

Minutes of the 194th meeting of the Council held on 16 May 2019 at the HEFCW office, Bedwas

Present:

Members:

David Allen (Chair)
Dr David Blaney (Chief Executive)
Professor Aaqil Ahmed
Dr John Graystone
Rob Humphreys
Sarah John
Professor Helen Marshall
Professor Mark Smith (by telephone)

Observers:

Huw Morris, Welsh Government
Chris Jones, Welsh Government
Gwyneth Sweatman, President, National Union of Students Wales
Robert Simkins, President elect, National Union of Students Wales

Officers:

Dr Ewen Brierley
Dale Hall (Council Secretary)
Bethan Owen
Emma Raczka
Laura Shanahan
Dr Alyson Thomas
Nick Williams

Apologies:

Professor Tracy Bhamra
Professor Sir Keith Burnett
Professor Christine Ennew
Dr David Sweeney, Research England
Karen Watt, Chief Executive, SFC
James Davies [*planning to attend, but called to a ministerial meeting on the day*]

1. Introductory remarks and declarations of interest

- 1.1 The Chair welcomed all to the meeting. He offered congratulations to Professor Mark Smith on his recent appointment as the new Vice-Chancellor of the University of Southampton; to Dr John Graystone on his appointment as a member of the Independent Welsh Pay Review Body; and Rob Humphreys on his appointment as a Trustee of the National Museum of Wales.
- 1.2 The Chair reported that this was Gwyneth Sweatman's final meeting as she would soon complete her term of office as President of NUS Wales. The Chair thanked Gwyneth on behalf of the Council for her helpful contributions at Council meetings over the past year. The Chair welcomed Robert Simkins, the President-

elect of NUS Wales, attending to observe today's meeting. He also welcomed HEFCW staff member Laura Shanahan, GO Wales Project Manager, attending to observe the meeting as part of her induction programme.

- 1.3 No specific members' interests were declared in relation to any of today's agenda items above and beyond those currently published on HEFCW's website. The Chair reminded the Council of his standing declared interests of having a son studying at Swansea University, and of being a Consulting Fellow at Halpin Partnership but not undertaking assignments in Wales.

2. Minutes of the meeting held on 21 March 2019 (HEFCW/19/Min193)

- 2.1 The minutes were accepted as a true record of the meeting held on 21 March 2019.

3. Matters Arising (HEFCW/19/40)

Non-disclosable (prejudice to effective conduct of public affairs)

- 3.1 Exempt minute

4. Chair's Report (HEFCW/19/CH3)

- 4.1 The Chair apologised for papers having to be distributed in hard copy for today's meeting. There had been technical issues with the electronic meeting distribution system and it had been uncertain if they would be resolved by the distribution deadline. Therefore, the decision had been taken to send out papers in hard copy. The matter now appeared to be resolved and, subject to satisfactory clarification and assurances from the system supplier, the Council agreed to receive the agenda and papers for its next meeting in July electronically only.

5. Update from Chairs of Council Committees (HEFCW/19/CC3)

- 5.1 *Research Wales Committee* – The Chair of the Committee reported that two of the items discussed at the last Committee meeting were on today's agenda (items 10 and 13 refer).
- 5.2 *Audit and Risk Assurance Committee (ARAC)* – There had been no Committee meeting since the last Council meeting. Dr John Graystone was now the Chair of the Committee, which would meet in June.
- 5.3 *HR Committee and Remuneration Committee* – The next meetings of the two Committees would take place around the Council meeting in July. The Chair of the Committees noted that an advertisement was to be placed to seek another independent member to serve on both Committees.
- 5.4 *Quality Assessment Committee* – The Chair of the Committee reported that at its next meeting on 27 June the Committee would be discussing how quality assessment worked in Wales and in the context of current UK challenges around quality assessment processes.

- 5.5 *Regulation Committee* – Noted that the Committee’s next meeting was scheduled for 17 May.
- 5.6 *[Post meeting note: At its last meeting, the Student Opportunity and Achievement Committee had discussed, inter alia, mental health, safeguarding and well-being and health in HE; student charters (see item included in the Chief Executive’s Report); and the remit letter 2019-20. The Committee had agreed it now would meet three times a year instead of two.]*

6. Chief Executive’s Report (HEFCW/19/CE3)

Non-disclosable (prejudice to effective conduct of public affairs)

- 6.1 Exempt minute

Non-disclosable (commercial interests; prejudice to the effective conduct of public affairs)

- 6.2 Exempt minute

6.3 Specific Designation

The Council noted the update on the recommendations to be put to Welsh Government on courses at providers that should, and those that should not, be specifically designated for student support.

6.4 HESA Data Futures

Non-disclosable (commercial interests)

Exempt minute

- 6.5 Report on use of non-guaranteed hours contracts by universities [item not listed in the Chief Executive’s Report] – The Council was informed that this report would be sent to Welsh Government; a copy would be sent to members for information.

6.6 CQFW re-referencing to the European Qualifications Framework (EQF)

Resolved: The Council approved the submission of the re-referencing documentation to the EQF.

6.7 UKRI Funding Assurance

Resolved: The Council approved the funding assurance letter for submission to UKRI.

6.8 Student voice in regulation

Resolved: The Council approved funding of £60k per year for three years to NUS Wales to enable them to carry out a series of projects to support the student voice in regulation.

6.9 Revision to Student Charter Guidance

Resolved: The Council delegated authority to the Chief Executive to approve the final version of the Student Charter Guidance.

6.10 Governance

Non-disclosable (prejudice to the effective conduct of public affairs)

Exempt minute

- 6.11 The Council received and noted a number of items for information:
- Chief Executive's Calendar of Meetings since the last meeting of Council on 21 March 2019.
 - Note of Institutional Visit to University of South Wales on 20 March 2019
 - QAF review
 - Nominations Committee approvals

7. Student recruitment (HEFCW/19/41)

- 7.1 The paper provided an analysis of the number and proportion of UCAS applicants who had accepted firm offers and insurance offers, and an update on institutional recruitment positions from recent meetings with HE Finance Directors.
- 7.2 The next HEFCW request for student and financial forecasts would include an expectation that institutions provide clear explanations of any forecast growth included in their returns, and a requirement to provide a forecast based on a zero growth scenario for Home and EU students.

Resolved: The HEFCW executive to provide a similar analysis to that in the paper on FTUG provision for other modes and levels, with a focus on materiality.

8. Post compulsory education and training (PCET) developments (oral update)

- 8.1 The Chief Executive provided an update on latest developments:
- The proposals remained a ministerial priority, and the Council remained supportive of the proposals in principle.
 - HEFCW had engaged extensively with a due diligence exercise undertaken on behalf of Welsh Government by external consultants. It was likely further input from HEFCW would be required over the summer.
 - Welsh Government was due to conduct an impact assessment exercise on the PCET proposals over the next few months.
 - HEFCW had three seats on the PCET HR and Organisational Design work stream, which had met once and likely would meet again in the summer.

Non-disclosable (prejudice to the effective conduct of public affairs)

8.2 Exempt minute

9. HEFCW Funding Allocations 2019/20 (HEFCW/19/42)

Non-disclosable (for future publication; information provided in confidence).

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

9.8 Exempt minute

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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

9.18 Exempt minute

9.19 Exempt minute

9.20 Exempt minute

9.21 Exempt minute

9.22 Exempt minute

10. Implementing the Research Wales Innovation Fund – proposed models and consultation details (HEFCW/19/43)

Non-disclosable (for future publication)

10.1 Exempt minute

10.2 Exempt minute

10.3 Exempt minute

10.4 Exempt minute

10.5 Exempt minute

10.6 Exempt minute

11. Remit letter and operational plans (HEFCW/19/44)

11.1 The Council agreed the proposed approach and the reports in the paper, and commended the way remit letter tasks had been highlighted in the Operational Plan 2019-20. The Council agreed that in future the quarterly progress reports on the Operational Plan would be presented to the Council for discussion.

Resolved: The Council:

11.2 Received the remit letter 2019-20.

11.3 Delegated authority to the Chief Executive to finalise the Operational Plan 2019-20 for submission to the Minister by the end of June.

11.4 Delegated authority to the Chief Executive to finalise the annual report on activities included in the remit letter 2018-19 for submission to the Minister by the end of May.

11.5 Received the end of year report on the Operational Plan 2018-19.

11.6 Agreed to receive quarterly progress reports on the Operational Plan for discussion.

12. Annual Report to Welsh Government on Regulatory Functions (HEFCW/19/45)

12.1 The Annual Regulatory Report was a requirement under the HE (Wales) Act 2015; this was the first such report produced by HEFCW. It was broadly similar to the previous Annual Governance Assurance Review Report and report on how HEFCW discharged its fee plan monitoring functions, and covered the period AY 2017/18.

12.2 The draft structure of the report had been reviewed by ARAC at its meeting in March, and the draft report had been subject to review by both ARAC and QAC members. The draft report also would be reviewed by the Regulation Committee at its meeting on 17 May.

Non-disclosable (for future publication; information provided in confidence)

12.3 Exempt minute

Resolved: The Council:

12.4 Approved the draft Annual Regulatory Report, subject to the steers provided at minute 12.3.

12.5 Delegated authority to the Chair, Chair of the Regulation Committee and the Chief Executive to finalise the report, subject to comments from the Regulation Committee.

13. Research Wales Committee Terms of Reference, structure and membership (HEFCW/19/46)

13.1 The Committee had undertaken a fundamental look at both its operation and membership and had revised its Terms of Reference. The proposed new arrangements included an annual meeting with the Pro-Vice Chancellors of Research of HE institutions in Wales, and also that the Committee meet three times a year. The Committee also agreed to establish task and finish groups as necessary to oversee specific areas of work. The Council was fully supportive of the revised approach by the Research Wales Committee.

Resolved: The Council approved:

13.2 The updated membership structure and meeting arrangements for the Research Wales Committee.

13.3 The revised Terms of Reference for the Research Wales Committee.

14. Review of HEFCW processes for assessing provider performance (HEFCW/19/47)

Non-disclosable (for future publication).

14.1 Exempt minute

14.2 Exempt minute

Resolved: The Council:

14.3 Agreed the draft consultation circular, subject to the steers in minute 14.2.

14.4 Delegated authority to the Chief Executive to finalise the circular for publication.

15. Any other business

None.

16. Date of next meeting

16.1 Council meeting: 11 July 2019.

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

16.2 Exempt minute

Papers for approval without discussion:

17. Higher Education Research Capital (HERC) Funding (HEFCW/19/58)

Resolved: The Council

17.1 Delegated authority to the Chief Executive to agree HERC institutional allocations once HEFCW had received finalised confirmation of BEIS funding, as per the proposed model at Annex A.

17.2 Noted the report at Annex B outlining areas of expenditure in 2018-19, and key priority funding areas for 2019-20.

Papers provided for information:

- 18. Nominations Committee Annual Report 2018-19 (HEFCW/19/49)**
- 19. Cash expenditure report and update (HEFCW/19/50)**
- 20. Research Wales Committee minutes 4 April 2019 (HEFCW/19/51)**

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