- Confirmed Council meeting timetable January 2016 to January 2017
- New committees: membership updates for the Quality Assessment Committee and the Student Opportunity and Achievement Committee
- Use of the Chief Executive's Miscellaneous Fund in 2014/15
- Analysis of income 2011/12 to 2013/14
- *Survey of Factors Affecting Public Engagement by Researchers*: joint statement
- Outcomes of QAA Higher Education Review Wales at University of South Wales and University of Wales Trinity Saint David
- Police Knowledge Fund: award to Cardiff University
- Update on electronic distribution of Council papers
- Appointments Committee actions

6. HE (Wales) Act 2015 update (HEFCW/15/72)

6.1 The paper provided an update on the progress of HEFCW's implementation of the Higher Education (Wales) Act 2015 (the Act), and asked Council to approve a draft Transitional Statement of Intervention for consultation.

- 6.2 There would be a two year transitional period before the full implementation of the Act. This began on 1 August 2015 with all institutions with 2015/16 fee plans becoming regulated institutions. A number of new powers for HEFCW during the transitional period came into effect from 1 September 2015.

The paragraphs below are exempt from publication under the Freedom of Information Act 2000 (for future publication).

6.3 Exempt minute

6.4 Exempt minute

- 6.5 *Quality* – The consultation this autumn on the Transitional Statement of Intervention would also cover amendments to HEFCW’s current processes on ‘unsatisfactory quality’ in order to cover the duty under the Act in relation to inadequate quality and quality that was likely to become inadequate.

6.6 Exempt minute

- 6.7 *Financial Management Code* – A draft would be produced this autumn with a view to consulting in spring 2016. The revised financial memorandum, consulted on over the summer, had been drafted with a view to the Financial Management Code.

Resolved:

- 6.8 Subject to a few changes which the Chief Executive would sign off, to approve the Transitional Statement of Intervention for consultation.
- 6.9 To delegate authority to the Chair and Chief Executive to approve the final version of the Statement after Council had commented on a post consultation version of it.
- 6.10 To note the further information on the progress of implementation plans in the Act work streams
- 6.11 To note the HE Act project group risk register.

7. HE in FE Review update (HEFCW/15/73)

- 7.1 The paper provided the outcomes of the Welsh Government review of Higher Education in Further Education and proposed revised partnership guidance. Five recommendations had been made in the report, four of which referred to HEFCW. The Review report had been discussed at SETQ Committee’s last meeting, including a presentation from Welsh Government officials.
- 7.2 Council reviewed the draft guidance, which focused on partnership arrangements more broadly and not just those with further education

institutions. Further work would be required on the draft to take account of the implications of the HE Act. The following suggestions were made:

- Throughout the document, replace 'should' with 'must'
- p. 9, para 40 - The term 'authorised representatives' seemed too loose. Suggest replacing with 'accountable officers' or other more precise term.

7.3 Council members were invited to submit any further comments or observations to CH by the end of the first week in October.

Resolved:

7.4 To note the outcomes of the HE in FE review, and that officers would take account of SETQ Committee's feedback in progressing the report.

7.5 To amend the draft guidance as per Council's suggestions in minute 7.2, and subject to any further comments from Council members received by the end of the first week in October as well as further work to take account of the implications of the HE Act.

7.6 To delegate authority to the Chief Executive to approve the final version of the partnership guidance for consultation.

8. NSS 2015 results and consultation on future of NSS (HEFCW/15/74)

8.1 The paper presented the outcomes of the 2015 National Student Survey (NSS). It also informed Council of a consultation on the future of the NSS.

The paragraphs below are exempt from publication under the Freedom of Information Act 2000 (for future publication).

8.2 Exempt minute

8.3 Exempt minute

8.4 Exempt minute

Resolved:

8.5 To note the 2015 NSS outcomes.

8.6 To approve the consultation on public information.

9. Funding review (HEFCW/15/75)

The paragraphs below are exempt from publication under the Freedom of Information Act 2000 (prejudice to the effective conduct of public affairs; for future publication).

9.1 Exempt minute

9.2 Exempt minute

9.3 Exempt minute

9.4 Exempt minute

9.5 Exempt minute

9.6 Exempt minute

9.7 Exempt minute

Resolved:

9.8 Exempt minute

9.9 Exempt minute

9.10 Exempt minute

9.11 Exempt minute

9.12 Exempt minute

9.13 Exempt minute

9.14 Exempt minute

9.15 Exempt minute

9.16 Exempt minute

9.17 Exempt minute

10. Revisions to QR funding formula (HEFCW/15/76)

The paragraphs below are exempt from publication under the Freedom of Information Act 2000 (prejudice to the effective conduct of public affairs).

10.1 Exempt minute

10.2 Exempt minute

Resolved:

10.3 Exempt minute

10.4 Exempt minute

10.6 Exempt minute

10.7 Exempt minute

11. HEDIIP and the HESA CACHED programme (HEFCW/15/77)

The paragraphs below are exempt from publication under the Freedom of Information Act 2000 (commercial interests).

11.1 Exempt minute

Resolved:

11.2 Exempt minute

11.3 Exempt minute

12. Any other business

None.

13. Date of next meeting

13.1 19/20 October 2015: evening dinner (19th) and conference with Universities Wales (am 20th).

13.2 Council Workshop: 5 November 2015.

13.3 Council meeting: 6 November 2015

Papers for approval without discussion - no papers

Papers provided for information:

14. Financial Memorandum with HEIs (HEFCW/15/78)

15. Finalised Annual Report and Accounts 2014-15 (HEFCW/15/79)

16. Cash expenditure report for the period April to June 2015 and update on financial year 2015-16 (HEFCW/15/80)

17. April to July Accruals Based Management Accounts report 2015-16 (HEFCW/15/81)

18. Jisc update 2015 (HEFCW/15/82)

19. International Student Data Report (HEFCW/15/83)

20. Audit and Risk Assurance Committee minutes, 24 June 2015 (HEFCW/15/84)

21. Minutes of the Council's Student Experience, Teaching and Quality Committee, July 2015, and Annual Report 2014/15 (HEFCW/15/85)

Signature.....Date.....