The
University
Of
Sheffield.

University
Secretary's
Office.

Council, 8 February 2021

Council Effectiveness Review – Action Plan

Sponsor: Alison Hope, Chair of the Council Effectiveness Review Group

Author: University Secretary

Recommendation(s)

Council is asked to:

- consider and approve the attached action plan,
- request a report on the implementation of the actions described, for November 2022,
- agree the next Council Effectiveness Review should take place in 2023, in line with the new CUC Higher Education Code of Governance.

Introduction

Council received on 19 October and discussed a report from the law firm Shakespeare Martineau regarding the 2020 Council Effectiveness Review.

In summary, the report concluded that the University is a very well-governed and managed institution, with several aspects noted as leading practice nationally.

Several options were put in the report, largely to assist the Council in determining how it might operate at an even higher standard and the report gave several examples of good practice from other universities or sectors of actions that could be taken, but did not have to be taken, in response to the recommendations.

To facilitate Council coming to some agreement on the ideas put forwards, that it might want to see implemented, and with what priority, an initial proposed high-level prioritisation was discussed at UEB (including the Senate members on Council) and by external members of Council.

Member's views have been fed back to the University Secretary to inform the preparation of an action plan (attached).

Action Plan

The attached Action Plan lists all of the options included in the Shakespeare Martineau report, and where applicable sets out proposed, existing or on-going actions. Where particular changes are proposed these are divided across the current and next academic year. This allocation to academic years does not reflect priority but considers resources, COVID restrictions and timeliness based on the nature of the action described.

Next Steps

Council has previously undertaken externally facilitated effectiveness reviews every four years, in line with the previous Code.

In other years, an annual self-assessment questionnaire has been completed by all members, and an action and implementation plan produced to support continuous improvement.

The annual self-assessment questionnaire can be administered at the end of the 2020-21 academic year, as usual.

If, following consideration, Council is minded to agree the Action Plan attached it is further proposed that to focus on continuous improvement and chart progress towards achieving the actions a report on progress is sought by Council for November 2022.

The new CUC Higher Education Code of Governance recommends an Effectiveness Review takes place every three years, making the next full review due in 2023.

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Council Effectiveness Review 2020 - Proposed High Level Action Plan

Action	Implementation Plan	2020/21	2021/22
Council should consider further development and training for members on the Regulatory Framework, in particular how it links with their wider duties as governors and trustees, for example in relation to the University strategy.	Yes – options for a third-party provider will be explored to cover the Regulatory Framework and Trustee duties under Charity Law.	X	
Council should consider on an ongoing basis whether the balance between the time spent on regulatory matters and that on its strategic role remains appropriate.	Yes - This question will be included in members annual review questionnaire. Regulation and strategy are becoming intermingled as the role of the OfS evolves. Council is well-informed about regulation per se and its duties; but might be briefed on wider questions of government strategy for the	X	

	sector enacted through the DfE, BEIS, and the OfS.		
Council should (working with UEB) develop appropriate performance indicators for the new strategy and record what information it needs to be able to monitor and evaluate performance against the strategic plan.	Yes. KPIs have been agreed by Council and will flow through to the UEB members objectives to ensure these are consistent (the same point has arisen in the SRC)	X	
If there is a general consensus that there needs to be more time for discussion or debate around key issues, Council should consider how these might be accommodated within Council's established ways of working.	On-going. As well as regular review of Council agenda and business plan, Council will continue to utilise pre-Council briefings, joint lunches/dinners etc as appropriate – see below. Where there is a case for more topic-based virtual Council sessions for those interested, between formal meetings – these will be provided.	X	
Council should review its skills matrix and ensure that all the skills needed to oversee the successful delivery of the University's strategy are represented around the table. If necessary its succession planning needs to be re-profiled to prioritise any key skills gaps.	On-going work with Council Nominations Committee to ensure a pipeline of skills to Council.		X – when next vacancies occur
Council should reflect on the changes to its practices necessitated by COVID-19 and determine which, if any, it wishes to continue or adapt on a longer term basis. In particular, Council should consider the format of and frequency of its meetings.			

• *A blend of in-person and virtual meetings?*	Yes – post-COVID Council will consider a pilot conducting two meetings of Council virtually each year, with at least the first and final meetings, and the Council Away Day, being in person.		X Dependent on Covid restrictions
• *Encouraging electronic attendance at in-person meetings, particularly where this means a member is able to attend rather than to give their apologies?*	Yes – see above regarding on-line and in-person meetings while permitting on-line attendance in unusual circumstances for a key person.		X Dependent on Covid restrictions
• *More opportunities for members to receive briefings and discuss issues of interest or concern to them, especially around the University's strategic priorities?*	On-going: through pre-Council briefings and ad hoc		
• *A reduction in the amount of paperwork and a greater use of short focussed presentations?*	On-Going: but need ensure balance between brevity and sufficient detail. Also need to do justice to the authors of papers. Discuss proposals to limit the length of any briefing paper to Council, as well as improving the ease with which members can see the relative priority of issues coming before Council.		X
• *The greater use of delegation to free up Council's time to deal with the "big issues"?*	Current balance considered appropriate but needs to be kept under review.		

Council should reflect on the role of its committees and review the current Scheme of Delegation, to ensure that these are optimal for the way it wishes to work in the future.	Previously discussed by the Task and Finish Group and OIG. Council already receives and confirms the Scheme of Delegation annually, and the burden on sub-groups needs consideration.		
Council should consider how to build a broader relationship with Senate and adopt appropriate measures. This should include clarification of and a greater role for the Senate nominees on Council.	Yes - ensuring greater clarity upon the roles and responsibilities of Senate members on Council as conduits for the mutual flow of information and reporting between Council & Senate.		X – Senate members on Council may be asked to speak to the Senate report to Council.
• *Appointing an independent member of Council as an observer at Senate, to act as a link between Council and Senate?*	Senate already elects 3 staff members of Council, in addition to the P&VC and 2/3 Senior Academic Officers and the SU President. Better use can be made of Senate members on Council not as delegates of the Senate but as informed members of the academic community.		
• *Hosting joint seminars and training events between Council and Senate?*	Pre-Council briefing sessions or dinner topics could involve some Senate members. Council members may attend Senate by invitation.		X

• *Attendance at a meeting of the Senate as part of the induction/development of each Council member?*	To be offered as a possibility (see above.)		X
• *An annual presentation by members of Senate to Council once a year on academic strategy and other academic matters?*	Council already receive updates through the P&VC reports to Council and specific updates as required and receives the Annual Academic Assurance Report. Senate members on Council and UEB members (e.g. VPs, EDAS/EDCS) can be invited to offer additional comment on relevant items.		
• *An annual meeting where Senate members can hear from a group of Council members about the work of Council and can ask questions and raise any issues they wish to?*	Conscious of additional burden - this might this be covered through pre-Council briefings, lunches, dinner topics. See answers above and below.		
• *Inviting a different member of Senate to each Council meeting as an observer (with appropriate safeguards as to confidentiality), as a development activity to assist Senate in understanding the role of Council?*	As above re existing substantial overlap of membership.		
• *A joint strategy session of Council and Senate?*	Senate has no formal powers over institutional strategy.		
• *Organising bi-annual lunches for Council members, allowing the Senate nominees to meet other Council members in a slightly more informal setting?*	See answers above re: e.g. covering through dinners, pre-Council briefings.		

Council should satisfy itself that the current measures for student engagement enable it to hear about the needs and priorities of all student groups.	On-going – core issue for Council, but need to discuss with SU and Senate to ensure their respective roles are not undermined. What is Council's unique role in the questions raised here about student voice and engagement?		
• *A student forum (a standing meeting between members of the Council and students, led by the Students' Union)?*	To bring student ambassadors together with Council members informally.		X
• *Members of Council attending the annual Students' Union meeting as observers to hear first-hand what matters are of concern to students?*	Possible (subject to the agreement of the Students' Union as part of the 2020-21 quinquennial review).		X
• *The appointment of student members to Council committees, with appropriate support?*	Already provided for in committee memberships and by the guiding principles agreed and introduced in 2018/19.		
• *Involving students studying in relevant areas with institutional projects: for example business students helping to develop the University's business-facing strategy?*	Outside the scope of a governance review, and covered by the underlying principles addressed through student engagement and consultation through management-led activities.		

Council should continue to take active steps to diversify its membership and should ensure focussed and determined action is taken to discharge the CUC Code primary element.	On-going action in hand through ongoing efforts led by CNC.		X – in relation to future vacancies sector best practice approaches will be further explored.
Council should consider whether any of the measures described above [below] might be of assistance, in particular ensuring that its expenses policy facilitates the reimbursement of as wide a wide range of expenses as the Charity Commission permits.	Yes		
• *Diversifying the use of external search consultancies?*	On-going: Our search consultants (when used) are fully aware of our requirement in this area. In light of the current financial situation we used specialist recruitment portals to reach target groups in August 2020		X
• *Ensuring all those involved in recruitment have had unconscious bias and diversity and inclusion training?*	Yes On-going through CNC		X
• *Developing a diversity action plan for Council and committee appointments, with agreed targets and/or indicators to track and review progress?*	Yes (connected to existing actions, including under the Race Equality Action Plan) On-going.		X

	Not everyone keen on targets. We are clear on the objective and making strong efforts to move forward positively, but are always subject to the availability of appropriate candidates. Learning from other HEIs with track record of success possible.		
• *Ensuring recruitment literature emphasises the desire to increase diversity;*	On-going	X	
• *Ensuring that the qualifications and experiences Council expects prospective members to have are sufficiently flexible to reflect the skills and backgrounds of people from diverse backgrounds, and providing individuals who are otherwise appropriately qualified for the role with additional support to address any variance as necessary;*	On-going	X	
• *Ensuring that induction processes support members from diverse backgrounds to participate effectively, including those who may have less experience;*	On-going	X	
• *Modifying how Council conducts its business to support members from diverse backgrounds, for example by changing the timings of meetings or by permitting virtual participation, which may widen the pool of potential recruits;*	On-going More virtual meetings may facilitate this	X	
• *Promoting and encouraging the right to recover reasonable expenses associated with attendance at Council meetings to make the role more accessible, e.g. for those with childcare responsibilities;*	Yes (via expanded and clearer expenses policy and/or by flexible participation such as online.)		X
Council should consider how it can facilitate greater opportunities for members to discuss issues and provide constructive challenge.	On-going	X	

	Where an issue has been robustly debated, with useful challenges made in a sub-Committee, or at UEB, then when the matter comes before Council this will have sharper focus. Remind members they can write in with questions on the items of business in advance of the meeting if want further information, want to probe deeper, or disagree. Linked to Strategy point 2 above and Resilience point 4 above		
• *Including a specific time for questions at the end of each agenda item?*	On-going No member who wishes to question or contribute on any item is prevented from so doing. (building on current practice and balancing the issue of volume of business)		
• *The Chair formally asking each member to comment as part of the discussion of significant items?*	Not routinely as unworkable/impractical, but members who particularly wish to speak on an item can indicate this and others who might contribute given their		

	role may be identified relevant to the item.)		
	Not reasonable to put Members "on the spot". All who wish to contribute are given adequate opportunity.		
	However, for major and possibly controversial items this may be necessary and desirable to ensure that a collective decision has been taken to which everyone has contributed and which everyone then has a duty to promote or support.		
• *At the end of each meeting or periodic meetings, setting aside time to review how the meeting has gone and whether members felt sufficiently able to raise any concerns or questions and, if not, how these might be handled in the future?*	Difficult to accommodate a self-reflection session at each meeting given the packed agendas. Can be dealt with through a short reflection session at the away day. Council members complete an annual review and this could be extended to Council committees.		X
Council should introduce appropriately detailed, written standing orders to govern the conduct of its meetings, and those of its committees.	Yes In hand.	X	
Council should ask the University Secretary to develop the guidelines for writing reports so that they apply to anyone submitting a paper for consideration by Council, and to ensure that these are complied with.	We don't do worse, and possibly better, than many		X

	other institutions in this regard. Further change needs handing with care to ensure balance between appropriate detail and brevity, and achieving the right emphasis and manner in which issues are presented to Council. Greater brevity and clarity is sought.		
Council should introduce a more formal process to record and monitor actions agreed at meetings. This could comprise anything from a simple note in the margin of Council/committee minutes, or a table of agreed actions at the end of the minutes, to a more formal action log/tracker which records the agreed action, who is to take it and the deadline, and which is then RAG rated and monitored.	Yes – see response above re action logs	X	
Council should ensure that all minutes (including those of Council committees) are published unless there are good reasons for classifying them as confidential. The new Information Classification and Handling Scheme should assist with the process of identifying confidential material.	On-going		