

UNIVERSITY OF LEICESTER

**RECOMMENDATIONS MADE IN THE REPORT OF THE ‘LANCASTER REVIEW’ OF COUNCIL’S EFFECTIVENESS, MAY 2017 -
RESPONSES OF THE NOMINATIONS COMMITTEE**

ASSURANCE ISSUES		
Specific topic(s):	Formal recommendations from the Review:	Informal suggestions from the Review:
T1. Dual Assurance	<p>R1. To consider the current arrangements for dual assurance and clarify the purpose of the system: to provide an opportunity for members to broaden their understanding of a thematic area, and/or to provide assurance?</p> <p>Nominations Committee response/recommendations: The dual assurance approach - which has not been promoted as an ‘assurance mechanism’ - should be discontinued.</p> <p>R2. If it continues to be an assurance mechanism members should be clear on their responsibility and there should be a formal feedback mechanism to Council and potentially Audit Committee.</p> <p>Nominations Committee response/recommendations: If a lay member expresses an interest in developing a closer knowledge and understanding of a specific operational area (and in future this should be raised with them as a standard part of their induction), this should be facilitated in way that best suits their personal interests and availability.</p>	None.

A. ASSURANCE (Cont.)		
Specific topic(s):	Formal recommendations from the Review:	Informal suggestions from the Review:
T2. Wider contextual/networking opportunities	None.	<p>S1. To consider other structured opportunities for members to receive information about the University, and meet with key individuals outside formal meetings, in order to support a more developed understanding of the context and complexities of the organisation.</p> <p>Nominations Committee response/recommendations: In addition to the opportunity provided under R2 above, lay members should:</p> <ul style="list-style-type: none"> a. continue to be invited to participate in periodic reviews of academic departments; b. continue to receive 'all staff' news items and emails (University addresses only), and invitations to professorial inaugural lectures; and c. be given the option to receive internally produced briefing materials such as the <i>Horizon Scanning and Data Insights</i> updates.

A. ASSURANCE (Cont.)		
Specific topic(s):	Formal recommendations from the Review:	Informal suggestions from the Review:
T3. Estates	<p>R2. To implement clear arrangements for oversight and scrutiny of estates-related activity, in order to provide Council with assurance, and also to ensure Council has sufficient estates expertise among the lay membership.</p> <p>Nominations Committee response/recommendations: The Committee does not see a need to re-introduce a separate standing committee of Council dedicated to Estates business.</p> <p>Instead, the Committee has suggested that the terms of reference and constitution of the Finance Committee should be reviewed and revised, as appropriate, to enable the Finance Committee itself to provide more effective assurance of estates-related matters.</p> <p>The resulting proposed amendments to the terms of reference and membership of the Finance Committee have been considered and endorsed by both the Nominations and Finance committees and will be presented for formal approval by Council, for full implementation from 2018-19.</p> <p>The Nominations Committee has oversight of the Council 'skills matrix' and arranges for this to be reviewed and updated at intervals, to help inform the appointment process to Council and to try to achieve an appropriate mix of expertise, in estates and other areas. No further action is required on this.</p>	None.

A. ASSURANCE (Cont.)		
Specific topic(s):	Formal recommendations from the Review:	Informal suggestions from the Review:
T4. Student Reporting	<p>R3. To strengthen reporting of student-related matters at Council.</p> <p>Nominations Committee response/recommendations: The SU President's annual report to Council should normally be submitted to the March meeting and should take the form of a written report rather than a 'presentation'. The President should be encouraged to share a draft of the report with the Chair of Council before it is submitted.</p> <p>In 2017-18 Council for the first time received detailed reports and action plans on the University's performance in the TEF/NSS/League Tables. This should be built into Council's Forward Business Schedule as a standing requirement for future years.</p>	<p>S2. To ensure that the timing of Council meetings takes into account the availability of students in relation to their other known commitments.</p> <p>Nominations Committee response/recommendations: The student member of Council receives the same notice of Council meetings as all the other members, and in practice it would not be feasible for students' commitments to be prioritised over those of other members. However, the SU should be notified of confirmed meeting dates as early as possible to try to minimise clashes with other planned events.</p> <p>In addition, the responsibilities and expectations of Council membership should be emphasized immediately to the incoming President at the time of his/her appointment.</p>
T5. Assurance of Academic Quality	None.	<p>S3. To consider whether Senate (as the primary academic body) is providing effective support to Council in providing assurance on academic quality and student-related matters.</p> <p>Nominations Committee response/recommendations: Council provided feedback on the format and content of Senate's 2017 academic assurance report, and requested that this be reflected in subsequent reports. However, there is current uncertainty regarding the external reporting requirements (if any) that will operate in this area under the new OfS regime, so this aspect will need to be kept under review.</p>

A. ASSURANCE (Cont.)		
Specific topic(s):	Formal recommendations from the Review:	Informal suggestions from the Review:
T5. Assurance of Academic Quality (Cont.)	None.	S4. For Council to consider recommending that an effectiveness review of Senate is undertaken Nominations Committee response/recommendations: The University Leadership Team should conduct a review of the effectiveness of Senate and report back to Council, with findings and recommendations as appropriate, by the end of the 2018-19 academic year.
T6. Finance	R4. To consider the role of the Finance Committee with regard to Council, so as to ensure complementarity of responsibilities and optimise the efficiency of agendas, whilst ensuring appropriate assurance and delegation arrangements are in place. Nominations Committee response/recommendations: Notwithstanding the handling of estate-related matters referred to under R2 above, the Committee does not consider that any action is necessary at this stage in response to this recommendation. However, the position should be kept under review and considered as required in consultation with the incoming new Treasurer.	S5. To consider whether the President and Vice-Chancellor and the Registrar and Chief Operating Officer should be members of or in attendance at Finance Committee. Nominations Committee response/recommendations: The Registrar and COO has already joined the Finance Committee as a member. The President and VC, although still not a member, should continue to aim to attend at least the November meeting, for the consideration of the University's financial statements.
T7. Council Advisory Committee	None.	S6. To consider retaining the benefits of Executive-Lay liaison obtained through the Council Advisory Committee, in order to provide support and advice to the Executive when this would be useful, but as an informal group outside the formal decision-making structure. Nominations Committee response/recommendations: CAC should be disestablished formally from the start of 2018-19. Liaison meetings between the executive and lay members to discuss urgent or otherwise significant strategic developments could then be facilitated on an if required/if requested basis, and involvement could then be usefully opened to a wider group, not just the members of a 'committee.'

A. ASSURANCE (Cont.)		
Specific topic(s):	Formal recommendations from the Review:	Informal suggestions from the Review:
T8. Corporate Risk Register	None.	<p>S7. To consider the detail and length of the risk register currently provided to Council, and whether this should be reduced.</p> <p>Nominations Committee response/recommendations: The format of the Risk Register is reviewed and updated on a regular basis. The Audit and Finance committees, and Council itself, have already confirmed their support for the increasingly concise and focussed emphasis on the key strategic risks. No further action is required at this stage.</p>

B. MEMBERSHIP ISSUES		
Specific topic(s):	Formal recommendations from the Review:	Informal suggestions from the Review:
T9: Appointment of lay members	<p>R5. Council and/or the Nominations Committee should take a proactive and strategic approach to consider and address the changing requirements for lay membership knowledge, skills and experience, including so that the renewal of members' terms of office fits with identified needs and are not automatic. Members' attendance should also be taken into account as part of reappointment.</p> <p>Nominations Committee response/recommendations: The Committee considers that this approach is already in operation and is used in an appropriate way to inform the appointment/re-appointment process. No further action required.</p>	<p>S8. To consider opportunities to stagger appointments/renewals to reduce the number of members leaving at a similar time.</p> <p>Nominations Committee response/recommendations: A steady but manageable turnover of the membership of Council occurs in most years, through a mixture of changes amongst lay members, staff members and the SU President. No further staggering is required.</p>

B. MEMBERSHIP ISSUES (Cont.)		
Specific topic(s):	Formal recommendations from the Review:	Informal suggestions from the Review:
T9: Appointment of lay members (Cont.)	<p>R6. To seek further opportunities to increase Council’s engagement with and its knowledge and understanding of the recruitment and appointment process. (This recommendation may necessitate an effectiveness review of the Nominations Committee.)</p> <p>Nominations Committee response/recommendations: Most Council meetings already feature a report from the Nominations Committee on various aspects of its work, including the operation of and outcomes from the recruitment and appointment process. An annual report on the Committee’s activities is also presented to Council. No further action required.</p> <p>R7. To consider the time commitment of the Chair with regard to future appointments to the position, including where some responsibilities may be delegated to a deputy or other lay members.</p> <p>Nominations Committee response/recommendations: There is no standard model for this. The time commitment and availability of the Chair is in part a product of their personal style and circumstances and is best discussed and agreed with them as part of the appointment process.</p>	<p>S9. To consider whether to open all lay vacancies, including senior posts, to internal and external applications, in order to ensure that Council is able to select from the widest possible field of candidates.</p> <p>Nominations Committee response/recommendations: The 2018 recruitment of lay members was advertised externally and some strong applications were received. It is a common experience amongst universities for the strength of the field for lay appointments to be highly variable from one recruitment round to another, and direct approaches to individuals should remain as an available option.</p> <p>There is an extended learning curve for new arrivals on Council and it is difficult to imagine a new Chair or Treasurer arriving on Council direct from outside. Normally, appointments to these two positions should continue to be sourced from amongst the current (or recently retired) membership of Council.</p>

B. MEMBERSHIP (Cont.)		
Specific topic(s):	Formal recommendations from the Review:	Informal suggestions from the Review:
T9: Appointment of lay members (Cont.)	<p>R8. To consider whether it is appropriate to revise and clarify the current arrangements in order to provide a lower limit on the maximum number of terms/years that a lay member can serve.</p> <p>Nominations Committee response/recommendations: The current limit for 'ordinary' lay members of 3x3 years (= 9 years maximum) is consistent with common practice in the sector. No action is required on this.</p> <p>With regard to the current eligibility for 'ordinary' lay members to rejoin Council after 'retiring' for at least one year, this should be extended to a longer interval of at least three years.</p> <p>Disregarding previous service on Council when appointing a Chair or Treasurer is also common practice in the sector. At present these appointments are made for renewable three-year terms with no duration of service limit, although in practice the postholders usually serve for no more than two or three terms. The Committee believes that it is in the University's best interests to maintain maximum flexibility when making appointments to these specialised and demanding positions, and recommends that the current arrangements should not be changed.</p>	None.

B. MEMBERSHIP (Cont.)		
Specific topic(s):	Formal recommendations from the Review:	Informal suggestions from the Review:
T9: Appointment of lay members (Cont.)	<p>R9. To discontinue the separate categories of Court-appointed members, and the Chair of the Alumni Association, and include those positions within the overall Council-appointed lay membership.</p> <p>Nominations Committee response/recommendations: In practice the Nominations Committee and Council already have significant influence over the appointments made through the Court route. It is not clear what benefits would be secured by making the above changes, especially given the extent of the consultation, and changes to Statutes, that would be required for their implementation. No action required.</p>	None.
T10. Contribution of lay members	<p>R10. To introduce a regular review mechanism for Council members to receive feedback on their contributions as a member, and to provide feedback themselves, and to use this information to inform the work of the Nominations Committee and the use and support of members by the University.</p> <p>Nominations Committee response/recommendations: The Chair has already started to hold 1:1 review meetings with Council members in order to address some of these points. The Committee suggests that over time it might be possible to spread the load of these reviews, for example, by responsibility for some of them being delegated to the Treasurer.</p>	None.

C. ORGANISATION AND MEETINGS		
Specific topic(s):	Formal recommendations from the Review:	Informal suggestions from the Review:
T11. Duration and start time of Council meetings	<p>R11. To keep under review whether the increase in the number of meetings provides a reduction in the length of meeting duration and, if not, to consider further means to reduce.</p> <p>Nominations Committee response/recommendations: Duration of meetings should continue to be monitored and reviewed regularly.</p> <p>The pressure on agenda time is mostly driven by compliance/assurance obligations which impact at governing body level, and requests from Council itself for more topics to be covered. It will be important to ensure that any actions taken to reduce the demand on Council meeting time do not simply result in the same pressure being deflected to elsewhere in the system.</p>	<p>S10. To consider whether the 4pm meeting start time remains appropriate, including with regard to members' other conflicting professional and personal priorities, and any potential impact on the opportunity for diversity of Council membership.</p> <p>Nominations Committee response: The membership of Council rotates on virtually an annual basis, so members' ideal/preferred start time for meetings will never be fixed. The current start time of 4pm is notified to potential new members and should remain unchanged.</p>
T12. Council agenda papers	<p>R12. To seek to reduce the length of papers where possible, include executive summaries with salient points and, particularly for key items of decision-making, include a summary of the review and decision-making process.</p> <p>Nominations Committee response/recommendations: Executive summary cover sheets should be introduced for longer reports (reports over four sides of A4, minus appendices), and the use of superfluous attachments and miscellaneous background information should be discouraged.</p>	<p>S11. To consider the optimal agenda ordering of items and whether all items need to be included on the agenda or could be delegated or considered outside the formal meeting.</p> <p>Nominations Committee response/recommendations: Council has already started to take <i>Reserved Business</i> (assumed to be more 'important') before <i>Unreserved Business</i> as a matter of routine. No further action required.</p> <p>The Committee does not believe that Council agendas and timings are routinely distorted by 'unnecessary' business. No further action required.</p> <p>S12. To develop a forward schedule to facilitate the planning of meetings.</p> <p>Nominations Committee response/recommendations: This is already in place and presented to each meeting.</p>

D. VARIOUS		
Specific topic(s):	Formal recommendations from the Review:	Informal suggestions from the Review:
T13. Size of Council	None.	<p>S13. To give consideration as to whether it is desirable to further reduce the size of Council, noting the issues highlighted above (Section B) about turnover and terms of appointment for Council members.</p> <p>Nominations Committee response/recommendations: It is too early to have another review of the size of Council, barely two years after the last one, so no further action is required at this stage.</p> <p>However, it would be sensible to review the situation regularly, perhaps every five years, and on that basis a review would next fall due in 2021.</p>
T14. Appointment of the Chancellor	<p>R13. That Council should have authority for the appointment of the Chancellor.</p> <p>Nominations Committee response/recommendations: As reported to the Council meeting in March 2018, a task and finish group has already been established to review the current process for the appointment of Chancellors, and to consider how appointments might be made in future. The group will present its findings, with any recommendations, as appropriate, for consideration by Council in due course.</p>	None.
T15. Compliance with the CUC Code	None.	<p>S14. To consider whether Council should receive periodic updates on the analysis of compliance with the CUC Code.</p> <p>Nominations Committee response/recommendations: Compliance does not fluctuate significantly between meetings, so an update for Council every other year would normally be sufficient. This was done in detail in 2017 so the next one would be due in 2019.</p>

D. OTHER MATTERS (Cont.)		
Specific topic(s):	Formal recommendations from the Review:	Informal suggestions from the Review:
T16. Approval of tuition fees	None.	<p>S15. One point we noted with regard to Council’s awareness/role, which may merit particular consideration, was that ULT is currently responsible for the approval of tuition fees and, given the strategic and reputational issues attached to this, it may benefit from being within the governance approval structure with a recommendation coming from ULT.</p> <p>Nominations Committee response/recommendations: The November meeting of Council should receive for information (but not to approve) an annual summary statement of tuition fees charged by the University.</p>

**NEIL COX
ASSISTANT COUNCIL SECRETARY
3 MAY 2018**