MINUTES OF THE PROCEEDINGS

at the

Thirty-fourth Meeting of the

COUNCIL

of the

IMPERIAL COLLEGE OF SCIENCE, TECHNOLOGY AND MEDICINE

The Thirty-fourth Meeting of the Council was held in the Council Room, 170, Queen's Gate at 10:30 a.m. on 13th February 2004, when there were present:

Lord Vincent (Chairman), Professor J.N.B. Bell, Dr. E. Buttle, Mr. B. Gidoomal, Professor D. Griffiths, Professor M.P. Hassell, Mr. D.P. Heam, Professor Dame Julia Higgins, Dr. M.P. Knight, Professor F. Leppington, Mr. H.B. Lowe, Professor G.H.C. New, Professor R.D. Rawlings, Eur. Ing. A.D. Roche, Dr. B.G. Smith, Dr. C.L. Vaughan, Dr. D.J. Wilbraham, the Rector and the Deputy Rector together with the Clerk to the Court and Council.

In attendance: Cllr. J. Corbet-Singleton (for Minutes 40 - 42), the Academic Registrar, the Director of Finance, the Director of Estates, the Director of Human Resources, the Director of ICT, the Director of Strategy and Planning, the Imperial College Union Observer and the Assistant Clerk to the Court and Council.

Apologies: Mr. G. Able, Professor Sir Leszek Borysiewicz, Sir Peter Gershon, Professor M. Green, Professor S.P.F. Hughes, Professor A.B. Kay, Mr. R.J. Margetts, Dame Judith Mayhew, Sir Alastair Morton, Professor J.D. Perkins, Dame Rosemary Spencer, Sir Peter Williams, the President of the ICU, the Pro-Rector for Public and Corporate Affairs, the Director of Operations and the Director of Project Management & Communications.

CONGRATULATIONS

On behalf of the Council, the Chairman congratulated Professor J.R. Beddington on his appointment as CMG for services to fisheries science and management and Sir Peter Gershon on his appointment as KBE in the New Year's Honours List. The Chairman also congratulated Professor J. Burland on his appointment as Commendatore di Ordine della Stella di Solidarieta’ Italiana by the Italian Government in recognition of his role in the stabilisation of the Leaning Tower of Pisa.

MINUTES

Council – 12th December 2003

1. The Minutes of the Thirty-third Meeting of the Council, held on 12th December 2003, were taken as read, confirmed and signed.
MATTERS ARISING

Disposal of Cobham Sports Ground (Council Minutes, 12th December 2003, Minute 4)

2. The Director of Estates, Mr. Brooks Wilson, said that the sale of Cobham Sports Ground for £3.5M had been completed on 23rd December. He reminded the Council that this was much more than the original valuation of the site. As part of this agreement, the purchaser’s other lease for the use of Harlington Sports Ground had been restructured. The College would also be able to continue to use Cobham for a year without charge.

A College Scholarship Scheme (Council Minutes, 12th December 2003, Minutes 11 - 13)

3. The Rector reminded the Council that the College’s proposals to introduce a scholarship scheme had been announced just before the first vote in the House of Commons on the Government’s Higher Education Bill. Copies of the announcement had also been sent to Governors at the time. The Rector noted that 20% of students at Imperial currently received full remission of fees. This compared with Cambridge and Exeter, which had announced similar schemes, where the figure was closer to 9%. Furthermore, 34% of the College’s ‘home’ students received some form of fee remission at present. This meant that any scholarship scheme aimed at supporting these students would be more expensive for Imperial. Consequently the details had had to be carefully worked through before the announcement. Imperial’s scheme would provide a scholarship of £4,000 for students with full fee remission who had achieved 3 ‘A’s at A level with a sliding scale of support below this for students who received lower levels of fee remission. The scheme was also flexible in that students with lower A level grades on entry could obtain scholarships if they did particularly well during their first year at the College. The scheme had been well received, the Rector said, particularly because it linked financial support to academic excellence.

Burlington Danes Project (Council Minutes, 12th December 2003, Minutes 30 – 33)

4. The Director of Estates, Mr. Brooks Wilson, said that the Special Trustees of the Hammersmith Hospital had now agreed to the terms of the underlease between the College and its external partner in the Project, GlaxoSmithKline (GSK). This had been the last remaining obstacle to the Project and the underlease could now be signed without further delay. Notice to proceed with the building works would be given in the next week and a formal announcement of GSK’s involvement in the Project would be made in early March.

RECTOR’S BUSINESS

Staff Matters (Paper A)

5. The Rector formally presented Paper A, which was received for information.

Oral Reports

6. The Rector said that the Higher Education Bill, the main purpose of which was to introduce variable top-up fees, had been passed by the House of Commons by just 5 votes and had now entered the Committee stage. This stage was due to finish by 4th March, although it was not expected that the Committee would make any fundamental changes to the Bill.
7. Turning to the next Research Assessment Exercise (RAE), the Rector said that the new guidelines had just been published. The comments that the College had made during the consultation process had been reflected in the final version and, he said, the College was generally content with the new process. A lot of emphasis was being placed on the practical application of research and, while this did not present any problems to the College at present, it was a trend that would have to be watched carefully.

8. The Rector then asked the Director of Human Resources, Mr. Gosling, to update the Council on pay and grading reform. Mr. Gosling reminded Governors that new pay and grading scales were being introduced which were based on job families. The largest two families, teaching and research and professional services, which together accounted for about three-quarters of the College’s staff, were now being implemented. Letters inviting staff to sign up to the new grades would be sent to all of them by the end of this month. These would, he said, include a detailed statement of each person’s position and should provide individuals with everything they would need to make a fully informed decision. The early indications were that most would accept the new terms and, although nationally the AUT was in dispute with universities over pay restructuring, its branch at the College was broadly supportive of the College’s proposals.

9. Concluding his report, the Rector said that both the Tanaka Business School and the Faculty Building were now close to completion. The main entrance would come into use on 1st March, but would be formally opened by Her Majesty The Queen in June. The Faculty Building would be opened in May by the Chairman. Both Projects had gone very well and would be completed to time and budget. Both would also provide high quality buildings that would add value to the College.

10. Mr. Hearn asked if the College and the Russell Group were taking any measures to persuade the Treasury not to reduce university funding once variable fees were introduced. The Rector said that the Russell Group was very aware of the risk that either the Treasury or HEFCE might take action in the future to reduce funding to those universities charging higher fees. Indeed, he said, the Russell Group had recently appointed a full-time Chief Executive who would be concentrating on issues such as this.

11. Introducing Paper B, the Rector drew the Council’s attention to the report from the Union President on degree-awarding powers that was appended to the Minutes of the Senate Meeting held on 5th November 2003. Although the College was considering the possible implications of using its degree-awarding powers, there was, he said, no great urgency to do so. For the time being, continued membership of the University of London was in the College’s best interest. However, if the University moved towards greater centralisation, Imperial’s reserve powers now gave it the option to break away from the University if it wished. The London School of Economics, Kings College and University College London, who were all in the process of applying for degree-awarding powers, took the same view as the College on this matter.

12. Professor Dame Julia Higgins remarked that, as noted in Senate Minute 602, the College had been allocated fewer ORS Fee Awards in 2003 than in 2002. It had
since been ascertained that the total number of awards had been reduced nationally and that the College’s allocation of awards had fallen by a lower percentage than that of other universities. Universities UK had recently given a presentation to the College on this subject and, she said, Imperial now had a better understanding of the allocation process and how to make this work for the College.

13. Professor Bell noted that the Senate had approved an amendment to the entry requirements for research degree study, such that applicants should normally hold a Master’s degree or equivalent. The Rector confirmed that this change had been made to bring the College in line with entry requirements in the rest of Europe.

14. The Rector then drew the Council’s attention to the Foundation Course in Medicine in association with Thames Valley University (TVU). This was a new venture and something of an experiment for the College and was intended to support widening participation. Under this scheme, students would take a one-year Foundation course at TVU, the curriculum of which would be set by Imperial. As the quality of the course and its assessment would be vetted by the College, students who completed it successfully would be deemed to have met the College’s entry standards and those who did particularly well would therefore be able to come to Imperial to study medicine. It was expected that between one and four students annually would enter Imperial by this route.

REPORT BY THE HEALTH AND SAFETY AUDIT COMMITTEE (PAPER C)

15. The Chairman of the Health and Safety Audit Committee, Mr. Roche, introduced Paper C. Before its last meeting, he said, the Committee had visited the Department of Mechanical Engineering and had been generally impressed with what they had been shown. He then highlighted three points that had arisen from the visit. First, the Department had an excellent record of attendance at its safety meetings, which was encouraged by the provision of a free lunch. Second, the Department had suffered a lot of disruption as a result of the building works on the Tanaka Business School. In response, the Department had arranged weekly meetings between itself, the Project Team and the contractors. These meetings had ensured that everyone was informed of progress and any problems or obstacles could be resolved quickly. Mr. Roche said that this was an example of good practice that the Committee recommended should be adopted with the College’s other projects. Finally, he said, the Department recognised that those staff who were not involved directly in laboratory work had a poorer understanding of their own responsibilities for health and safety. The Department would be arranging briefing meetings for these staff once the building works had been completed.

16. Moving on to the Committee’s meeting itself, Mr. Roche said that the Committee was pleased to see that safety was now being included in staff job descriptions as part of the College’s pay and grading reform. This was a positive step which should be welcomed. Concluding his Report, Mr. Roche also drew attention to the Rector’s Award for Excellence in Health and Safety, which had recently been instituted. Dr. Wilbraham strongly endorsed the introduction of this Award. In his experience this sort of initiative helped to give safety a much higher profile within organisations. The Rector agreed and announced that the prizes would be presented to the winners at the Court meeting on 26th March and would be widely publicised within the College.
17. Dr. Vaughan asked if possible future trends in safety legislation were known. Mr. Roche said that the detail was difficult to predict, except to say there would certainly be more of it. It was the responsibility of the College’s safety advisors to keep abreast of changing legislation and to ensure that the College remained compliant.

REPORT FROM THE FINANCE COMMITTEE (PAPER D)

18. Introducing Paper D, the Honorary Treasurer, Dr. Knight, said that the major issues recently considered by the Finance Committee had been the College’s ‘endowment fund’ and the development of student residences in Prince’s Gardens. As was noted in the Paper, the Finance Committee had held a further meeting just prior to the Council meeting in order to consider in detail the key issues relating to the Prince’s Garden development, and the Southside Project in particular. As Governors were aware, he said, the redevelopment of the Southside Hall of Residence was a project of fundamental importance for the College. The Finance Committee had therefore approved additional expenditure on it of £2.5M, making a total of £3.5M. This would allow the Project to be taken forward to the point at which a planning application could be made. This developmental expenditure had been approved in accordance with the level of authority the Council had agreed to devolve to the Finance Committee at its last meeting. The Council would, Dr. Knight said, receive a detailed paper on the full project proposal in due course.

19. Moving on, Dr. Knight said that only one of the College’s many major capital projects was giving cause for concern and there were no financial implications for the slight delay on this one project. It was a credit to the teams involved on major projects that so many of them were nearing completion and were all still to time and budget.

20. Concluding his Report, Dr. Knight reminded the Council that, at its last meeting, it had been suggested that the target return set by the Investments Committee had been too low. Although he was no longer its Chairman, he was able to report that the Committee had increased the target return for investments to 4%, with the option of increasing this to 5% if the 4% return was readily achieved.

21. The Chairman remarked that the Paper on establishing an ‘endowment fund’, which was appended to Paper D, referred to the establishment of a Strategic Finance Committee accountable to the Council. He made it clear that such a committee would report to the College’s Management Board, and not to the Council. Mr. Gidoomal noted that the appended Paper also proposed a total target return of 7.5% for the Fund. He suggested that this target should not be set too rigidly and that the Committee needed to have some leeway to take account of fluctuations in inflation and market performance. Dr. Knight agreed that the Committee would take such changes into account, but said that the suggested target return would impose a degree of discipline on the College.

22. Dr. Vaughan asked what was the size of the Fund. The Director of Finance, Mr. Cannon, said that assets totalling about £77M had been identified. Dr. Vaughan then asked if consideration had been given to the Fund receiving royalties from IPR licences. If it was to do so, she suggested that this could affect the approach taken by IC Innovations to licensing and this would, she said, have to be considered carefully. Dr. Knight said that it was primarily a capital fund and it was not intended that it should receive IPR income. However, he said Dr. Vaughan’s point was well made and would be considered by the Finance Committee.
23. Mr. Gidoomal said that some charitable trusts were now adopting a policy of investing entirely in ethical funds. He asked if the Finance and Investment Committees were keeping this developing trend under review. Mr. Cannon said that the College already completed an annual return on its investments in sensitive areas. Dr. Buttle said that it was not clear to her that the market was yet comfortable with what constituted an ‘ethical’ investment. She also suggested that a broad definition might conflict with legitimate scientific work in areas that were considered sensitive, such as genetic modification and bioscience. Mr Hearn said that he did not believe the College should accept a lower return on its investments, but that it should engage with the companies in which it held investments to ensure that they were acting ethically. Mr. Gidoomal agreed that a lower return should not be sought for reasons which were not sustainable in the long term, but said that this was an area of increasing public interest and that the College therefore needed to have prepared a position statement in case it was challenged.

FINANCE MANAGEMENT REPORT (PAPER E)

24. The Director of Finance, Mr. Cannon, introduced Paper E. Since the Report had been written, he said, fee income had continued to improve and it now appeared that the College might break even this year, which was a significant improvement on the £3.9M deficit originally forecast. Mr. Cannon went on to say that cash collection had been very good and that invoiced debtors continued to improve. The figure of £57.5M for these debtors as at 31st December represented a reduction of £18.3M on the same figure a year ago. Concluding his Report, Mr. Cannon said that the borrowing projections did not, as yet, include any assessment of the costs or savings associated with the recommendations arising from the review of Support Services in the College.

LONG-TERM MAINTENANCE (PAPER F)

25. The Director of Estates, Mr. Brooks Wilson introduced Paper F. He reminded the Council that it had asked him to assess the extent to which the shortfall in money provided for long-term maintenance (LTM) was being met by capital expenditure. As was noted in the Paper, HEFCE norms suggested that the College should spend 2% of the insurance value of its buildings on LTM. This would imply an annual budget of £15.5M rather than the £3M currently spent on LTM. However, the large number of capital projects being completed as a result of Science Research Investment Fund (SRIF) funding was addressing many of the LTM issues in the College’s older buildings, with the result that this liability had been reduced by 31% since 1999. There was still, however, a shortfall and the Estates Division would be presenting proposals to the Management Board this year to ensure that this liability continued to reduce.

26. Concluding his Report, Mr. Brooks Wilson assured the Council that health and safety works were given priority within the LTM budget. Those projects with the highest levels of priority had been addressed. He was therefore able to confirm that the College was currently compliant with health and safety and other relevant legislation.

27. Mr. Roche welcomed the Report and said that a key point was that the College should not allow its LTM liabilities to start to build up again. He also believed that, even with continued capital expenditure, a £3M LTM budget was insufficient and the College would need to find ways of increasing this amount. However, as Chairman of the Health and Safety Audit Committee, his prime concern was that projects in the
top three priority levels were being addressed and this was currently the case.

28. Dr. Vaughan said that the College had to ensure that it remained compliant and therefore had to be aware of future legislative requirements as well as current ones. Mr. Roche agreed, but said the College was now in a much better position than it had been a few years previously. It now knew where the problems were and had plans for dealing with these liabilities. The Rector reminded the Council that the Treasury had agreed to provide capital funding through the SRIF after it had visited the College and seen the extent of its problems with ageing infrastructure. He believed that SRIF funding would continue for the foreseeable future. The College's position had improved considerably as SRIF funding had enabled it to address some of the worst problems. Concluding the discussion, the Chairman said that the highest priority had to be ensuring that the College's buildings remained legally compliant and he suggested that the Council should, in future, receive an annual update on LTM and the extent to which the College’s buildings were compliant with health and safety legislation.

FIRST ANNUAL REPORT ON DIVERSITY (PAPER G)

29. The Chairman of the College's Equal Opportunities and Diversity Committee, Professor Leppington, introduced Paper G. He reminded the Council that the College had commissioned a Report on equality and diversity in 2002. This had made a number of recommendations which were now being taken forward by his Committee and by the Academic Opportunities Committee, whose main remit was to improve opportunities for women academics in the College. In doing so, both Committees had received excellent support from senior management. Both the Rector and the Deputy Rector had been fully involved in the Women in Science week and other initiatives to support diversity. This sent an important message to the rest of the College about the priority placed on equality and diversity.

30. Moving on, Professor Leppington said that the College was translating its policies into action through the provision of training and other activities. All staff involved in recruitment now had to be trained and he was pleased to note that a number of departments had introduced their own committees and working groups to support action in this area. The importance placed on equality throughout the College was also signalled through the introduction of a network of Harassment Support Contacts (HSCs). As this position carried considerable responsibility and was potentially time-consuming, Professor Leppington said that it was a very positive sign that as many as 50 members of staff had volunteered for training as HSCs. Another area that was a priority for the College, Professor Leppington continued, was that of race, particularly in relation to implementing the requirements of the Race Relations (Amendment) Act. This too required the College to be proactive in areas such as procurement. There was, however, much work still to be done and a particular focus for the Committee in the coming year would be to improve data collection. This was vital if the College was to monitor the effectiveness of its policies in this area.

31. Turning to the Council’s own responsibilities, Professor Leppington said that a briefing session had been held for Governors in January, which had been well attended. Before the present meeting of the Council there had also been an unveiling ceremony for a painting that had been commissioned to celebrate women in science. A formal unveiling of this painting was being arranged to take place in the Senior Common Room and it was hoped that it would be displayed with a plaque explaining the ideas behind the painting.
32. The Rector thanked Professor Leppington for his Report and noted that data collection in relation to gender, race and disability was a perennial problem since many people were reluctant to declare this information. Professor Leppington agreed, saying that studies suggested that as much as 15% of the general population could have a disability of some kind, but that only a fraction of these declared it.

33. The Director of Human Resources, Mr. Gosling, said that it was encouraging that diversity was no longer seen as simply an HR issue, but was now being mainstreamed within all the College’s departments. In relation to this, he was hoping to look radically at how the College could improve its provision in areas such as childcare so as to benefit a much greater number of its staff. Mr. Brooks Wilson said that one area of concern was the requirement under the Race Relations Act that the College ensured that its contractors complied with its equal opportunities policies. This was a major challenge given the large number of contractors and sub-contractors currently employed on major capital projects.

34. Professor Dame Julia Higgins drew Governors’ attention to Imperial’s pledge to women academics, a copy of which had been tabled. She said that the proportion of women academics gaining promotion was steadily improving with the number of women professors increasing from just 7% a few years ago to 11% now.

35. Mr. Gidoomal congratulated Professor Leppington and his Committee on the excellent progress being made. He noted that, earlier in the meeting, the Council had discussed the Rector’s Award for Excellence in Health and Safety and he suggested that a similar award for promoting diversity would help to raise the College’s profile in this area. He also asked if the College had considered seeking Investor’s in People (IIP) status. Mr. Gidoomal then asked if the College had undertaken an assessment of pay differentiation by gender. Finally, he acknowledged that data collection was often problematic in relation to ethnicity and disability, but that this should not inhibit the College in taking action nor in trying to assess the impact of its policies. Dr. Vaughan agreed that people were often reluctant to declare this information. She suggested that, if they understood why the information was being collected, this would encourage a higher response rate. Professor Leppington confirmed that the College had previously audited pay equality and had found no evidence to suggest that there was gender inequality in academic pay rates.

36. Mr. Lowe agreed with the suggestion that the College should investigate IIP recognition. Mr. Gosling too agreed that IIP would be a desirable aim for the College. However, in his view the College did not yet have the basic processes in place to satisfy the challenging IIP standards. He expected, though, that the work on HR and Finance procedures currently being taken forward under the Support Services Initiative would address a number of these concerns and would bring the College much closer to meeting IIP standards.

37. Professor Bell said the dyslexia often went unrecognised. He asked if the College had considered offering training in the recognition of dyslexia to academic staff. Professor Rawlings confirmed that the College had a testing system in place to identify and assist students with dyslexia and that training would continue to be offered to academics on this disability.

38. Professor Dame Julia Higgins said that the College, in conjunction with most of the other Russell Group universities, had recently taken part in an electronic staff survey concerned with equality and other issues. The initial results had been made
available to institutions and the next phase would be to compare these individual results with the overall results derived from the survey. This would provide the College with an opportunity to benchmark its own performance with that of its peer institutions.

39. Concluding the discussion, the Chairman thanked Professor Leppington, the members of the Equality and Diversity Committee and the staff of the HR Division for the progress that had been made. He said a number of issues had been raised and highlighted, in particular the suggestion that raising the profile of diversity, possibly through the institution of an award, might assist with improving data collection in this area. It was important that the College complied with its statutory responsibilities in this area and in relation to contractors and sub-contractors carrying out work for the College.

ANNUAL REPORT OF THE HOUSE COMMITTEE (PAPER H)

40. The Chairman welcomed the Chairman of the House Committee, Cllr. J. Corbet-Singleton, who had joined the Meeting for this Item, and invited him present Paper H. Cllr. Corbet-Singleton reminded members that the House Committee’s remit was to consider the College’s in-house trading activities, in particular Catering, Conferences and Residences, as well as reviewing the performance of the Students’ Union’s commercial outlets and the Holland Club – a club for the College’s non-academic staff. Following the Council’s recommendation, the Committee had also started to receive reports of health and safety compliance in these areas.

41. Cllr. Corbet-Singleton went on to say that conference bookings were now improving after the dip in income, which had followed the 11th September 2001 attacks in the United States. Catering and Conferences at the Wye Campus were also performing much better and had achieved a surplus for the first time since the merger in August 2000. Turning to Student Residences, he said that the Committee regularly visited facilities at the College’s campuses and had been very impressed with the improvements and refurbishments which had been carried out in the last few years. It was clear that, not only was a high standard being achieved across the board, but that the quality of these refurbishments was getting better each time. The biggest of these projects, the Southside Hall, however, still lay in the future and would require significant funding. The Committee had visited the Hall and it was clear that it was in dire need of refurbishment or redevelopment. Concluding his Report, Cllr. Corbet-Singleton said that the Committee had also visited the Holland Club, which appeared to be well managed and had built up a healthy surplus. However, its formal status in relation to the College was not clear and he suggested that this needed to be clarified.

42. Dr. Vaughan, also a member of the House Committee, said that the Holland Club had a lot of space at its disposal. The Clerk confirmed that the Club was well managed, but it had to be questioned whether its function rooms represented the best use of scarce College space. He agreed that its formal status within the College needed to be clarified and agreed to take this forward outside the meeting.

43. Mr. Hearn said that Imperial was not alone in charging artificially low rents for its student accommodation. He suggested that it should instead charge a market rent, but ensure that there were significant hardship funds available to support students who could not afford these rents. The Imperial College Union Observer, Mr. Moate, said that increases in student rents were never desirable, but that the student body recognised that there had been large improvements in the quality of accommodation
in recent years and that students were prepared to pay more for the higher quality halls. However, it was important to retain a range of accommodation at the more affordable end. The Clerk said that rents had been increased by an average of 15% in the previous year. At the same time, the College had increased the hardship funds available to students by £200K. Despite this increase, the College still subsidised these rents by £3 – 4M per annum in comparison with commercial rates for the area. The Rector said that the College should move towards more commercial rates, but that it had to balance this with remaining attractive to prospective students. If rent levels were set too high, this might deter some excellent candidates.

CLERK’S BUSINESS

Promoting Race Equality – Governance Code of Practice (Paper I)

44. The Clerk introduced Paper I. He reminded Governors that the draft Governance Code of Practice had been considered at the previous meeting, but that concerns had been expressed over the wording of two parts of it. The relevant sections had now been revised to make it clear that the College should seek the widest range of candidates when considering appointments to its committees.

45. Before moving to the proposed resolution, the Chairman said that the Council was inquorate and that any resolutions taken at this meeting would therefore have to be formally ratified at the Council’s next meeting.

Resolved: That the Governance Code of Practice for Promoting Race Equality, as set out in Paper J, be approved.

Freedom of Information Policy and Publication Scheme (Paper J)

46. Introducing Paper J, the Clerk said that the Freedom of Information Act 2000 would extend the public’s rights of access to information held by Imperial. The first requirement was for the College to publish a Publication Scheme by 29th February 2004, which set out all the classes of information which the College would make openly available. By that deadline the College was also required to have a Freedom of Information Policy and procedures for managing records and responding to requests for information. He was now presenting the Policy to the Council for approval, while its supporting codes of practice would be presented to the College’s Operations Committee. Concluding his Report, the Clerk said that a considerable amount of work had been undertaken to ensure that the information contained in the Publication Scheme was available on the College’s website. However, the real test would come when from 1st January 2005 the public could request any information held by the College, not just that it had made immediately available.

47. Dr. Smith asked if there was any indication of the volume of requests under the Act that the College might have to handle. The Clerk said that it was impossible to tell until the Act came into force and the experience of other countries had been variable. However, at one extreme Freedom of Information legislation had been on the statutes in Australia for over 10 years and he understood that Government Departments there were now overwhelmed with requests. Mr. Gidoomal remarked that journalists were looking at websites all the time to find inconsistencies or potential stories. This process could only increase with the introduction of this Act. Dr. Buttle said that she agreed with freedom of information, but queried whether the
College was actually a ‘public authority’. The Clerk agreed that, for other purposes, the College did not consider itself to be in that category. However, universities were specifically cited in the Act and so had to abide by its provisions.

48. Dr. Vaughan asked if the College would handle requests centrally. The Clerk said that the Central Secretariat would deal with all freedom of information requests, liaising with departmental records managers as required. The latter had been identified and would be trained in the Autumn, in time for January 2005. Mr. Lowe asked if there was a danger that staff in departments could be pressured into releasing too much information. The Clerk said that the training programme for records managers was also intended to ensure that they were aware of the Act, how it affected them, and that, if in doubt, they should forward requests to the Central Secretariat. However, he said, a real problem was that the College had to respond to requests within 20 days and that, if a member of staff was on leave, or was unaware of their responsibilities under the Act, this time could quickly be used up.

49. Dr. Vaughan asked if the College would have to release information about sensitive areas of work to pressure groups or animal rights activists. The Clerk replied that the Act included a number of exemptions which the College would have to apply, the main one being that data protection overrode freedom of information. This meant that data on individuals could not be released and nor could information which was commercially sensitive or might compromise the health and safety of College staff.

Resolved: That the Freedom of Information Policy, as set out in Paper H, be approved.

50. Noting that the implementation of the Act was being phased, the Chairman asked that the Council receive a progress report prior to full implementation in January 2005.

Proposed Amendments to the College’s Regulations (Paper K)

51. The Clerk introduced Paper K. These three Regulations had, he said, all been in place for between 3 and 4 years and the College’s internal audit service had now conducted a review of their operation in the light of experience. A number of amendments had been suggested as a result of this review and these were now being put to the Council for approval.

52. Dr. Vaughan asked if there had been any instances of whistleblowing in the College. The Clerk said there had been a few cases where members of staff had claimed to be whistleblowing, although some of these claims had been made when the member of staff concerned was being disciplined. All the instances of whistleblowing so far had been resolved in accordance with the procedures set down in the Regulations.

Resolved: (i) That the amendments to Regulation B2 “Policy and Response Plan for the Treatment of Fraud & Irregularities”, as set out in Paper K, be approved.

(ii) That the amendments to Regulation C6 “Policy and Procedures for the Investigation of Allegations of Scientific Misconduct”, as set out in Paper K, be approved.
(i) That the amendments to Regulation C7 “Policy and Procedures for Dealing with Instances of Public Interest Disclosure”, as set out in Paper K, be approved.

Dates of Meetings for 2004-05 (Paper L)

53. The Clerk introduced Paper L which set out the proposed dates for Court and Council meetings in 2004-05.

Resolved: That the dates of Meetings for the Court and Council for 2004-05, as set out in Paper L, be approved.
PAPER A

STAFF MATTERS

A Note by the Rector

NEW YEARS HONOURS LIST

Professor John Rex Beddington FRS, Professor of Applied Population Biology in the Department of Environmental Science and Technology, Faculty of Life Sciences, has been awarded the CMG for services to fisheries science and management, with particular reference to the South Atlantic.

HEADS OF DEPARTMENT

Professor M. John LEVER, Professor of Physiological Mechanics, has accepted appointment as Head of the Department of Bioengineering, Faculty of Engineering, from 1 October 2003 for a five year term.

Professor David LIMEBEER, FEng, has accepted appointment as Head of the Department of Electrical and Electronic Engineering, Faculty of Engineering, from 1 May 2004 for a further five year term.

HEADS OF DIVISION

Professor David EDWARDS, has been reappointed as Head of the Division of Paediatrics, Obstetrics and Gynaecology, Faculty of Medicine, from 1 October 2003 for a term of three years.

Professor Paul ELLIOTT, has been reappointed as Head of the Division of Primary Care & Population Health Sciences, Faculty of Medicine, from 1 October 2003 for a term of three years.

Professor Robert LECHLER, has been appointed as Head of the Division of Medicine, Faculty of Medicine, from 1 January 2004 for a term of two years.

DIRECTOR OF THE INSTITUTE FOR BIOMEDICAL ENGINEERING

Professor Christofer TOUMAZOU, has been appointed as the founding Director of the new Institute for Biomedical Engineering from 1 January 2004 for a term of three years.

PROFESSORS

Professor Farrukh Azeem MAJEED, currently Professor of Primary Care at University College London, has been appointed to the Chair in Primary Health Care and General
Practice and Head of Department of Primary Health Care and General Practice in the Division of Primary Care and Population Health Sciences, Faculty of Medicine, with effect from 1 February 2004.

**Professor David L WARK**, currently Professor of Experimental Physics at the University of Sussex, has been appointed to the Chair in High Energy Physics in the Department of Physics, Faculty of Physical Sciences, with effect from 1 January 2004.

**VISITING PROFESSORS**

The following have accepted association as Visiting Professor:

**Professor Andrew BAIRD**, Technical Director of the Defence Science and Technology Laboratory, has accepted association as Visiting Professor in the Department of Electrical and Electronic Engineering, Faculty of Engineering, with effect from 1 January 2004 for a period of three years.

**Professor Martin BRAITHWAITE**, William Penny Professor of Chemical Physics at the University of Cranfield, has accepted association as Visiting Professor in the Department of Chemical Engineering and Chemical Technology, Faculty of Engineering, with effect from 1 January 2004 for a period of three years.

**Professor Luca CARDELLI**, Assistant Director for Microsoft Research Ltd, Cambridge, has accepted association as Visiting Professor in the Department of Computing, Faculty of Engineering, with effect from 1 December 2003 for a period of three years.

**Professor Douglas GOUGH FRS**, Director at the Institute of Astronomy, University of Cambridge, has accepted association as Visiting Professor in the Department of Physics, Faculty of Physical Sciences, with effect from 1 January 2004 for a period of nine months.

**Professor Harold POOR**, George Van Ness Lothrop Professor in Engineering and Professor Electrical Engineering in the Department of Electrical Engineering at Princeton University USA, has accepted association as Visiting Professor in the Department of Electrical and Electronic Engineering, Faculty of Engineering, with effect from 1 January 2004 for a period of three years.

**Dr Roger TIMMIS**, Air Science Manager at the Environment Agency, has accepted association as Visiting Professor in the Department of Physics, Faculty of Physical Sciences, with effect from 1 January 2004 for a period of nine months.

**RESIGNATION - PRINCIPAL OF THE FACULTY OF ENGINEERING**

**Professor John PERKINS FREng**, Principal of the Faculty of Engineering has been appointed to be Vice President and Dean of the Faculty of Engineering and Physical Sciences in the new University of Manchester. He will leave the College on 31 March 2004.

**RETIREMENT**

**Professor Roger FENNER**, Professor of Engineering Computation in the Department of Mechanical Engineering, Faculty of Engineering has taken early retirement with effect from 31 January 2004.
A Note by the Rector

1. The Minutes of the meetings of the Senate held on 5 November 2003 and 17 December 2003 are attached. The following points are drawn to the attention of the Council for information.

2. Minute 593 – Quality Assurance Agency Developmental Engagement with Mechanical Engineering. The Senate noted that reviewers from the Quality Assurance Agency (QAA) had visited the Department of Mechanical Engineering and had concluded that they had confidence in the academic standards set and achieved in the Department and in the quality of learning opportunities that support students in the Department.

3. Minute 594 – Use of Degree Awarding Powers. The Senate discussed the academic implications of awarding Imperial degrees and noted the reservations expressed by the Imperial College Union.


5. Minute 596 – Review of Undergraduate Teaching in the Department of Computing. The Senate approved a report by the Undergraduate Studies Committee on undergraduate teaching in the Department of Computing and asked the Department to report on its progress in relation to the issues raised by the review to the Undergraduate Studies Committee in 12 months’ time.

6. Minute 602 – Overseas Research Student Fee Award Scheme 2003. The Senate received the results of the 2003 ORS Fee Award Scheme and noted that the College had been allocated 40 awards compared with 45 awards in 2002. It was agreed that an attempt should be made to obtain information from UUK on the process for assessing awards.

7. Minute 619 – Review of Research Training in the Department of Mathematics. The Senate approved a report by the Graduate Studies Committee on research degree training in the Department of Mathematics and asked the Department to report on its progress in relation to the issues raised by the review to the Graduate Studies Committee in 12 months’ time.

1 Not included with these Minutes
8. **Minute 621 – Foundation Course in Medicine with Thames Valley University.**
The Senate approved proposals to allow students who had completed a Foundation Year course at Thames Valley University to a required standard to be admitted to the undergraduate medical degree course.

9. **Minute 623 – Amendment to Entry Requirements for Research Degree Study.**
The Senate approved an amendment to the entry requirements for research degree study so as to require applicants normally to hold the Master’s degree or its equivalent, thus bringing the College into line with requirements in most other European countries.

10. **Minute 623 – Extension of Writing-up Period for Research Students.** The Senate agreed that the writing-up period for research degree students should be extended to six months with immediate effect.

11. **Minute 623 – Deadline for Submission of Research Thesis.** The Senate agreed that the deadline for submission of the thesis by full-time research degree students should be reduced to 48 months and the deadline for entry to the examinations should be 44 months with effect from September 2003.

12. **Minute 626 – Deposits for Postgraduate Courses.** The Senate agreed that there was merit in considering the introduction of a deposit for all taught postgraduate courses in the College and asked the Recruitment and Admission Policy Committee to prepare proposals for its consideration.

13. **Minute 627 – Student Induction.** The Senate discussed proposals from the ICU for arrangements for student induction and agreed that the Academic Registrar and the President of the ICU should develop these further for consideration and agreement at the next meeting of the Senate.

R.B.S.
A Note by the Chairman of the Committee

VISIT TO THE DEPARTMENT OF MECHANICAL ENGINEERING

1. The Health and Safety Audit Committee Meeting on 21 January 2004 was preceded by a visit to the Department of Mechanical Engineering. As well as discussing the management of health and safety within the Department, the Committee also toured some of the Department’s workshops. The Department is located in the Mechanical Engineering Building at the South Kensington campus, a building that also houses the Bagrit Centre, the ICT Division and sections of the Business School.

2. In the last two years the Department has been affected quite significantly by the construction of the Tanaka Business School and the Faculty Building. These major construction works have reduced the number of entrances and exits and have caused disruption both through the noise caused by the construction and the increased incidences of fire alarms. The construction of the Tanaka Business School has also meant that three of the Department’s labs had to be closed for the duration of the Project. The Department has taken steps to minimise this disruption and has formed a liaison group that meets with the Construction Team on a weekly basis to resolve problems and to ensure that all parties are informed of upcoming work. This has been successful as it has minimised the disruption to the Department, while ensuring that the construction work could proceed as efficiently as possible. One of the key factors in its success has been the involvement of senior academics with a good understanding of the full range of the Department’s activities.

3. The Department has well documented safety procedures and its safety committee has an excellent attendance record, which is encouraged by the provision of a free lunch. The operation of its workshops is supervised by senior technicians, who all receive safety training and appear to have a good understanding of their responsibilities in this regard. The Department acknowledged that understanding of their own responsibility for health and safety was less comprehensive amongst academic staff, although this was felt to be because more than half of them were no longer involved directly in lab work. During the recent construction works, the Department had introduced a more informal system of safety inspections, but once the work has been completed, a more formal inspection regime would be re-introduced. Similarly, the Department intends to use the end of the construction works to raise the profile of safety for its academic staff by inviting the Safety Director to provide them with briefings.

4. Although much of its work is conducted in its engineering workshops, the Department has a small Bioengineering section with close links to the Division of Surgery in the Faculty of Medicine. This section produces a small amount of clinical waste. The Committee was satisfied that this material was being handled properly and that the Department was adhering to the College’s waste management procedures.

5. The Committee was generally impressed with the Department’s management of health and safety. Its procedures were well documented and its workshops benefited from the appointment of senior technicians who managed safety in these areas. The Department also ensured that all electrical equipment was properly tested in accordance with Portable
Appliance Testing (PAT) requirements. The Committee is aware that PAT testing is variable across the College and it was pleased that this Department was fully compliant.

6. The understanding of individual safety responsibilities appeared to be less good amongst the academic staff, but this is acknowledged by the Department and the Chairman of the Department’s Safety Committee is intending to address this once the construction of the Tanaka Business School had been completed. It was clear to the Committee that the ongoing construction works had presented the Department with real challenges, which by and large it had met. In particular the Committee agreed that the Departmental liaison committee had ensured that the relationship with the Construction Team was managed in a way that was mutually beneficial. The Committee was pleased to learn that this was a model used across the College to ensure that the considerable number of major projects being conducted did not adversely affect the College’s normal academic activities.

HEALTH AND SAFETY AUDIT COMMITTEE MEETING

7. The following items were discussed at the Health and Safety Audit Committee Meeting on 21 January 2004.

8. **Rector’s Prize for Safety.** The Committee was pleased to hear that a number of very good nominations had been received and that the Prize had been awarded to the Departmental Safety Officer in the Division of Investigative Sciences. The Committee had met the prizewinner when it visited the Division in 2003 and had been particularly impressed with the improvements that had been achieved in a very short time. The Committee was also pleased that the Rector would be presenting the Prize at a public event as this would also serve to promote health and safety more generally within the College.

9. **Job Descriptions.** The Committee was informed that the College, as part of its pay and grading reforms, was placing a greater emphasis on understanding safety requirements for certain grades of staff and in particular for senior technicians. The Committee welcomed this move and agreed that this should eventually be seen as a core competency for staff.

HEALTH AND SAFETY COUNCIL MEETINGS

10. The Committee reviewed the Minutes and Papers of the Health and Safety Council Meeting held on 28 October 2003 making note, in particular, of the following issues:

a. **Accident Reports.** There appeared to have been an increase in the number of ‘reportable’ injuries during the period covered by the Safety Director’s Report. It was felt that this might be due to the need to report any injury to a member of the public, even if it was relatively minor. Nevertheless the Committee asked the Safety Director to determine the reasons for this increase to see whether it was part of a trend or an unfortunate ‘blip’ in the figures and to report back at the Committee’s next meeting.

b. **Annual Reports.** The Committee noted that the College was introducing a new reporting procedure whereby all the annual reports would be considered at a

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1. “Reportable Injuries” are those covered by the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR). These require that deaths, major injuries, accidents resulting in more than three days off work and incidents involving members of the public. Certain diseases and dangerous occurrences which could have resulted in a reportable injury are reported to the Health and Safety Executive (HSE).
single meeting, rather than spread throughout the year. Heads of Department would be expected to present their Department’s report to the Health and Safety Council. The Committee agreed that this was a very positive step as it underlined the importance the College was now placing on safety.

REPORTS TO THE COMMITTEE

11. It was agreed that, from its next meeting, in addition to the Minutes and Papers of the College’s Health and Safety Council, the Committee would also receive individual reports from the Safety Director and the Director of Occupational Health.

NEXT MEETING

12. The Committee’s next meeting will be on Wednesday 26 May 2004. Although the details of the audit visit have yet to be finalised, it is intended that the Committee will use the visit to review implementation of the College’s code of practice on laboratory animal allergy.

A.D. Roche
PAPER D

REPORT FROM THE FINANCE COMMITTEE

A Note by the Chairman of the Finance Committee

1. Following discussions amongst the members of the Finance Committee it was agreed that the business scheduled for the 2 February meeting could be dealt with telephonically. The following is a summary of the business and the decisions of the Committee.

‘ENDOWMENT FUND’

2. The Director of Finance provided the Committee with an update on progress concerning the establishment of an Endowment Fund encapsulated in the Paper attached at Annex A. The Committee will revisit the actions set out in Paragraph 9 of this Paper at its next meeting.

CAPITAL PROJECT APPROVALS

3. The Committee received a paper submitted to the Management Board concerning an application for development fees for the redevelopment of Southside and Linstead Halls. It was agreed that a further meeting of the Finance Committee would be held on 13 February to consider the key issues in greater detail. However, the Committee confirmed their clear understanding that the redevelopment of these properties is integral to the College’s Strategic and Capital Investment Plans and that they acknowledged that the Project should proceed in principle.

APPROVED CAPITAL PROJECTS REPORT

4. The Committee were provided with an updated copy of the approved Capital Projects Report. The only project identified as giving any significant cause for concern was the Materials Processing and Characterisation Laboratory in the Royal School of Mines where the programme had slipped slightly. The Report confirmed that no financial costs were anticipated in association with this delay.

INNOVATIONS REPORT

5. The Committee were provided with a paper from the Pro Rector (Development and Corporate Affairs). The Report noted that the College’s overall portfolio valuation as at 31 December 2003 was £11.7M. After allowing for new cash invested and disposal in the period this represented a £0.6M increase in the portfolio value since the beginning of the Financial Year – a 6% increase.

M.P.K.
ESTABLISHING AN ‘ENDOWMENT FUND’ FOR IMPERIAL COLLEGE

A Note by the Director of Finance

BACKGROUND

1. Members will recall that when the College established its long-term borrowing strategy in October 2002, a number of conditions were stipulated to ensure effective management of the debt. One condition was the establishment of an “Endowment Fund”, which would have the core purpose of maximising non-core asset values over time, whilst also enabling repayment of the sums borrowed under the long-term borrowing strategy. It was agreed at the time that the Fund would be established using untied external gifts and the exploitation of the College’s non-core assets, including IPR. The purpose of this Paper is to bring members up to date on what has been achieved in making the necessary arrangements.

FUND ASSETS

2. The following groups of assets have been identified for inclusion in the Endowment Fund portfolio:
   a. Non-core real estate.
   b. Shareholdings arising from the exploitation of intellectual property.
   c. Cash and other liquid investments held following the realisation of Endowment Fund assets.

3. It is open to debate whether the funds currently under the responsibility of the Investment Committee should also form part of the Endowment Fund.

4. “Non-core real estate” means property assets which are not central to the mission of the College, and are therefore surplus to requirements, or property assets which are expected in due course to become surplus to requirements.

5. The schedule of Annex A lists the assets currently deemed non-core. The initial values ascribed to this portfolio of assets will establish the baseline to determine value enhancement.

CONSTITUTION

6. Given the size of the Endowment Fund and its potentially pivotal role in the College’s long-term financial strategy, it is vital that the constitution and responsibilities of the Fund are clear. Whilst it is considered unnecessary to establish a separate legal entity to hold and manage the assets in questions, the Endowment Fund will be operated as a separately identifiable entity within the College, with an executive accountable to Council for its performance. Thus the capital, under the Fund’s management, will be ring-fenced and the Fund’s performance measurable.
MANAGEMENT

7. The executive responsible will draw on the expertise and resources of existing College departments, e.g. Real Estate – Director of Estates; IP – Pro Rector (Development and Corporate Affairs). It is proposed that the overall portfolio will be subject to regular review by a Strategic Finance Committee, which will be accountable to Council. It is proposed that this Committee receives regular quarterly reports on the performance of the Fund in order to monitor progress, to review the key risk management criteria and to set the measurable objectives of the Fund.

8. As noted, maximisation of non-core asset values, leading to repayment of College debt and the establishment of freely disposable capital, are prime objectives of the Endowment Fund. In order to provide a benchmark for this to be measured against, it is proposed that a total return of 7.5% per annum should be sought. Taking inflation at 2.5% p.a., the Fund would then have the task of returning to the College, each year, a minimum of 5% of the Fund value at each year’s outset. This disbursement would be for the College to dispose of as it saw fit, e.g. for scholarships, infrastructure, salaries, etc. As the Fund grows in value – through asset value increase, gifts, etc. – so this annual disbursement would rise to meaningful figures, giving the College a welcome / necessary addition to its freely disposable capital base. This is the model used at several American universities, such as Yale and Princeton.

9. Further detailed work is needed to identify the executive, settle the criteria for managing assets, agree reporting lines, the resource requirements and the plan of action for transferring responsibility for asset management to the Fund executive. It is intended that the Fund should be fully operational from 1 August 2004. The Committee is asked to note the above progress.

A.S.D.C.
FULL-YEAR FORECAST

1. The operating forecast for the full year has improved from a deficit of £3.9M to a deficit of £1.3M. This is due to a £2.5M increase in academic fee income, which has risen to £48.1M, some 8% higher than last year. The academic fee forecast will be reviewed again once information on final student numbers and withdrawals becomes available later in the year.

YEAR-TO-DATE RESULTS

2. Within the Faculties (page 2 of the attached Report), research income at £56M is £1.3M below budget, but this is offset by a reduction in direct expenses. The related contribution to overheads at £10.7M is £0.6M (6%) below budget. In addition, Other Direct Income is £1.1M below budget but much of this is offset by savings in expenses. The reduction in the Faculties’ overall income is currently showing as being more than offset by a £2.2M under-spend on recurring expenditure - but see paragraph 3 below.

3. Year-to-date staff expenditure in both faculties and support functions is understated as it does not fully take account of the current year’s pay awards, budgeted to take effect from 1st August but not yet fully implemented. The impact of this on the year-to-date figures is estimated at approximately £2M.

4. Within Central Support Services, actual expenditure is shown as £1.6M below budget. Of this, £1.0M relates to staff and is partly due to the delay in settlement of pay awards as explained above. The favourable variance is expected to reverse during the year.

EXCEPTIONAL INCOME

5. The sale of the Cobham sports ground was completed in December, which brings the exceptional income for the year up to £12.8M. No further asset disposals are anticipated this year. The total figure for exceptional income is some £0.5M higher than budget as the earlier sale of TurboGenset shares was not budgeted.

BALANCE SHEET

6. Cash collection has been strong. The net cash/borrowing position moved from a net borrowing level of £10.4M at 31 October to a net cash position of £1.6M at 31 December 2003. In this period receipts included £12M from HEFCE for SRIF projects, £3.2M from the
sale of Cobham and £17M from students. There were also the normal slippages in the payment of capital expenditure invoices, compared with previously predicted dates for payment.

7. Over the last two months invoiced debtors fell by £13.5M to £57.5M. The new figure is a very welcome £18.3M reduction on the figure a year ago, with improvements in all debt categories.

8. The over-12 month element of total debt slipped up from £4.2M at 31 October to £4.8M at 31 December 2003. However, the latest figure, at 31 January 2004, is down again at £4.1M.

**CAPITAL EXPENDITURE**

9. Actual expenditure totalled £32.5M in the five months to December and a further £43M is scheduled for the remainder of the year. Some of the largest projects this year include:

   a. The St Mary’s Medical School refurbishment: £4.6M year-to-date, £18.7M total to date and a further £4.8M to complete.

   b. The Faculty Building: £4.0M year-to-date, £7.7M total to date and a further £7.0M to complete.

   c. GeoSciences & Engineering refurbishment in RSM: £2.5M year-to-date, £5.9M total to date and a further £2.6M to complete.

   d. Tanaka Business School: £6.0M year-to-date, £24.1M total to date and a further £4.0M to complete.

**FUNDING**

10. The borrowings projection shows an improved position on the previous projection. The main reasons for this are the better operating result expected for the current year and an improved view of the timing of receipt of funds for SRIF projects. The EIB facility remains unused, the projection showing no requirement for it for about a year.
PAPER F

LONG-TERM MAINTENANCE

A Note by the Director of Estates

INTRODUCTION

1. The College’s Long-Term Maintenance (LTM) Fund was originally intended to provide for the replacement of building subsystems including new roofs, electrical systems, heating, ventilation, air conditioning plant and fire protection.

2. A Condition Survey covering 145 buildings was conducted in 1999/2000. This identified that the College would have to spend some £155M at net present value (NPV) to upgrade its estate to acceptable standards over a 10-year period. The national benchmark figure (HEFCE/RICS) for funding an LTM budget is 2% of the total building insurance value. A College LTM budget funded at £15.5M per annum would be consistent with this benchmark. The College’s allocation for 2003/04 is £3.0M and these funds are currently allocated to those works that have the highest Health and Safety priority.

3. LTM Health and Safety works (£2.0M budget) are prioritised to identify those that are either ‘life threatening’, ‘illegal’ or ‘necessary H&S works’. Funds are allocated to the top priority projects through an LTM Committee run by Estates Property Services. Over the past 2 years LTM funds have been targeted at those conditions with the highest health and safety rating, that is “life threatening if risk event occurs”. By the end of 2002 the College had completed nearly all of the “life threatening” elements identified in the original Condition Survey. The Estates Division is now tackling other health and safety works where Imperial is not compliant with current codes.

CONDITION SURVEY UPDATE

4. An update of the 1999/2000 Condition Survey was conducted in 2003 for the 11 buildings (1) with the highest liability in the original survey, representing 50% of the total. This update analysed the reduction in LTM liability as a result of capital projects, plant replacements and maintenance since the last survey.

5. The combined effect of capital projects - such as those funded by JIF and SRIF1 - and LTM funding spent on these 11 buildings over the last 3 years has been to reduce LTM liability by 14%, from £74.6M at 2000 costs to £64.2M at 2003 current costs. Furthermore, a forward look at the likely impact of the upcoming SRIF2 projects on the College’s LTM liability indicates a further reduction of £12.7M in those buildings covered by the updated condition survey. That is 31% down on the 2000 assessment at current costs. Property disposals have also reduced the College’s LTM liability. The sale of Montpelier Hall and 21, Ossington Street have reduced it by £1M. The combined effect of past and projected capital expenditure together with disposals will have served to reduce the total LTM liability from £155M to £131M.

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1. The 11 buildings are ranked as: Mechanical Engineering, Huxley, Chemistry 1 & 2, Royal School of Mines, Electrical Engineering, Blackett, Hammersmith Commonwealth Building, Civil Engineering, St Mary’s Research Building, Biochemistry, Sherfield/Library
IMPLICATIONS FOR THE COLLEGE

6. The 2003 Condition Survey update has shown that, when LTM is funded at £3.5M per annum and there is a substantial programme of capital investment, compliance in the affected buildings is achieved, buildings are actually improved, and LTM liability reduces. Fortunately the recent Government initiatives to provide JIF and SRIF funding together with the College’s LTM budget has ensured that the College has been able to make improvements in the 11 buildings surveyed. However, the Capital Investment Plan currently addresses only 20% of the College’s building stock and is primarily focussed on new academic projects or new buildings rather than on infrastructure projects. LTM affects the whole estate, not just those academic buildings which attract capital.

7. The poor state of some College buildings also causes concern amongst those responsible for student recruitment and selection, according to Registry student questionnaire returns citing the physical appearance of the College as a reason for not coming to Imperial College. They are not consistent with the College’s aim to provide world-class facilities.

8. Under-funding of the estate means that the rate of spending never catches up with the rate of decay and the College’s LTM liability gets larger rather than smaller. This could result in the College’s research and teaching objectives not being met. If Imperial is unable to address the current backlog and statutory issues its buildings will become unfit for purpose and in the worst case there may be a catastrophic failure of a building subsystem. The College could also be at risk of prosecution. It should also be recognised that new capital spending will result in new LTM liability. It is therefore essential to fund LTM and maintenance at a level that achieves compliance with legislated areas of risk and which properly supports the College’s business objectives.

CONCLUSIONS

9. At its July 2003 Meeting the Council acknowledged that there was a shortfall in the money currently provided for long term maintenance annually and asked the Estates Division to conduct an analysis to assess the extent to which the LTM gap was covered by capital expenditure provided by e.g. SRIF funding. It is clear from the above that, although the existence of SRIF has had a significant impact on the College’s LTM liability, there is still a gap that will not be met at current levels of LTM expenditure.

10. If the College is to improve its estate and its infrastructure it needs to increase expenditure on plant and other systems replacements to bring it closer to the £15M per annum suggested by industry norms (HEFCE/RICS benchmark). This figure will be reduced as a function of planned capital investment, although it has to be recognised that LTM needs continue to accrue outside the areas affected by the Capital Investment Plan.

11. The Estates Division is currently exploring options for addressing the LTM shortfall identified by this analysis of the 2003 Condition Survey and will be including proposals for consideration by the College’s Management Board in the forthcoming Planning Round. Options being considered could include:

   a. Linking LTM funding to analysed demand. This would ensure that sufficient resources were being allocated to meet the requirements of new legislation and that the College’s capital building stock was improving rather than deteriorating. Furthermore, when large-scale refurbishments were planned for a particular building
LTM funds associated with that building could be allocated to the project, thereby reducing the need for piecemeal LTM work.

b. Making LTM funding available for more than a single year at a time. This would allow the College to plan its allocation on a more prescriptive basis and would inform Faculties of the intended funding for their buildings rather than the current in year allocations based on historic and changing safety ratings. The quality of planning would also be greatly improved if the condition survey could be updated in an incremental way.

D.BW
INTRODUCTION

1. This is the first Annual Report to the Council on the College's progress on equality and diversity. It was discussed and noted at the Management Board Meeting on 30 January 2003. An Annual Report is a requirement of our “Promoting Race Equality Policy” and it seemed appropriate that it should be broadened to include progress on the wider equality and diversity agenda.

2. As a responsible employer, the College has had policies and procedures in place for many years to ensure that we have complied with the law. The College recognised the necessity for equality issues to be dealt with at a senior level and had two formal committees that oversaw equality matters: the Equal Opportunities Committee and the Academic Opportunities Committee, both of which were responsible to the Rector. Historically, although equality of opportunity had been taken seriously, the business case for diversity and the need for a proactive approach, had not been widely recognised.

3. In the late 90s, two significant factors came into play: HEFCE’s requirement that each HE institution must have an Human Resources (HR) Strategy, which had to include equality and diversity objectives and action plans, and the significant increase in legislation aimed at promoting equality. In response, the College dedicated substantial resources to equality and diversity for the first time. At the beginning of 2002, the role of the Deputy Director HR was changed to include responsibility for equality and diversity and, in September 2002, we employed a specialist member of staff devoted to this area of work, our Equalities and Diversity Consultant. In addition, HR Strategy funds were earmarked for spending to achieve our equality and diversity objectives.

4. One of the objectives of the HR Strategy was to undertake a consultation exercise with all of our staff on equality and diversity – “Imperial College – A Good Place to Work?” - and to identify key requirements for change. This resulted in the Schneider-Ross Report of September 2002, which has been received and discussed by Council, the then Executive Committee, other College committees, and by staff in a series of roadshows. The conclusion and recommendations in the Schneider-Ross Report (Annex A) provide an appropriate starting point for this first annual Report.

ACTIONS AND ACHIEVEMENTS

THE COLLEGE’S EQUALITY AND DIVERSITY COMMITTEES

5. The Equal Opportunities Committee has been renamed the Equal Opportunities and Diversity Committee (EO&DC) to reflect its wider purpose and the College’s recognition that promoting equality and valuing diversity makes good business sense. The membership has been widened to include representation from the Students’ Union and greater representation.
from staff at all levels and ethnic origins. Over the past year, many members have participated in working groups (on disability, race, harassment) and have been active on committee business outside of the main committee cycle. Committee meetings are participative and lively; it is a pleasure to note that we have a waiting list of staff who would like to join.

6. The Academic Opportunities Committee continues to focus upon ensuring that the College has a “level playing field” for female academic staff by removing any barriers that might exist in appointment or career advancement. Membership of this Committee has also been widened and strengthened; it is notable that the membership has also been augmented by senior male staff – a strong signal that the College recognises that the issues dealt with by this committee are of significance to both female and male academic staff and, moreover, are important for its overall academic strategy.

7. As a result of the Support Services Initiative, a review has been undertaken of the College’s committee structure. The College has underlined its commitment to equality and diversity by maintaining these committees as Rector’s committees. Over the past year, there has been senior level support for many of the initiatives generated by the committees, for example the Rector addressed a session on harassment and bullying, provided a personal endorsement to the Disability Policy and chaired the Athena Lecturer during last year’s Women in Science Week. The Deputy Rector spoke about the Women in Science Week in the IC Reporter and chaired the Forum on Academic Women, also part of the Women in Science Week.

USING SPECIALIST EXPERTISE

8. While it is vital that we are mindful of the Imperial College context, we have made contact with specialists to ensure that we are aware of good practice in the higher education, public and private sectors. Visits to the College have been made by Robin Schneider (Managing Director of Schneider-Ross) and Mannie Kuseamamuriwo (Lead Officer for Race at the Equality Challenge Unit). We have retained experienced outside consultants to work with our own specialist Equalities and Diversity Consultant on policy development and training. The Deputy Director HR and the Equalities and Diversity Consultant are members of higher education and national networks on gender, race and disability matters.

STAFF DEVELOPMENT, LEADERSHIP AND MANAGEMENT CAPABILITY

9. Staff development work that had begun during 2002 was given an extra push last year. Many of the issues raised by staff in the audit showed clearly that managers needed to become more effective managers generally in order to achieve a positive and inclusive culture.

10. The crucial importance of recruitment and selection in the promotion and achievement of equality and diversity was underlined by the College when it instituted its policy that all interview panel members must be trained. Consequently, during the first half of 2003, training sessions were held College-wide, with the most regular recruiters and chairs of interview panels being trained first. The sessions incorporated training on all aspects of equality and diversity, e.g. disability, race, gender, and on the College’s recruitment and selection procedures, which had also been revised thoroughly. In the 2002/03 academic year, 521 staff were trained – 51% of the total number were academic staff and 29% were managerial/administrative; 30% of participants rated the usefulness of the courses as “Very High” and 50% rated the usefulness as “High”. At the end of 2003,
procedures were drafted to monitor the make-up of interview panels and to ensure that panel members have been trained.

11. The College has developed “Career Pathways” for each of its staff categories and attendance at workshops to understand and promote the value of equality and diversity is a major element of each pathway. Workshops are being organised for each department/division and attendance is mandatory. To date, approximately 250 staff have attended. Initially, we have focused upon departments/divisions with front-line staff e.g. catering, residences, security and their managers. A number of briefings for senior managers have taken place; one outcome has been the formation of a Diversity Committee in Residences; another has been that clear local action plans have been produced which include impact assessments. The staff development activity in relation to equality and diversity is a major programme of work and will continue into 2004 and beyond. It will help move our equality agenda into mainstream practice.

12. Changes have been made to the academic promotions procedure. In addition to changes in process, applicants for promotion to all academic levels are now required to demonstrate attendance at development activities to develop management and leadership skills. Attendance at mandatory programmes e.g. recruitment and selection, and equality and diversity briefings, are a prerequisite of promotion.

13. A greater emphasis has been placed on equality and diversity in the College’s corporate induction programme for new staff and, increasingly, departments/divisions which design and deliver local induction include sessions on HR and equality - a noteworthy example is Security. The manager’s responsibility for promoting and ensuring equality and diversity is an integral part of the College’s management development programmes.

14. As part of the College’s appraisal system, the Personal Review and Development Plan (PRDP), appraisees are assessed on their competency and success in developing others/promoting potential/promoting equal opportunities and diversity. For most staff, the PRDP will be used to inform the promotion and reward process, thus building in equality and diversity into career progression and reward.

DISABILITY

15. The Schneider-Ross Report identified that the experience of staff with disabilities was the most negative of all those who responded. It also pointed out that the College did not monitor for disability and did not have an explicit policy.

16. At the start of 2003, the College revised its data collection procedures and instituted monitoring for disability. Also, the EO&DC established a working group consisting of interested and knowledgeable staff, the Disability Task Group. Its first major task was to feed into the development of our Disability Policy, which has now been completed and approved by the EO&DC. In early 2004, the policy will be implemented and integrated into the most important day-to-day work practices and into our recruitment and selection procedures. This policy draws on good practice research from specialist bodies, such as the Employers’ Forum on Disability – the UK’s national employers’ organisation – of which we are a member. The Disability Task Group works in conjunction with HR to review the policy and to focus upon issues of concern and importance.

17. The College has had a Disabilities Officer for many years and her main focus has been, and continues to be, on students. (The Disabilities Officer prepares a separate report on student matters for the Pro Rector (Educational Quality)). In 2003, her role widened so that she is also now available formally for individual staff so that they may discuss issues of
concern in confidence. The Disabilities Officer also works closely with Occupational Health staff who, in turn, have close relationships with our employee assistance scheme, Care First.

18. HEFCE has provided the College with funding to help improve provision for disabled students and this has involved the Disabilities Officer, the Centre for Educational Development and HR working together to develop staff awareness and to provide training for key groups of academic and support staff.

RESPECT FOR OTHERS

19. The Schneider-Ross analysis of the staff questionnaire showed that a wide range of staff made a significant number of comments relating to the incidence of harassment and bullying. In response, the following actions have been taken:

a. An Harassment and Bullying Policy, that stresses that this behaviour is unacceptable, has been approved by the EQ&DC; it includes a clear procedure for supporting individuals and for dealing with complaints.

b. Monitoring systems have been introduced to chart the incidence and severity of complaints and the appropriateness of follow-up action.

c. A network of Harassment Support Contacts (HSCs) has been established; 50 staff volunteered and 25 have been trained and are ready to take up the role as part of the policy implementation (another training programme is scheduled for this year); the HSCs have been put in place to discuss what the individual might do to improve the situation, what the options for action might be, and to generally provide confidential support to any staff member; HSCs are in addition to the more formal support provided by the unions, HR and Occupational Health and 28 of these staff have been trained on the policy.

d. Publicity has been produced, and briefings, workshops and training have been provided during 2003 to communicate and involve staff.

e. Information about the implications of legislation on sexual orientation and religious belief has been included in our training provision.

RACE

20. The requirements of the Race Relations (Amendment) Act 2000 are, arguably, some of the most significant affecting College because, not only does the legislation cover both staff and students, action is required in relation to most functions that we perform.

21. In May 2002, the Council approved the College’s first “Promoting Race Equality Policy”. HEFCE assessed the Sector’s policies and we were required to resubmit a year later. In addition to the resubmitted policy, HEFCE was provided with five Codes of Practice and detailed Action Plans. Our approach was to view the policy as a framework, which was then supplemented by documents that detailed who was responsible for what, and by when. The Codes relate to: Procurement and Contract Compliance; Teaching, Student Services and Widening Participation; Partnerships with Business and Local Communities; Employment, Staff Development and Staff Representation; Governance. This Project involved participation from staff throughout College. It was a complex task that was completed on schedule.
While progress has been made, it is true to say that we still need to undertake significant action in many aspects covered by the Codes. As part of its monitoring role, the EO&DC had a special meeting in November 2003 to assess our progress. Those individuals who have lead responsibility for each Code were required to:

a. Update their Action Plans, indicating when an action had been achieved, or if a revised timeframe is required and why;

b. Provide a qualitative assessment of progress – what had gone well or not and why.

In general, while some specific targets in most of the Action Plans had been met, the timescales had slipped. A considerable amount of additional work has been required (particularly by Registry and HR) to establish monitoring systems and procedures, and to produce, or revise, policy documents and guidance. The need for central monitoring involves increased work in the form of data collection by each department and division and some have been more able than others to comply. It was also clear that we have far more work to do to ensure that staff, at all levels, understand their responsibilities and obligations so that the College really does “promote race equality” and tackles any indicators, or occurrences, of institutional racism.

GENDER

In general, the Schneider-Ross Report did not identify that female staff felt disadvantaged in relation to their male colleagues; however, this was not the case for female academic staff who, apart from staff with disabilities, were the most outspoken respondents with the most negative experiences.

In light of the above, during 2003 the Academic Opportunities Committee (AOC) has continued to press ahead with initiatives and to push for changes to existing College practices. Examples of concrete actions are as follows:

a. Participation in the “Opportunity Now” (national and multi-sector) and Athena (higher education science, technology and medicine) surveys to benchmark the College’s progress on gender-related matters – in 2002, the College gained the silver level award from “Opportunity Now” and we await the outcome of the 2003 survey; with regard to the Athena survey, we will hear how the College compares with other HE institutions when the project manager gives a presentation at the next AOC meeting; the Chair of the EO&DC is the College’s “Opportunity Now” gender champion.

b. A survey on the way departments and divisions deal with the academic promotions exercise which has resulted in changes that should benefit female and male academic staff alike e.g. clearer instructions to Heads of Department/Division about how the process should be handled, which should result in transparent, fairer treatment.

c. Invitations to each of the four Faculty Principals to discuss how they have fostered a level playing field within their faculties.

d. The launch of Women in Science Week in May 2003, where the main attraction was Professor Dame Lesley Rees speaking at the Athena Lecture on fraud and misconduct in medical research; other events were participatory and, on the last
day of the week, the female members of Council joined female professors and readers for a discussion and lunch.

e. The College came joint second in this year’s Athena Awards for the pioneering work of the Academic Opportunities Committee; the prize money has been used to commission a work of art from the Royal College of Art to celebrate female endeavour in science. (It will be unveiled before the Council meeting and then hung in the SCR).

f. A pledge, that stresses our commitment to promoting equality of opportunity, has been produced that will be used in our recruitment literature for female academic staff.

26. An equal pay audit was undertaken in 2003 which looked at staff salaries and remuneration for staff in all categories. The analysis did not highlight pay anomalies with regard to female academic staff. The most consistent pay gap arose at the senior administrative staff level because, where men were external appointments, their starting salary reflected their historic, larger earnings. Generally, however, the analysis for all grades did not reveal serious problems. The implementation of the Hay job evaluation system will be used to iron out problems in individual cases.

DATA COLLECTION

27. The collection of accurate data, and subsequent monitoring, is vital to the achievement of the College’s equality and diversity objectives, and it is a specific requirement of the Race Relations (Amendment) Act 2002. Some fundamental actions have been taken in 2003 to improve our baseline data. Annex B lists the most common data sets collected.

28. In relation to staff, HR has written to all current staff requiring an updated individual return on ethnic origin and disability. The data collection forms for applicants, new starters and exit forms for leavers have also been improved so that we may fulfil the obligations of the Act to set targets and monitor recruitment, progress, promotion, pay, development take-up and disciplinaries and grievances. The 2001 census data is used as a benchmark for analysis of support jobs.

29. In relation to students, data is required on ethnic origin at the: application, offer and acceptance stages; in relation to fee status; in the choice of subject; with regard to dropout rates; on progress and attainment; in relation to the number of disciplinaries and complaints. The Registry has instituted systems to collect this data.

30. The Race Relations (Amendment) Act 2002 also requires data collection in respect of those organisations with which we do business, with which we contract and from which we purchase goods and services. The Purchasing Manager uses the latest good practice models and guidance, and is liaising with colleagues within the Purchasing Consortium to which the College belongs so that a streamlined system of data collection can be agreed.
PROBLEMS AND ISSUES

INSUFFICIENT DATA LEADING TO INADEQUATE MONITORING

31. A significant problem has been the rate of collection and accuracy of data for monitoring purposes. For example, previously, the Registry has not collected student data on ethnicity; a significant proportion of new and existing members of staff do not complete monitoring forms even though a clear explanation is given on why the College requires the information, what it will be used for and our responsibilities to protect privacy and confidentiality under data protection legislation. At this stage, therefore, we are only partially fulfilling our obligations under the Race Relations (Amendment) Act 2000 because we do not have an accurate baseline from which to evaluate, monitor and plan future actions.

INADEQUATE IMPACT ASSESSMENT

32. There is a requirement under the Race Relations (Amendment) Act 2000 to assess the impact of each policy and procedure, both current and new. For example, is there any evidence or possibility that a particular policy or procedure has led, or could lead, to a detrimental quantitative or qualitative difference in impact on particular groups? While this is a requirement under this piece of legislation, it is a useful general target in the context of ensuring equality and diversity. Impact assessments have not been undertaken in any systematic way to date because the major thrust of activity during 2003 has been on policy development, training and improving data collection.

COMMUNICATIONS AND GENERATING UNDERSTANDING

33. Communicating with, and to, staff and students about equality and diversity requires skilful use of language and methods, as well as creativity and enthusiasm in order to get messages across. The number of equality initiatives that are required, the relatively small number of staff working on equality and diversity, combined with the heavy workloads of departmental/divisional managers have all had an impact upon effective delivery. Strategically, in order to achieve real and lasting success, departments and divisions need to have local equality and diversity action plans. This is a large programme and work began towards the end of 2003.

EXTERNAL INTEREST

34. We responded positively and proactively to the external interest that was shown in our equalities practices and procedures.

PLANS FOR 2004

35. Our major focus over the next year must be to consolidate and improve upon what we have begun and achieved to date. We will:

a. Improve our data collection so that we can undertake effective monitoring, identify accurate trends rather than come to conclusions from snapshot data, and instigate changes to practice where appropriate.
b. Begin a programme of impact assessment of College policies and procedures.

c. Ensure comprehensive implementation of equality and diversity policies, with the Disability Policy and the Harassment and Bullying Policy as priorities.

d. Continue to build our staff development and management capability so that equality and diversity are well-understood as being integral components of what it means to be an Imperial College manager.

e. Continue our equality and diversity workshop programme.

f. Continue to develop accessible and clear communications and publicity.

g. Ensure that the PRDP performance assessment and development system supports the achievement of equality and diversity.

h. Continue to implement the Codes of Practice and review the Action Plans of the Promoting Race Equality Policy.

i. Encourage and achieve more active participation by special interest groups in the development of policies and procedures.

j. Encourage and achieve feedback from staff and students which is then acted upon.

k. Develop a comprehensive family-friendly, flexible working and work-life balance policy.

l. Work in partnership with departments and divisions to develop local action equality and diversity plans.

m. Incorporate the recent legislation on sexual orientation and religious belief into College policies.

n. Consider the implications on policies and practice of the legislation on age which comes into force in 2006.

**BRIEFING FOR COUNCIL MEMBERS AND SENIOR STAFF**

36. A morning briefing session, led by Robin Schneider of Schneider-Ross was held on 27 January 2004. The session was well attended and discussion was wide-ranging.

**DECISIONS**

37. The Council is asked to:

a. Consider the findings of this Report and assess the impact of actions taken to date.

b. Note the planned actions for 2004.
c. Identify whether different, or additional, information is required in future reports.

d. Consider the 27 January briefing session and identify any action points.

Frank Leppington
SCHNEIDER-ROSS REPORT - September 2002 - Summary of Recommendations

‘IMPERIAL COLLEGE – A GOOD PLACE TO WORK?’
RECOMMENDATIONS

Increasingly universities and other institutions are embedding equality and diversity plans and objectives into their mainstream business planning process, rather than leaving them as stand alone and thereby potentially marginal issues. The vision for change can therefore be firmly based on the business case linked to the overall strategic plan for Imperial College. This change process includes:

- Identifying the overall vision for Equality and Diversity, with objectives and targets for increasing staffing diversity
- Establishing Equality Action Plans at College and Departmental/Divisional level
- Reinforcing these plans with equality objectives for Heads of Department/Division and senior managers

The following are some key recommendations arising from the audit which are considered to be current priorities for action at Imperial College.

4.1 Equality and Diversity Strategy and Monitoring

Imperial College aspires to move from a compliance driven culture to one which is pro-active on equality and diversity issues and in which the issue is owned by all staff. Equality and diversity should be the standard and owned by all, not just HR practitioners.

Imperial College has recently developed an Equality and Diversity Goals and Action Plan for 2002-2004 which identifies key objectives and timescales. One of the goals in this plan is to write an Equality and Diversity Strategy based on the recommendations of this audit. In order to spread ownership of the issue, it is recommended that the revised Strategy should be reviewed with Heads of Department/Division and senior managers. Individual departments/divisions should then be required to integrate the requirements of this strategy into their own Departmental/Divisional Plans, (or conversely develop a separate departmental/divisional Equality and Diversity Action Plan linked to the College Equality and Diversity Strategy) and annually account for their progress on equality issues.

It is recommended that the Equal Opportunities and Diversity Committee plays a key role in steering the development and the implementation of the Equality and Diversity Strategy.

4.1.1 Communication

23% of respondents are unaware of the College’s equal opportunities policy. It is clearly important therefore, to consider ways to effectively communicate future information on equality and diversity.

A summary of the outcomes of the diversity audit should be communicated to all staff. This could be undertaken by communicating a summary of the Equality and Diversity Strategy and the associated priorities for action. Communication of the strategy could be done via departmental/divisional briefings; the internal newsletter or by use of the Intranet.
Examples of good practice on equality and diversity at Imperial College should also be sought and again ways should be found of disseminating this information across departments/divisions.

4.1.2 Monitoring

The recent Race Relations Amendment Act requires Higher Education Institutions to now have a specific race equality policy in place. In May 2002, Imperial College published its College Policy for Promoting Race Equality.

The Race Equality Policy includes the plans for publishing both the statement and the results of its assessment and monitoring. Over the coming months institutions must:-

- assess the impact of their race policy on students and staff of different racial groups
- monitor the admission and progress of students by ethnic origin
- monitor the recruitment and career progress of staff by ethnic origin

European Law will also result in a raft of discrimination legislation being introduced in the UK. By 2003 we are required to have laws on sexual orientation and religion, and by 2006 on age. (The current legislative timetable suggests that a law on age discrimination is likely to be introduced in Britain by 2003.) The new raft of legislation is likely to require monitoring and action from employers in relation to each of these three areas.

Improving data collection has been identified as one of the key priorities in the Equality and Diversity Goals and Action Plans for 2002-2004 and the findings of this audit endorse this recommendation. Imperial College should develop a comprehensive system of data collection with sufficient detail to enable analyses to be made of each of the key areas of equality, including those required by forthcoming legislation. As part of this process it will be important to identify how the high levels of ‘unknown’ for ethnic origin returns can be addressed.

4.2 Building Leadership And Management Capability

In order for Imperial College to establish good management and HR practice across all departments/divisions, the strong lead and vision for change already evident from the top needs to be followed through.

A clear message needs to be communicated from the top of the organisation to senior managers and Heads of Department/Division on the need for a positive and inclusive culture and systems put in place to support this shift. The importance of equality and diversity should be included in the induction of new managers to the College.

The findings of this report endorse the priority identified in the Colleges HR strategy to include equality and diversity as a clearly defined management responsibility in all of the College’s performance management schemes.

One of the issues arising from the audit is the need for further training and development of managers on equality issues. The College aims to integrate equality and diversity issues into existing management development programmes. Training on equality and diversity issues will support behavioural change and contribute to a more general cultural change. It will also help make managers aware of their legal obligations in relation to equal opportunities legislation, and more particularly in relation to harassment and bullying.
4.3 Recruitment, Selection And Career Progression

The recent Race Relations Amendment Act seeks to ensure that all those involved in recruitment and selection are adequately trained and the Equality and Diversity Goals and Action Plan identifies this as a goal for action. The findings of this audit endorse this need for training to ensure that good recruitment and selection procedures are consistently implemented. There is also a need to review the make up of interview panels and take steps to improve the diversity of those involved in the selection process.

In addition, the necessary steps need to be taken to fully implement the appraisal system. As part of the expectations outlined above, Heads of Department/Division and senior managers should be made accountable for conducting annual appraisals with their staff, and given any additional support and guidance required to implement this requirement.

Participation in College committees provides a valuable career development opportunity. The Race Relations Amendment Act requires steps to be taken to increase the ethnic diversity of staff serving on internal committees. It is therefore recommended that this opportunity is used to more broadly review the participation of other staff groups engaged in the work of committees and to improve the diversity of those involved in decision making at the College.

4.4 Academic Women

The results of the audit clearly endorse the existing view that women are under represented in academic and senior positions in the College. Responses to the survey questions also reveal that academic women have a more negative experience of employment at the College than other groups of staff, (with the exception of staff with disabilities).

The College has already set a target to increase the number of female academic and research staff by 10% in all staff categories, and also undertake operation ‘Level Playing Field’. (See section 3.5) The outcomes of this audit endorse these actions.

4.5 Ethnic Minority Staff

The results of this survey indicate that ethnic minority staff are more likely to feel discriminated against and excluded from the dominant culture at Imperial College compared to white staff.

The Race Relations Amendment Act requires universities to address issues of race (see section 4.1.2) and assess the impact of their race policy on staff. It is therefore recommended that, along with the other actions related to race suggested within this report, the views of ethnic minority staff are sought and consideration given to their feedback.

Some organisations support staff groups for ethnic minority staff (as well as groups for women; staff with disabilities etc) which act as a resource for feedback and consultation on issues of race. Many organisations also conduct regular employee opinion surveys.

It is recommended that Imperial College consider the introduction of an employee opinion survey, issued to all staff, which includes questions on the key areas of concern highlighted in this report. It is suggested that this survey be run once every two years. The findings of this survey can be used as a benchmark against which future progress can be assessed.
4.6 Age

The survey results suggest that older staff at Imperial College perceive themselves to have a more negative experience of work compared to younger employees.

Legislation on age discrimination in the workplace is set to be introduced in Britain by 2006 at the latest, (and this is likely to come into effect by 2003). The College therefore needs to begin to put structures in place to monitor the impact of its policies and practices in relation to age.

It is recommended that age is included as a factor in relation to existing and future activities related to equality and diversity.

4.7 Disability

Disability awareness is already included in the staff development programme. However, there is currently no data available in relation to staff with disabilities at Imperial College and no specific policies on disability.

Future plans to improve the gathering of monitoring data should therefore include this factor, and Imperial College should also develop a Staff Disability Policy. This policy should provide guidance on the recruitment and selection of staff with disabilities and arrangements for accommodating staff who become disabled during their employment. In order to develop this policy, staff with an interest in disability issues should be invited to participate in the discussions and planning.

4.8 Flexible Working And Work-Life Balance

One of the priority areas for action in the Equality and Diversity Goals and Action Plan is attracting and retaining a diverse workforce by promoting best practice and opportunities for flexible working. Whilst it is recognised that in the current financial climate, pressures on existing staff make work-life balance difficult to maintain, managers still need to consider their responsibility as role models.

Flexible working arrangements at Imperial College are currently covered by a short paragraph in the Equal Opportunities in Employment Policy. A separate policy document should therefore be developed which offers guidance to staff on the flexible working opportunities available at Imperial College. There is also currently no data available on the number of staff who work flexibly. Monitoring of the take up of flexible working should be therefore be included in any future plans for improving the overall gathering of equal opportunity statistics.

Finally, there is a need to consider the implications of taking up flexible working opportunities on career progression, and any steps taken to ensure that those who work flexibly are afforded the same career opportunities as those who work full-time.
6.0 CONCLUSION

Imperial College has some sound foundations on which to build its future work on equality and diversity. The findings of this audit endorse the existing priorities for action already identified in various College policy documents and it also extends the range of actions required to make progress on equality and diversity. A summary of these recommendations follows.

6.1 Summary Of Recommendations

Equality and diversity strategy and monitoring:-

- Develop an Equality and Diversity Strategy which integrates the recommendations of this audit into its priorities.

- Consult with Heads of Department/Division and senior managers on the Equality and Diversity Strategy to gain ownership and ‘buy in’.

- Build a system for integrating the priorities of the Equality and Diversity Strategy into Departmental/Divisional Plans, and annually monitoring progress at Departmental/Divisional level.

- Reinforce the role of the Equal Opportunities and Diversity Committee to steer the implementation of the Equality and Diversity Strategy.

Communication:-

- Actively communicate the outcomes of this audit to all staff across the College.

- Seek examples of good practice related to equality and diversity and disseminate these across departments/divisions.

Monitoring:-

- Develop a comprehensive data collection system for collating equal opportunities information, which includes the requirements of the Disability Discrimination Act and also the forthcoming legislation on age, religion and sexual orientation.

- Improve the level of ‘unknowns’ in the data collection, especially in relation to ethnic origin and staff with disabilities.

Building Leadership and Management Capability:-

- Communicate a clear message from the top of the organisation on the importance of equality and diversity and the need for a positive and inclusive culture.

- Include equality and diversity as a clearly defined management responsibility in the performance management scheme.

- Include equality and diversity in the induction scheme for new managers.
• Integrate equality and diversity into the existing management development programme.

Recruitment, Selection and Career Progression:-

• Make training a requirement for all those involved in recruitment and selection.
• Review the make up of interview panels and seek ways of making them more diverse.
• Seek ways of increasing the accountability of Heads of Department/Division and senior managers for implementing the appraisal system, and provide them with any additional support and guidance required to undertake this responsibility.
• Review the composition of College committees and seek ways of improving the diversity of committee membership.

Academic Women:-

• Set targets to increase the number of female academic staff in all categories, but particularly in more senior positions.
• Conduct operation ‘Level Playing Field’ to further explore the barriers to attracting and retaining female academic staff.

Disability:-

• Develop a staff disability policy, (in consultation with staff with disabilities themselves), to provide guidance on the recruitment and selection of staff with disabilities and arrangements for accommodating staff who become disabled during their employment.

Flexible Working and Work-Life Balance:-

• Develop a policy document on flexible working opportunities at the College.
• Monitor the take up of flexible working opportunities.
• Take steps to ensure that those who work flexibly are afforded the same career opportunities as those who work full-time.
FIRST ANNUAL REPORT ON EQUALITY AND DIVERSITY

In order to fulfil its monitoring function, the Equal Opportunities and Diversity Committee is required to consider the following data sets so that it is able to assess trends, evaluate progress and make recommendations for specific action. Where it is available, the data includes age, gender, ethnic origin and disability. (1)

**STAFF**

- Employees by each grade and part-time full time
- Applications to posts
- Shortlisted and those to whom a post is offered
- Type of employment contract
- Turnover
- Applications for promotion and decisions
- Pay details
- Recommendations for discretionary pay
- Attendance at staff development activities
- Attendance at equality and diversity training, including policy briefings
- Attendance at recruitment and selection training
- Staff who have been trained and who have completed a PRDP
- Leavers’ Questionnaires
- Referrals and incidences of harassment
- Grievances, Disciplinaries, Tribunals
- Participation in focus or special interest groups
- Occupational health referrals
- Take up of Care First counselling service

**STUDENTS**

- Applications
- Offers
- Fee status
- Completion and success rates
- Leavers, withdrawals, failures
- Residence Tribunals
- Grievances, Disciplinaries
- Widening Participation activity

**GOVERNANCE**

- Membership of the Court and Council

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1. In addition, the Academic Opportunities Committee considers data sets in relation to staffing matters such as promotion and pay progression. The Operations Committee and HR’s Customer Focus Group also consider data and metrics in relation to staffing, including staff development performance metrics. The Undergraduate and Postgraduate Education Committees analyse data in relation to teaching and student matters.
• Membership of decision-making bodies and committees throughout College

EXTERNAL BODIES AND LOCAL COMMUNITIES

• A register of relationships

PROCUREMENT AND CONTRACT COMPLIANCE

• Approved list of contractors and suppliers
INTRODUCTION

1. The Committee’s last Report to the Council was made in February 2003. Since then, the Committee has met three times, in June and October 2003 and January 2004. In conjunction with these Meetings, the Committee has visited various facilities on the South Kensington Campus.

2. The Committee’s remit has continued to be the monitoring of the catering and bar activities of the College, the ICU and the Holland Club and of the operation of the Conference Office and of Student Residences. It has also received reports from the Medical and Dental Services Advisory Group and the Rector’s Committee on Student Residences.

3. At each meeting the Committee also now receives reports on any particular Health & Safety issues that have arisen within the above areas.

CATERING AND CONFERENCES

4. The Committee received the accounts for the Catering Department, which reported a turnover of £5.56M in 2002/03, a 4% increase on the previous year’s results. Whilst sales were 3% below budget, the cost of sales had been tightly controlled and was 1% ahead of budget. Expenditure was 3% over budget due to unexpected equipment costs and long-term sickness. Overall these factors lead to a small loss of £50k, representing 0.9% of turnover.

5. The Committee was pleased to note that the Wye Campus had generated a surplus for the first time since the merger in 2000. Whereas at the time of the merger the Campus facilities had been losing c. £50k a year, for 2002/03 they generated a surplus of £18.5k, a significant improvement.

6. The Conference Office accounts for the financial year 2002/03 showed a surplus of £108k after distributions to academic departments, Catering and Residences, a positive variance of £28k against budget. The income generated was 13% ahead of budget at £4.79M after cost of sales. The principal reason for the increase was a higher proportion of room rental occurring in rooms owned by the Conference Office, rather than departments.

7. The Committee continues to receive Forward Business Reports for both the Conference Office and the Vacation Accommodation Office. The Forward Business Reports for the year 2003/04 are favourable, showing a better position than at the corresponding time for the previous year. The Head of Catering and Conferences reported that it looked as though figures were approaching those seen before the downturn in the sector, which followed the events of 11 September 2001.

8. The Reception Services section of the Conference Office continues to work closely with the Security and Postal Services to ensure a high quality service and the Committee noted that this service was to be expanded to include new desks in the Faculty Building, Tanaka Business School and the new College Main Entrance.
9. Agreement has been reached with the architects and users regarding the catering provision in the Tanaka Business School. A decision was taken that there would be no dedicated catering provision in the new Faculty Building. The College is about to enter into a contract with Compass Services to invest in and to operate a Café Bar in the Commonwealth Building on the Hammersmith Campus.

10. The Committee has also received periodic updates on a number of marketing exercises and surveys which have been carried out by the Department to monitor the level of customer satisfaction and to determine competitor activity. Whilst it is encouraging to note that the overall level of customer satisfaction is high, the information that has been obtained from this activity has also identified areas for change or improvement so that the Department is able to plan for the future provision of both catering and conference services.

IMPERIAL COLLEGE UNION

11. The Union’s accounts for 2002/03 showed a net trading surplus of £74k, with sales of £843k. Whilst the ICU had seen pleasing catering figures, being better than both budget and the previous year, the bar sales were 9% below budget. The decrease in bar sales is a trend that is being seen across many student unions and the budget for the year 2003/04 has been adjusted accordingly.

12. After a successful trial of credit and debit card acceptance in the catering outlets the Union has decided also to provide this facility in the bar outlets.

THE HOLLAND CLUB

13. The Holland Club for non-academic staff achieved a trading surplus of £21k for the year 2002/3, slightly better than budget.

14. The Club has spent £64k on refurbishment costs this year, including refurbishing the main bar and installing air conditioning.

15. The Committee has asked that the formal status of the Holland Club within the College be verified.

RESIDENCES

16. The Student Residences’ Accounts for the year 2002/03 showed a positive variance of £1.12M against budget. The favourable position was due to an increased income of £769k, partly from a 5% increase in student rents but also from an increase in lettings at Wye and of vacation accommodation. Overall the total income generated was £11.4M, which was 7% above the budgeted target.

17. At the start of the 2003/04 session 83% of freshers had taken up the offer of a place in halls, compared to the historical norm of 88%. A questionnaire was circulated to students to determine the reasons for this and to see if the increased room rents had been a contributing factor. Although the sample size of 254 provided a reasonable response, the results were generally inconclusive. The reasons stated for not applying for accommodation were varied, only 13 choosing to comment out of a sample of 25 and only one giving the cost of accommodation as a reason.
18. A special meeting of the Rector’s Committee on Student Residences discussed the student rents for 2003/04. The Residences Office had undertaken some market research that clearly indicated that the charges set by the College were below the average for the University of London and some universities outside London. To ensure that the College was in a position to bring all its Halls of Residence up to standard it was considered necessary to increase the rent by more than the “norm” of 5%. The Committee discussed a range of options and agreed to recommend that student rents for 2003/04 should be raised by 3% plus a market supplement, resulting in an average increase of some 15%. Letters were sent to all potential incoming students informing them of the changes.

19. During 2003 the College sold Montpelier Hall and Goldsmiths’ Hall of Residence. However, it also carried out major improvements to the remainder of its residential portfolio and continued with its plans for the development of the Southside Halls. Following a complete renovation costing nearly £4M Bernard Sunley Hall was re-opened. Refurbishment work, totalling some £981k, has also taken place in the College’s other halls, including extensive redecorations, building works and enhancements to students’ social spaces.

MEDICAL AND DENTAL SERVICES ADVISORY GROUP

20. Finally, the Committee received two reports from the Medical and Dental Services Advisory Group, which continues to oversee the medical, dental and counselling support provided to staff and students of the College.

John Corbet–Singleton (Chairman)
INTRODUCTION

1. At its last meeting the Council considered the draft Governance Code of Practice, which is one of five codes of practice that support the College’s Policy for Promoting Race Equality. Governors will recall that these documents have been produced in response to the requirements of the Race Relations (Amendment) Act 2000. Under this Act, all Higher Education institutions and public sector authorities are legally obliged to have a Race Equality Policy in place. The Act also places a general duty on public authorities, which for this purpose includes universities, to “promote race equality”. This means that, in everything they do, these bodies should have due regard to the need to eliminate unlawful racial discrimination, promote equality of opportunity and promote good race relations between people of different racial groups.

2. Some concern was expressed at the meeting that the wording of the Governance Code of Practice could be interpreted to suggest that appointments to committees might be made on the basis of ethnicity rather than merit. In fact, the Code’s intention was to ensure that, when making such appointments, the College was able to cast its net wide and consider the best possible candidates from groups that might have been overlooked in the past. However, Professor Leppington, as the Chairman of the College’s Equal Opportunities and Diversity Committee, agreed to review the wording of the Code of Practice in the light of the Council’s comments to ensure that it better reflected the College’s aims.

REVIEW

3. This review has now taken place and the amended Code of Practice is attached at Annex A. In particular paragraphs 9.b and 10.c now include the statement that “the Nominations Committee is also mindful of the need to ensure that the widest range of possible candidates, reflecting the ethnic diversity of the College community, is considered for appointments to membership of the Council”, which is a clearer statement of the College’s aims than the previous statement that it should “ensure that the membership of the Council’s Committees reflects, as far as possible, the ethnic diversity of the College.”

DECISION REQUIRED

4. The Council is invited to consider and, if it sees fit, approve the Governance Code of Practice, which has been amended in line with the Council’s recommendations.

K.A.M.
INTRODUCTION

1. Imperial College is an independent corporation whose legal status derives from a Royal Charter granted under Letters Patent in 1907. The present Charter and Statutes were granted by Her Majesty The Queen in 1998.

2. The College, as constituted by this Charter, consists of the members of the Court and of the Council, the Fellows of the College, the academic and academic-related staff, the students and other members of the College. Its Mission is to embody and deliver world class scholarship, education and research in science, engineering and medicine, with particular regard to their application in Industry, Commerce and Healthcare. It fosters interdisciplinary working within the College and collaborates widely externally.

3. The College is committed to exhibiting best practice in all aspects of corporate governance, including the promotion of race equality. To this end, the decision-making structures within the College include representation from throughout the College and, as far as is practicable within the constraints set down in the Charter and Statutes, the membership of all College, Faculty, Departmental, Divisional, Centre, Academic Service and Administrative committees should reflect the ethnic diversity of the College community.

THE COURT AND COUNCIL

THE COURT

4. The Court is a large, formal body, the membership and powers of which are defined in the Charter and Statutes. It consists of some 160 members, 76 of whom are appointed by bodies representing educational, research, international, regional, and local interests, 16 of which are ex-officio appointments and 28 of whom are elected by and from among the staff of the College. The Court can also co-opt up to 30 additional members. The Court meets once a year to receive formal reports from the Chairman and the Rector.

THE COUNCIL

5. The membership and powers of the Council are defined in the Charter and Statutes. It is the governing and executive body of the College and has 32 members, the majority of whom are lay members, including the Chairman, Deputy Chairman and Honorary Treasurer. Also included in its membership are both ex-officio and elected representatives of the academic staff of the College and of the student body. The Council is responsible for the finance, property, investments and general business of the College, and for setting the
general strategic direction of the institution. The Council is also responsible for the College’s system of internal control and for reviewing its effectiveness.

COUNCIL COMMITTEES

6. Much of the Council’s detailed business is handled initially by a variety of Committees that report at least annually to the Council. These Committees are formally constituted as committees of the Council with written terms of reference and specified membership, including a significant proportion of lay members.

APPOINTMENT OF MEMBERS

7. Members of the Court and Council are appointed for a term of office of four years and may normally be appointed for only one further term of four years.

8. Appointments to the Court.

a. The majority of members of the Court are appointed by external bodies and the choice of person is therefore outside the control of the College. Whenever a vacancy for an appointed member occurs, the College’s Central Secretariat writes to the appointing body and invites it to appoint a successor. This written invitation makes it clear to the appointing body that, in accordance with its Policy on Promoting Race Equality, the College is actively seeking to ensure that its formal committees as far as is possible reflect the ethnic diversity of the College and that it, therefore, expressly welcomes the appointment of members from ethnic minorities.

b. The elected members of staff are appointed in accordance with the College’s election regulations. All members of the academic and academic-related staff may stand for, and vote in, these elections, which are conducted by the Single Transferable Vote system.

c. Co-opted members are appointed by the Court on the recommendation of the Council. These positions are often filled by new lay members of the Council or of Council Committees and, as such, the selection of candidates is considered in detail by the Nominations Committee. These appointments are therefore subject to the same procedures as those for members of the Council (see paragraph 9 below).


a. Vacancies for lay and co-opted members of the Council are advertised within the College and members of the Court and Council and staff and students are invited to submit names. The invitation to submit nominations makes it clear that, in accordance with its Policy on Promoting Race Equality, the College is actively seeking to ensure that its formal committees as far as is possible reflect the ethnic diversity of the College and that it, therefore, expressly welcomes the nomination of candidates from ethnic minorities.

b. All nominations for appointment are scrutinised by the Nominations Committee, which includes one of the College Deans together with members appointed from the lay and staff members of the Council. Once the Nominations Committee has determined a prioritised list of candidates for appointment, candidates are approached to ensure that they would be willing to serve as a member of the Council. Once this process has been completed, the Nominations
Committee’s recommendations for appointment are put to the Council for approval. In making its recommendations for appointment, the Nominations Committee reviews the skills and experience of candidates to ensure that they are able to make an active contribution. The Nominations Committee is also mindful of the need to ensure that the widest range of possible candidates, reflecting the ethnic diversity of the College community, is considered for appointments to membership of the Council. The Nominations Committee is also mindful of the need to ensure that the membership of the Council reflects, as far as possible, the ethnic diversity of the College.

c. The elected staff members of the Council are appointed in accordance with the College’s election regulations. All members of the academic staff may stand for, and vote in, these elections, which are conducted by the Single Transferable Vote system.

10. **Appointment to Council Committees.**

a. Members of the Committees of the Council are appointed by the Council acting on the advice of its Nominations Committee. Wherever possible, lay members of these Committees are appointed from the existing lay members of the Court, although the Committee will also consider external candidates, who may then be co-opted onto the Court as per Paragraph 8.c. above.

b. Staff members of these Committees are drawn from the elected staff members of the Court.

c. In making its recommendations for appointment, the Nominations Committee reviews the skills and experience of members of the Court to ensure that they are able to make an active contribution, and so that the College makes the best use of their time. The Nominations Committee is also mindful of the need to ensure that the widest range of possible candidates, reflecting the ethnic diversity of the College, is considered for appointments to membership of the Council’s Committees. The Nominations Committee is also mindful of the need to ensure that the membership of the Council’s Committees reflects, as far as possible, the ethnic diversity of the College.

**MONITORING**

11. The membership of the Court and Council and its Committees is monitored by the Central Secretariat. A report on the ethnicity of its members is made to the Nominations Committee annually and is also included in the Rector’s Annual Report to the Council.

**TRAINING OF MEMBERS**

12. All new members of the Court and Council are sent an induction pack on appointment. This contains advice about their responsibilities as a member of the Court and/or Council together with information about the College including copies of the College’s Equal Opportunities Policy and its Policy for Promoting Race Equality. New members of the Council are additionally provided with the Guide for Governors published by the Committee of University Chairmen.

13. An annual induction programme is also made available for new and existing members of the Council. As well as informing them about the College’s operation and its aims and objectives, advice is also proffered on the College’s governance arrangements, on
the funding of Higher Education and on Governors’ legal responsibilities. The induction programme also include presentations on the College’s Human Resources Policies and Procedures, including those on Equal Opportunities and Promoting Race Equality.

CONDUCT OF COURT, COUNCIL AND COUNCIL COMMITTEE BUSINESS

14. The conduct of the Meetings of the Court, Council and of Council Committees is governed by Standing Orders, which are defined by Regulation.

15. The Council meets at least six times a year. At each of its meetings it receives a formal report of Staff Matters, including notification of new staff appointments. The Council also receives regular reports from its Committees and expects to be advised of equal opportunity and diversity issues affecting the College as and when they arise.

16. Each year the Council receives an Annual Report from the Rector on the Promotion of Race Equality. This Report, which is normally presented to the Council at its Meeting in February, considers activity and progress in all major areas and includes relevant and appropriate data, so that the Council can assess the impact of the Policy on staff and students in College, and upon the wider community through its choice of business partners or suppliers. The Report includes monitoring information on:

   a. Student admissions, progress, attainment levels, fee status, drop-out rates, disciplinary matters and complaints by ethnic origin.
   
   b. Staff recruitment, progress, promotion, pay, development take-up, discipline and grievances by ethnic origin.
   
   c. Membership of the Court, Council, standing committees and other formal committees.
   
   d. Those organisations with which it has business relationships and an assessment of whether the College has tackled racial discrimination and promoted racial equality through its choice of contractor, supplier or consultant.

17. The Annual Report also includes an assessment of the College’s relative performance in these areas, benchmarked against available data from other comparable higher education institutions and makes recommendations on what action, if any may be required to improve the College’s performance.

COLLEGE, FACULTY, CENTRE/DEPARTMENTAL/DIVISIONAL, ACADEMIC SERVICE AND ADMINISTRATIVE COMMITTEES

THE SENATE

18. The membership and powers of the Senate are defined in the Statutes. It is the supreme academic authority of the College and, as such, its role is to direct and regulate the academic work of the College, both in teaching and research. It has 58 members. 15 are ex-officio, 7 are appointed by and from among the Heads of academic Departments and Divisions, 24 are appointed from the full-time academic staff by the Engineering Studies, Medical Studies and Science Studies Committees and 6 are elected by and from among the full-time academic staff. There are also 3 members co-opted from the full-time academic staff and 3 student members, one of whom is the President of the Imperial College Union.
19. Appointments and elections to the Senate are carried out in accordance with the College’s election Regulations:

   a. **Heads of Academic Departments and Divisions.** All Heads may stand for, and vote in the elections for these categories, which are determined by a simple majority of those voting.

   b. **Appointments by the Engineering Studies, Medical Studies and Science Studies Committees.** Each year, the Chairs of these Committees are invited to nominate members of the full-time academic staff to fill any vacancies expected to occur for appointment to the Senate. When requesting these nominations, the Academic Registrar reminds the Chairs of the need to ensure that the membership of the Senate, as far as is possible, reflects the ethnic diversity of the College community.

   c. **Elected members.** All members of the academic staff may stand for, and vote in these elections, which are conducted by the Single Transferable Vote system.

   d. **Co-opted Members.** Each year the Rector may nominate members of the academic staff to fill any vacancies for co-opted members of the Senate. In doing so, the Rector has a responsibility to ensure that the College’s academic interests are as widely represented on the Senate as possible. He is also mindful of the need to ensure that the membership of Senate, as far as is possible, reflects the ethnic diversity of the College community.

**SENATE COMMITTEES**

20. The Senate has established a number of Committees to assist it in discharging its responsibilities. These Committees are formally constituted as committees of the Senate with written terms of reference and specified membership.

21. Members of Senate Committees are appointed primarily because they exercise particular roles and responsibilities in relation to the academic work of the College. When seeking nominations to Senate Committees the Academic Registrar reminds the Chair of the relevant Committee of the need to ensure that the membership of Senate Committees, as far as possible, reflects the ethnic diversity of the College community.

**RECTOR’S COMMITTEES**

22. The Rector, as the principal academic and administrative officer of the College, is responsible for maintaining and promoting the efficient and proper management of the affairs of the College. He is supported in this by a number of Rector’s Committees, which act in an advisory capacity to him on non-academic matters. Members of these Committee are, in the main, drawn from the staff of the College, although several also have significant student membership and some include lay members appointed from the Court.

23. The principal Rector’s Committee is the Executive Committee, which comprises the Rector and Deputy Rector, the Principals of the Faculties and the Heads of the College’s Administration. As such, its members represent all the Departments and Divisions of the College. Other important Rector’s Committees, particularly in the context of the College’s Equal Opportunities Policy and its Policy on Promoting Race Equality, include the Academic Opportunities Committee and the Equal Opportunities and Diversity Committee.
24. The Rector is responsible for the appointment of the members of his advisory committees. Before making such appointments, the Rector consults widely within College to ensure that the Committees include as broad a representation of the staff and students as is possible and that these Committees, as far as is possible, reflect the ethnic diversity of the College.

25. **The Equal Opportunities and Diversity Committee.** The Equal Opportunities and Diversity Committee has overall responsibility for equality issues in the College and it reports to Council via the Rector. The Chair is appointed by the Rector and is a member of the Executive Committee. It is responsible for approving specific action and for supporting the planning and development of the Policy for Promoting Race Equality and its associated Codes of Practice and Action Plans. The Committee is also responsible for monitoring the impact of the Policy and Codes, reviewing progress on the action plans, setting challenging targets related to the achievement of the Policy and codes, consulting with, and involving relevant people from outside College and taking account of the needs and interests of representative groups within College. To help it achieve these responsibilities, the Committee includes significant representation of women, staff from different ethnic origins, different job levels and the Students’ Union. The Committee is serviced by the Human Resources Division, for whom the implementation of the Policy is a day-to-day responsibility, and it is responsible for making an annual review report to the Rector, normally in January.

**FACULTY AND DEPARTMENTAL STANDING COMMITTEES**

26. The Rector has devolved responsibility to the Faculties, Departments, Divisions and Centres to consider and implement measures for promoting race equality within their local management structures.

27. Faculties, Departments, Divisions and Centres have established standing committees in order to ensure their effective management and to ensure the effective implementation of College Policies and Procedures. Administrative and Academic Service Divisions have also established committees and/or working groups to assist them in the provision of effective services. The Faculties, Departments, Divisions, Centres and other organisational units are responsible for ensuring that the membership of their standing committees and/or other formal committees/working groups, include as wide and diverse a representation of the staff as is possible, including those from ethnic minorities.

**MONITORING**

28. The Central Secretariat is responsible for co-ordinating the monitoring of the ethnicity of members of Council, Senate, Rector’s, Faculty Departmental and Administrative Committees. The Central Secretariat itself monitors the ethnicity of members of Council and Rector’s Committees. The Registry monitors the ethnicity of members of the Senate and of Senate Committees and provides reports on the results of this monitoring to the Central Secretariat annually. Faculties are responsible for monitoring the ethnicity of members of Faculty Committees and the main Departmental Committees. Faculties report on the results of this monitoring to the Central Secretariat annually.

29. The Central Secretariat produces a consolidated report on the ethnicity of committee membership together with recommendations for action to redress any imbalance identified as a result of the monitoring. This is presented to the Equal Opportunities and Diversity Committee for inclusion in its Annual Report on Promoting Race Equality to the Rector and the Executive Committee.
ASSESSING THE IMPACT OF POLICIES

30. The Equal Opportunities and Diversity Committee is responsible for assessing the impact on the promotion of race equality of this and other policies and for discussing and approving specific actions and recommendations. The Committee receives an annual report on activity and progress, including relevant and appropriate data, from all relevant groups. The Committee is also responsible for assessing the impact of the Codes of Practice, which have been written to enshrine the promotion of race equality into all of the College’s major functions. The Policy and the Codes of Practice are to be reviewed annually by the Committee.

31. The Rector’s Executive Committee is to receive an annual report on activity and progress from the Equal Opportunities and Diversity Committee, including relevant and appropriate data, so that it can assess the impact of the Policy on staff and students in College, and upon the wider community through its choice of business partners or suppliers, and recommend and/or agree further action as required.

32. The Council is to receive an annual report from the Rector on activity and progress in all major areas, including relevant and appropriate data, so that it can assess the impact of the Policy on staff and students in College, and upon the wider community through its choice of business partners or suppliers.

February 2004
INTRODUCTION

1. The Freedom of Information Act 2000 ('The Act') extends the public's rights of access to information held by public authorities, which for the purposes of the Act includes higher education institutions, and imposes a number of obligations on them. When it is fully in force members of the public will have a statutory right (with some minor limitations) to request any information held by Imperial, regardless of when it was created, by whom, or the form in which it is now recorded.

2. The Act requires the College to have a ‘publication scheme’ in place by the end of this month. This Scheme is a list of the classes of information the College has committed itself to publishing. Its purpose is to ensure that the College, as a public authority, makes as much information as possible publicly available. By 29 February 2004 the College must have made available (either on its website or in some other form) all the information included in its approved Scheme.

3. The Act comes fully into force across the public sector on 1 January 2005 and from that date the public, including other corporate bodies, will have the right to make a request for any other information not already published under the Publication Scheme.

4. The Act also requires the Lord Chancellor to issue two Codes of Practice “On the Discharge of Public Authorities’ Functions” and “On the Management of Records”. The first concerns the practices that public authorities should follow when dealing with requests for information, and the second gives guidance on good practice in records management. Institutions will be expected to act in accordance with both Codes of Practice.

THE PUBLICATION SCHEME

5. As already indicated, the College is required to develop a Publication Scheme listing the various classes of information that are, or will be, made available to the public, how this information can be obtained, and if there is any associated cost. When preparing its Publication Scheme, the College had three alternative options to consider. These were:

a. **Adopt the ‘Model Scheme’ Approved by the Information Commissioner.** In September 2003 the Information Commissioner approved a model publication scheme for further and higher education institutions, which set out 9 core classes of information to be provided to the public. Institutions that decided to adopt the Model Scheme had only to confirm to the Information Commissioner by 31 December 2003 that they would be doing so. No further approval was required.

b. **Adopt the ‘Model Scheme’ with Modifications.** In this case, an institution’s whole Scheme had to be submitted to the Information Commissioner for approval
together with an explanation of the modifications proposed. If the Information Commissioner considered that the modifications were substantial, the Scheme might be treated as a bespoke scheme.

c. **Prepare and Submit a Bespoke Scheme.** In this case, an institution’s whole Scheme had to be submitted to the Information Commissioner for approval.

**THE COLLEGE PUBLICATION SCHEME**

6. In July 2003 a detailed audit of the College’s current publications was conducted. All of the College’s Departments and Divisions were surveyed and the results were used to prepare an initial table of published information. This table has been used by the Central Secretariat to produce a detailed list of publications under each of the classes set down in the Model Publication Scheme. The survey also confirmed that the College would be able to comply with the Model Publication Scheme. Consequently, the Executive Committee agreed at its October meeting that the College should adopt the Model Scheme without further modification. This was confirmed to the Information Commissioner before the deadline of 31 December 2003.

**COLLEGE POLICY**

7. In order to comply with the Lord Chancellor’s Codes of Practice, the College is also required to have an overarching policy on Freedom of Information in place before the first phase of the Act comes into force on 29 February 2004. A copy of the College’s proposed Policy is attached at Annex A. As can be seen, the Policy Statement is relatively straightforward, leaving matters of detailed implementation to two related Codes of Practice on Records Management and Responding to Requests for Information. These Codes of Practice are in the final stages of drafting and will be presented to the Operations Committee for approval in the next few weeks. At its meeting on 31 October 2003 the Executive Committee agreed to recommend the draft Policy to the Council for approval.

8. The Council is now asked to consider and, if it sees fit, approve the draft College Policy on Freedom of Information.

K.A.M.
INTRODUCTION

1. The Freedom of Information Act 2000 (“the Act”) imposes a number of obligations on public authorities, which for these purposes includes the College, and provides the public with wide rights of access to the College’s records. In essence, members of the public have a statutory right:

   a. From 29 February 2004, to obtain (either from the College’s website or in some other form) all the information covered by the College’s Publication Scheme.

   b. From 1 January 2005, to request (with some minor limitations) any information held by the College, regardless of when it was created, by whom, or the form in which it is now recorded.

2. This Policy, and its associated Codes of Practice, set out how the College will meet its obligations under the Act. The Council of Imperial College has overall responsibility for the Policy and for ensuring that it is complied with. The Council has delegated to the Rector responsibility for the associated Codes of Practice and for ensuring that they are implemented across the College and are reviewed annually.

POLICY STATEMENT

3. The College is committed to being open and honest in the conduct of its operations and to complying fully with the Freedom of Information Act. To this end the College will:

   a. Be open with the general public and the media and will place in the public domain as much information about its activities as is practicable and, subject to the exemptions permitted under the Act, will make all other information available on request.

   b. Establish records management organisations, structures and procedures which meet the requirements of the Lord Chancellor’s Code of Practice on the Management of Records. (1)

   c. Deal with all requests for information in accordance with the Lord Chancellor’s Code of Practice on the Discharge of Public Authorities’ Functions. (2)

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4. There will be occasions when the College will not be able to supply all the information requested. Information will only be withheld in accordance with the exemptions laid down in the Act, and in particular those concerning:

   a. The College’s duties under the Data Protection Act 1998 to keep confidential sensitive information about individual members of staff and students;

   b. Other legal and contractual obligations; or

   c. Material detrimental to the safe and efficient conduct of the College’s operations or which is commercially sensitive.

5. On such occasions the College will always state the reasons why information has been withheld.

RELATIONSHIP WITH EXISTING POLICIES

6. This Policy has been formulated within the context of the following College documents:

   a. The College’s Data Protection Policy.

   b. The College’s Information Systems Security Policy.

PUBLICATION SCHEME

7. The College’s Publication Scheme, which has been approved by the Office of the Information Commissioner, is available on the College’s Internet website at [url to be inserted], for inspection at the College’s Library, or in printed form by application to the College Secretary.

IMPLEMENTATION OF THE POLICY

8. The procedures for implementation of this Policy are contained in two College Codes of Practice:


      (1) The Lord Chancellor’s Code of Practice on the Management of Records makes it clear that public bodies should adopt co-ordinated records management structures, procedures and systems that cover Freedom of Information, Data Protection and Records Management.

      (2) The College has followed this guidance in the development of its Code of Practice for the Management of Records, which can be found at [url to be inserted].
b. **Requests for Information.**

(1) The Lord Chancellor’s Code of Practice on the Discharge of Public Authorities’ Functions requires institutions to have in place a system for managing requests for information.

(2) The College has followed this guidance in the development of its Code of Practice on Requests for Information which is at [url to be inserted].

**REVIEW**

9. The operation of the Policy and its associated Codes of Practice will be reviewed annually by the Operations Committee at its January Meeting.

**VALIDATION**

10. This Policy was approved by the Council of Imperial College at its meeting on [13 February 2004].
PAPER K

PROPOSED AMENDMENTS TO THE COLLEGE’S REGULATIONS CONCERNING FRAUD, WHISTLE-BLOWING AND SCIENTIFIC MISCONDUCT

A Note by the Clerk

SUMMARY OF ISSUES / OPPORTUNITY

1. The College’s Internal Audit Department has recently conducted a routine review to "evaluate the systems of internal control over the monitoring, review and implementation of Fraud, Public Interest Disclosure and Allegations of Scientific Misconduct Policies and to identify any associated risk factors." The Review covered the College’s Regulations on Fraud, (1) Scientific Misconduct (2) and Whistle-blowing (3) and resulted in suggested amendments to each of these Regulations.

2. These changes must now be taken forward in accordance with the Management Action Plan, which was agreed as part of the Internal Audit Report. However, as these are all formal College Regulations, only the Council is empowered to approve the proposed amendments.

ISSUES FOR DISCUSSION

3. The Regulations are attached as Annexes to this Paper. In addition to the amendments proposed as a result of the Internal Audit Report, the opportunity has also been taken to include references to the Faculties where appropriate and to ensure that job titles are correct. All the proposed amendments have been highlighted in the Annexes and the main points in each case are summarised below.


   a. Inclusion of a process whereby consideration can be given to suspending a member of staff suspected of fraud to ensure that no further losses occur (Paragraph 7(c)).

   b. Provision for variations from the Fraud Response Plan to be approved by the Chairmen of the Council and of the Audit Committee (Paragraph 7(e)).

   c. Where the loss is substantial, it is recommended that the College seek legal advice on the need to freeze the suspect’s assets (Paragraph 13).

   d. Legal advice should also be sought where the perpetrator has refused to repay any losses incurred by the College (Paragraph 15).

1. Regulation B2 “Policy and Response Plan for the Treatment of Fraud & Irregularities”.
2. Regulation C6 “Policy and Procedures for the Investigation of Allegations of Scientific Misconduct”.
3. Regulation C7 “Policy and Procedures for Dealing with Instances of Public Interest Disclosure”.

e. On completion of an investigation involving more that £10,000, a written report should be submitted to the Audit Committee (Paragraph 16) and a follow up report is to be produced (Paragraph 17).

f. The Policy should be reviewed regularly (Paragraph 18).

g. The Head of Management Audit and Review will keep a register detailing all instances of Fraud. This should be available for external inspection. (Paragraph 20).

h. Any applications for references pertaining to members of staff who have been disciplined or prosecuted for fraud should be dealt with by a senior member of staff in the HR Division (Paragraph 21).

5. **Regulation C6 “Policy and Procedures for the Investigation of Allegations of Scientific Misconduct” (Annex B).**

a. There should be a requirement that a separate file is maintained for each complaint, which will include a checklist that can be followed to ensure proper compliance with the Policy (Paragraph 17).

b. The Policy should be reviewed annually (Paragraph 18).

c. The Designated Officer should be changed to the Director of Human Resources (Paragraph 21).

d. The interests of both the complainant and the investigator should be taken into account and efforts taken to ensure the independence of the investigator (Paragraph 23).

e. Time limits are to be introduced to try and ensure that investigations are carried out within a defined timescale and, where these time limits are not adhered to, the College Secretary and designated officer should be informed (Paragraphs 26, 32, 45 and 47).

f. In seeking to clarify the procedure with regard to appeals, two paragraphs were found to paraphrase the College Statutes. These have been deleted (old Paragraphs 32-33) as references to the actual Procedures within the Statutes are included in Paragraph 36.

g. A new paragraph has been inserted to ensure that students are aware of their right to petition the College’s Visitor. (This amendment has already been approved by the Council).

h. A register of all Scientific Misconduct cases should be maintained by the Designated Officer and should be made available for external inspection (Paragraph 55).


a. The Policy should be reviewed regularly (Paragraph 17).

b. The College Secretary will maintain a register of cases investigated within the College. (Paragraph 36).
DECISION REQUIRED

7. The proposed amendments to these Regulations were endorsed by the Management Board at its meeting on 30 January 2004. The Council is now asked to consider, and if it sees fit, approve the proposed amendments to Regulations B2, C6 and C7.

K.A.M.
INTRODUCTION

1. The first line of defence for an organisation against fraudulent acts is the establishment and maintenance of effective financial management. In particular, management (1) have the prime responsibility for establishing internal control arrangements to minimise the risk of fraud and other irregularity within their areas of responsibility.

DEFINITIONS

2. The term “fraud” is used to describe such acts as deception, bribery, forgery, theft, extortion, corruption, embezzlement, misappropriation, false representation, concealment of material facts and collusion. For practical reasons fraud may be defined as the use of deception with the intention of obtaining an advantage, avoiding an obligation or causing loss to another party.

3. Fraud can be perpetrated by persons outside as well as inside an organisation.

4. The criminal act is the attempt to deceive and attempted fraud is therefore treated as seriously as accomplished fraud.

COLLEGE POLICY

5. Should instances occur involving the theft of College property, and/or fraud, then as a publicly funded institution, it is College Policy to treat the matter seriously by instigating disciplinary proceedings for gross misconduct, and to notify the Police and other appropriate authorities. This Policy will apply to all members of College, including those granted honorary staff status.

6. Paragraph 42 of Regulation B1 sets out the steps to follow when a fraud is either suspected or found to have taken place.

7. Essentially the procedure to be followed requires that:

a. Any person (2) who has reason to believe that a fraudulent act, or any other irregularity, has taken place (which may, for example, involve cash; equipment; facilities; information; staff time; physical or intellectual property; non-disclosure of any personal, financial or beneficial interest as required under the College Registers of Interests (3), etc) must immediately inform their Head of Department/Division.

1. Management in this context refers equally to both academic and administrative managers.
2. Person in this context means members of the Governing Body, employees of the College (including those granted honorary status), and students.
3. I.e. both the Registers of Interests for Governors and that for Staff of the College.
4. Matters concerning Governors should, in the first instance, be referred to the Clerk to the Court and Council.
b. On being notified, the Head of Department/Division must, in turn, inform the Head of Management Audit and Review Internal Audit and the Director of Finance immediately.

c. Internal Audit must immediately seek the advice of the Director of Human Resources to determine whether or not the person(s) suspected of fraud should be suspended to prevent their committing any further offence. Any suspension is to be carried out with due regard to the College’s disciplinary procedures.

d. Internal Audit will then undertake whatever investigation it considers appropriate, which may involve liaising with the College internal security service, or (with the approval of the Clerk to the Governors Court and Council) the Police where necessary.

e. Any variation from the Response Plan (below) requires the approval of the Chairmen of both the Council and the Audit Committee.

RESPONSE PLAN

8. The lead in the investigation of fraud and irregularities lies initially with Internal Audit. However, in certain circumstances the Head of Management Audit and Review Internal Audit may consider it appropriate for departmental/ divisional line management to investigate the matter and take action, with the help and advice of Internal Audit.

9. After the initial investigation has taken place, if, in the opinion of the Head of Management Audit and Review Internal Audit the concerns appear to be substantiated, the Clerk to the Court and Council Governors and the Rector, together with the Chairman of Council, and the Chairman and the Secretary of the College Audit Committee will be informed of the circumstances. If the irregularity is identified as potentially theft or fraud, the Head of Management Audit and Review Internal Audit will report the findings to the Police regarding possible criminal investigation and prosecution.

10. In the event of the indicative loss/ irregularity being in excess of £10,000 then, in accordance with the requirements Paragraph 16 of the Higher Education Funding Council’s Audit Code of Practice (5) the College Head of Management Audit and Review Internal Audit will also inform the HEFCE Head of Internal Audit. The Director of Finance will further notify the College’s Insurers of the circumstances if the insurance excess threshold (6) is potentially exceeded.

11. The Head of the Communications Division, Press, Publications, and Public Relations in consultation with the College Secretary, and/or Clerk to the Governors will be responsible for dealing with any enquiries from the press and other media.

12. Dismissal and prosecution of perpetrators is covered by the College’s disciplinary regulations in relation to gross misconduct, which may result in summary dismissal. Accordingly, normal College disciplinary procedures will be invoked via liaison between the Head of Management Audit and Review Internal Audit, the Head of Department/Division, the Director of Human Resources Personnel and/or the Employee Relations Manager/Head of Human Resource Operations.

13. Where losses are found to exceed £10,000, the College Secretary should seek immediate legal advice as to whether or not it is appropriate to seek an injunction to freeze

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6. Currently also £10,000.
the assets of the suspected party pending a formal investigation.

14. The College will seek via its own disciplinary procedures to obtain full restitution of any losses incurred as a consequence of the fraud or irregularity. This action will not, however, prejudice or preclude the matter being referred to the Police in respect of any criminal proceedings or civil claims for compensation which may arise.

15. Where any losses incurred are not repaid on a voluntary basis nor recovered via statutory powers, the College should seek legal advice to assess the prospects of recovering them, together with costs, through the civil courts.

16. On completion of all investigations relating to fraud involving an amount greater than £10,000, the Head of Management Audit and Review is to submit a written report, marked as confidential, to the Audit Committee. This must contain:
   a. A description of the incident including the value of any loss;
   b. The person(s) involved;
   c. The means of perpetrating the fraud;
   d. Measures taken to safeguard against a recurrence;
   e. Any action needed to strengthen future responses to fraud.

17. The Head of Management Audit and Review is also to prepare a follow up report no later than six months after the closure of the investigation. This is to be submitted to the Audit Committee marked as confidential and must state whether or not the measures detailed in Paragraphs 16. d. and e. above were carried out.

POLICY REVIEW AND MAINTENANCE

18. The Head of Management Audit and Review is to review this Policy annually, or following the conclusion of an investigation, if sooner.

19. Any amendments must be approved by the Audit Committee, prior to being communicated to all staff.

RECORDING ALLEGATIONS OF FRAUD

20. The Head of Management Audit and Review is to maintain a register of all cases of fraud which are investigated within the College, including those where there was found to be no case to answer. This Register is to be available for external inspection (subject to the personal information disclosure constraints of the Data Protection and Freedom of Information Acts), and is to include the following information:
   a. The date that the complaint was made;
   b. The file reference number;
   c. The nature and level of the fraud reported;
   d. The potential cost to the College;
e. The status of the investigation.

REQUESTS FOR REFERENCES FOR STAFF WHO HAVE BEEN FOUND TO BE INVOLVED IN FRAUDULENT ACTIVITY

21. Where a reference is requested by or for a member of staff who has been disciplined or prosecuted for fraud, the request is to be referred to a senior HR officer who is to prepare the response in accordance with employment law.

Approved by Council 27 March 1998
IMPERIAL COLLEGE LONDON

REGULATION C6

POLICY AND PROCEDURES FOR
THE INVESTIGATION OF ALLEGATIONS OF SCIENTIFIC MISCONDUCT

Regulation made by the Council of the College pursuant to Statute 9(1)(c)

PREAMBLE

1. This Regulation constitutes the College’s policy on, and procedures for the investigation of, allegations of scientific misconduct. It is intended to satisfy the requirement of the Research Councils and Charities who fund research at Imperial that the College has proper mechanisms for the management of complaints of scientific fraud or misconduct.

2. The College has high standards of professional integrity and its policy on appropriate scientific conduct is set out in the policy document entitled “Guidelines for Proper Conduct in Scientific Research”. It is recognised that instances of misconduct are rare and the procedures set out in this Regulation will consequently only be implemented in exceptional circumstances.

POLICY ON SCIENTIFIC MISCONDUCT

3. The College considers any allegation of scientific misconduct to be a matter of great concern and will investigate any such allegation fully. Given its international reputation and status, the College has a responsibility to the scientific community and to the public at large and therefore, where appropriate, will make public the outcome of any such investigation.

DEFINITIONS

4. The College has adopted the Royal College of Physicians’ definitions of scientific misconduct as including piracy, plagiarism and fraud. The following definitions give indicative descriptions of the types of activity covered by this Regulation. These descriptions are neither exclusive nor exhaustive:

   a. **Piracy** is the deliberate exploitation of ideas and concepts from others without acknowledgement.

   b. **Plagiarism** is the copying of ideas, data or text (or a combination of these) without permission or acknowledgement.

   c. **Fraud** involves deception - usually, but not exclusively, the invention of data. This could also include the omission from analysis and publication of inconvenient components of a data set.

5. Other types of scientific misconduct may be separately defined, but the College views them as combinations or sub-types of those defined above. In addition to scientific misconduct, these procedures will also apply to cases of scientific negligence.
PROCEDURES FOR THE INVESTIGATION OF ALLEGATIONS OF SCIENTIFIC MISCONDUCT

GENERAL PRINCIPLES

6. Allegations of scientific misconduct may be brought to the attention of the College internally or externally by an individual or by an organisation. Whatever the source of the allegation, the College will endeavour to ensure that justice is done, and also is seen to be done, to both the complaining and the accused parties. *Bona fide* complaints are to be pursued with integrity and confidentiality and every attempt is to be made to ensure that the investigation proceeds without detriment to the complainant or the accused. Staff are entitled to expect that their research work will be regarded as being honest, until shown to be otherwise, and that they will be protected against ill-founded, frivolous, mischievous or malicious complaints; this principle will guide the College’s procedures.

7. The College will ensure that, as far as possible, the proceedings of any investigation are treated as confidential. However, where there is a conflict between the need for confidentiality and the need to seek the truth, the latter must prevail.

8. Investigations are to be carried out as expeditiously as possible, where this is consonant with the utmost degree of thoroughness.

9. Where an individual against whom a complaint has been made resigns from, or otherwise leaves, the College, the complaint is nevertheless to be investigated, as far as possible, according to the procedures laid down below.

10. The College’s mission is to maintain the highest standards of scientific integrity and adherence to this is an implied condition of service for its staff; consequently, appropriate action must be taken against staff who are found guilty of scientific misconduct as the result of a full investigation. Scientific misconduct is a disciplinary offence and, unless there are mitigating circumstances, such behaviour, if proven, is normally to be treated as gross misconduct which will lead to summary dismissal without further warning.

11. Frivolous, mischievous or malicious accusations of misconduct by members of the College’s staff will also constitute a disciplinary offence.

12. Where an allegation is dismissed, the College will take reasonable steps to ensure that the reputation of the research worker involved is preserved. Where an allegation has received publicity, then the College will offer to release to the media an official statement which has been agreed with the research worker concerned.

13. Similarly, where a complaint which has been dismissed was made in good faith, the College will take all necessary steps to protect the position of the complainant.

14. The College may at any stage seek legal advice on any aspect of the proceedings.

15. A record of all documentation relating to an allegation of scientific misconduct, whether substantiated or frivolous, is to be kept by the Designated Officer for a period of at least five years after the complaint. Such records are to be stored separately from an employee’s personnel file.

16. Except in exceptional circumstances, this Regulation is to be used in conjunction with the College’s existing Disciplinary Procedures. Because these procedures vary for Academic staff (as defined by the College Statutes), Research/ Analogous staff, other staff and for students, these four categories of people are dealt with separately below.
17. A file is to be maintained for each complaint. It will include a checklist which is to be used to ensure that the Policy and Procedures are adhered to. It is to be checked off, dated and initialled by the Designated Officer as each stage is completed.

18. The Designated Officer is to review this Policy annually, or following the conclusion of an investigation, if sooner.

ALLEGATIONS OF SCIENTIFIC MISCONDUCT CONCERNING MEMBERS OF ACADEMIC STAFF

19. However an allegation is made, formal notification of an allegation must be made in writing and should be sent in strict confidence to the Designated Officer as defined by the College Statutes. It is the responsibility of any employee of the College, who receives or is informed of any allegation of scientific misconduct by another member of academic staff, to ensure that the complaint is made formally in this manner.

20. An allegation of scientific misconduct must conform to Paragraph 14(1) of the Appendix to the College Statutes since it constitutes ‘an allegation that conduct or performance may constitute good cause for dismissal or removal from office’.

21. For the purposes of this Regulation the ‘Designated Officer’ described in the College Statutes is the Employee Relations and Pensions Manager/Head Director of Human Resources.

22. The Designated Officer will bring the allegation to the attention of the appropriate Head of Faculty/Department/ Division/ Centre who will conduct a preliminary review of the matter. The Head will inform the accused that an allegation has been made and will instruct the individual not to alter or delete any relevant records for the duration of the investigation.

23. The interests of both the complainant and the accused will be taken into account when the Designated Officer selects the investigator. Efforts must be made to ensure that the investigator will be independent and objective and has the knowledge and ability to evaluate the complaint.

24. If the complainant does not wish to bring the matter to the Head of Faculty/Department/ Division/ Centre for any reason, then the Designated Officer will consult with the Deputy Rector to determine who should investigate the allegation during the initial stages.

25. Where an allegation of scientific misconduct is made against a Head of Faculty/Department/ Division/ Centre, then the Designated Officer will report the matter directly to the Rector. If a complaint is made against the Rector, then the complaint is to be referred to the Chairman of the Council.

26. The preliminary review should normally be completed within 21 days of the initial complaint. Otherwise, the College Secretary and the Designated Officer are to be advised of the delay in completing this stage of the investigation.

27. If the Head of Faculty/Department/ Division/ Centre finds that the complaint is frivolous, then it is the responsibility of the Designated Officer to inform the complainant and the accused of this finding.

28. If the complainant does not agree with the decision of a Head of Faculty/Department/ Division/ Centre that an allegation is without foundation, an appeal may be made via the Designated Officer to the Rector.
2925. If the Head of Faculty/Department/Division/Centre finds that there is a *prima facie* case for further investigation, the Designated Officer will bring the complaint to the attention of the Rector. The Head of Faculty/Department/Division/Centre is not required to determine whether scientific misconduct has actually occurred.

3026. The Rector will first consider whether primary responsibility for resolving the allegation rests with the College or with another institution. For example, if the allegation involves patient care, then the matter will be referred to the Chief Executive of the relevant NHS Trust for investigation. If a member of academic staff has collaborated with members of staff from another institution on the matter in question, the Rector will inform the head of that other institution of the College’s investigation and, later, its findings. If a member of staff who is also a student of the College is accused of scientific misconduct which is also an examination offence, the matter will be referred to the University in the manner described in Paragraph 44 below.

3127. Where the allegation is to be investigated by the College, the Rector will convene an Assessment Panel comprising a Dean of the relevant Constituent College and three other members of academic staff from the College. The Assessment Panel is responsible for determining whether or not the allegation of scientific misconduct has sufficient substance to merit a formal tribunal. In doing so, its duties will include:

a. Taking evidence and explanations from all parties involved in an independent manner. Both parties will be expected to produce such evidence as they have, in whatever form it might exist;

b. Extending the scope of its enquiries as far as appears necessary or desirable; this might include the commissioning of further experimental or clinical work;

c. Examining any witnesses who are considered necessary to the investigation;

d. Making an assessment of the veracity of each piece of evidence; and

e. Forming conclusions on the substance of the allegation, putting these to the complainant and respondent with supporting evidence and then considering such further evidence or explanations as may be forthcoming.

32. The Assessment Panel will be convened to meet within two months of the date of the initial complaint. If this is not possible, it will meet as soon as is practicable, and the College Secretary and Designated Officer will be advised of the reasons for the delay.

3328. The deliberations of the Panel may be conducted on the basis of both written and oral evidence. A record is to be kept of any interviews and, as far as possible, the record is to be agreed with the interviewee.

3429. Where an accused individual admits scientific misconduct, the investigation process may, at the discretion of the Panel, be discontinued or modified.

3530. At the completion of the investigation the Chairman of the Panel will provide a written report. *This Report will be completed within two weeks of the completion of the investigation.* The complainant and the respondent will be informed of the findings of the Panel. Where the decision of the Panel is that the allegation has substance, the respondent is to be given the opportunity to make further representation to the Chairman of the Panel before any further action is taken. Conversely, where the decision of the Panel is that the allegation should be dismissed, the complainant is to be afforded a similar opportunity.
3631. Where the Panel finds that there is a *prima facie* case for scientific misconduct, the Rector is to follow the procedures laid down in the Appendix to the College Statutes and specifically the sections dealing with the for the Preliminary Examination of Serious Disciplinary Matters (Paragraphs 14(2) - 14(7)), the Institution of Charges (Paragraphs 15(1) - 15(4)), the Tribunal (Paragraphs 16 - 20) and Appeals (Paragraphs 24 - 30). These Paragraphs make clear the sanctions available to the Rector should the charges be proven.

32. The Tribunal is responsible for hearing and determining charges of scientific misconduct. It is to comprise a Chairman, one member of the Council not being a person employed by the College, and one member of the academic staff. Where the accused member of academic staff is a Professor or Reader the Tribunal is also to include two members nominated by the University, not being persons employed by the College.

33. A charge is only to be determined following an oral hearing at which the member of academic staff and any person representing the staff member are present. The member of staff may call expert witnesses and question witnesses upon the evidence on which the case is based.

3734. Where an allegation is found to be proven, in addition to any normal disciplinary consequences, the Rector may recommend further action including:

a. Informing the editors of all journals in which the respondent has published articles, the status of such articles depending on the outcome of the investigation and, where appropriate, providing notices of retraction or confirmation;

b. Where appropriate, in the case of a clinically-qualified individual, informing the General Medical Council or other interested bodies;

c. Where the member of staff is supported by outside funds, informing the sponsoring organisation.

3635. Where the Tribunal finds that the allegation is not proven and is of a frivolous, mischievous or malicious nature, its findings are to be reported to the Designated Officer for action under the normal disciplinary procedures.

**ALLEGATIONS OF SCIENTIFIC MISCONDUCT CONCERNING MEMBERS OF RESEARCH AND ANALOGOUS STAFF**

3936. Research and Analogous Staff are employed by the College to carry out research work and activities generally related to research. It is therefore possible that allegations of scientific misconduct may be made against such staff.

4037. Research and Analogous Staff are not covered by the Appendix to the College Statutes which deals with Disciplinary Procedures. Nevertheless, the seriousness with which the College views allegations of scientific misconduct requires that allegations of such behaviour among any category of staff will, if not frivolous, be brought to the attention of the Rector by the Designated Officer in the manner described in Paragraphs 17 - 29 above.

**ALLEGATIONS OF SCIENTIFIC MISCONDUCT CONCERNING MEMBERS OF OTHER STAFF**

4138. It is recognised that, while it is unlikely that other categories of staff will engage in scientific misconduct without the knowledge and/or leadership of an academic supervisor, this is not impossible. Where an allegation of scientific misconduct by such staff is received it
ALLEGATIONS OF SCIENTIFIC MISCONDUCT CONCERNING STUDENTS

4239. Where an allegation of scientific misconduct is made against a student of the College, whether undergraduate or postgraduate, the procedure to be followed is necessarily different to that for members of staff. Furthermore, the disciplinary code for students is not appropriate for the consideration of allegations of scientific misconduct. The procedure for the consideration of allegations of scientific misconduct by students is set out below. However, where a student against whom an allegation has been made, is also an employee of the College, the allegation will be considered under the procedure for members of staff set out in Paragraphs 17 - 38 above.

4340. However an allegation is received, formal notification of it must be made in writing and should be sent in strict confidence to the Head of Faculty/Department/ Division/ Centre. This is to be acknowledged in writing by the Head of Faculty/Department/ Division/ Centre, who is to endeavour to ensure the anonymity of the complainant until such time as it is decided to proceed with an investigation.

4441. Where an allegation is made in respect of conduct which would constitute an examination offence as defined in Paragraph 14.7 of the College Academic Regulations and Paragraph 2 of Appendix 2 (Examination Offences) of the College Examination Instructions, the Head of Faculty/Department/ Division/ Centre is to refer the case to the Academic Registrar forthwith for consideration in accordance with the procedures described in the aforesaid Appendix 2 (Examination Offences) of the College’s Examination Instructions.

4542. Where an allegation is made in respect of conduct which does not constitute an examination offence, the Head of Faculty/Department/ Division/ Centre is to take such steps as are necessary to determine whether there is a prima facie case to be investigated. Such steps may include withholding and securing the files and records of the person against whom the allegation has been made to the extent necessary to determine whether further action is warranted. This decision is to be taken within one month of the date of the initial complaint. If in the view of the Head of Faculty/Department/ Division/ Centre no further action is warranted, the complainant and the Pro Rector (Educational Quality) are to be informed of this decision in writing.

4643. Where the Head of Faculty/Department/ Division/ Centre determines that there is a case to be considered, he or she is to convene an Assessment Panel comprising him or herself, a Dean of the relevant Constituent College, one other member of academic staff in the Faculty/Department/ Division/ Centre, the Director of Undergraduate Studies or Director of Postgraduate Studies as appropriate, and the Senior Tutor or Postgraduate Tutor as appropriate.

47. The Assessment Panel is to be convened to meet within two months of the date of the initial complaint. If this is not possible, it must meet as soon as is practicable, and the College Secretary and the Designated Officer are to be advised of the reasons for the delay.

4844. The Assessment Panel is to carry out the investigation in the manner described in Paragraphs 27 - 38 above and is to report its findings to the Senate as reserved business. The Academic Registrar and Pro Rector (Educational Quality) are also to be informed of the outcome of any investigations, together (in confidence) with details of the allegation and the names of the complainant and the respondent.
Where an allegation against a student is found to be proven, the Academic Registrar is to determine the appropriate penalty in consultation with the Head of Faculty/Department/Division/Centre (for undergraduate science and engineering students and for all postgraduate taught students) or the Vice Principal (Undergraduate Medicine) for undergraduate medical students.

Where a research student is found to have committed scientific misconduct prior to having submitted his/her thesis, the Academic Registrar is to determine the appropriate penalty in consultation with the Head of Faculty/Department/Division/Centre.

Penalties may include resubmission of the work, suspension from the College for a period of time or withdrawal from the College.

There may be instances where issues other than academic ones may have to be considered, for example where a student is found to have physically stolen work from another student. In such instances the Academic Registrar is to request a College Tutor to impose an appropriate penalty. It should not be necessary or desirable to hold a disciplinary hearing to try the case again, but, if the case is sufficiently serious, the College Tutor may request that a College Discipline Committee is convened to look at the report and recommendations of the Assessment Panel and to decide on an appropriate penalty.

A student who is found to have committed scientific misconduct has the right of appeal. On behalf of the Senate, the Pro Rector (Educational Quality) in his dual role as Chairman of the Undergraduate Studies Committee and the Graduate Studies Committee are to consider any such appeals, jointly with the appropriate Dean.

If, having exhausted the College’s internal appeals structure, the student is still dissatisfied, the student may petition the College’s Visitor. Under the 1998 Charter of Imperial College, Article 22, a student may appeal to the College’s Visitor who is Her Majesty the Queen acting through the President of the Privy Council. Information on how to petition is available at www.privycouncil.gov.uk/output/Page48.asp or by contacting the Privy Council Office.

**RECORDING ALLEGATIONS OF SCIENTIFIC MISCONDUCT**

The Head of Human Resources Operations will maintain a register of all Scientific Misconduct cases which are investigated within the College, including those where there was found to be no case to answer. This Register is to be available for external inspection and is to include the following information:

- The file reference number;
- The type of allegation made;
- The potential cost to the College;
- The status of the investigation.

Approved by the Council 25 June 1999
PREAMBLE

1. The College is committed to the highest standards of openness, probity and accountability. It seeks to conduct its affairs in a responsible manner, taking into account the requirements of the funding bodies and the standards in public life set out in the reports of the Committee on Standards in Public Life (the Nolan Committee). This Regulation constitutes the College’s policy on, and procedures for, dealing with instances of Public Interest Disclosure and is intended to satisfy the recommendation made by the Nolan Committee that local public spending bodies, such as the College, should institute codes of practice on ‘whistle blowing’, that is, allegations made by individuals relating to the running of the institution or the activities of colleagues within the institution.

2. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer’s affairs. However, where an individual discovers information which he or she believes shows malpractice or wrongdoing within the institution, then that information should be disclosed without fear of reprisal, and may be made independently of line management. The Public Interest Disclosure Act 1998 became effective on 1st July 1999. Under the Act an employee making a qualifying disclosure is protected against being dismissed or penalised by their employers as a result of disclosing such concerns publicly.

3. This Regulation is intended to assist individuals who believe they have discovered malpractice or impropriety in Imperial College. It is not designed to allow them to question financial, strategic or business decisions taken by the College; nor may it be used to enable them to require reconsideration of any matters which should have already been addressed under the College’s grievance or disciplinary procedures. Once it is in place, it is reasonable to expect members of the College to use it rather than to air their complaints outside the College.

4. An employee who has discovered information which he or she believes shows malpractice or wrongdoing has a duty to bring this to the attention of the College. Normally this will be achieved by raising the matter with the appropriate College Officer, usually the employee’s Head of the Faculty/Department/ Division, concerned in the matter. The College recognises that the majority of such cases will be dealt with by this means. There will, however, be instances when the nature of the alleged malpractice or wrongdoing is such that the employee considers it necessary to make use of these Procedures.

SCOPE OF POLICY

5. This Policy is designed to enable employees, Governors, students, or other members of the College to raise, at a high level, concerns or to disclose information which the complainant in good faith believes shows malpractice or impropriety.
6. The College has a number of related policies and procedures already in place, including those for grievance and discipline, scientific misconduct and the treatment of fraud. Allegations which fall within the scope of those procedures should normally be made and considered in accordance with them. This policy is intended to cover concerns which are in the public interest and may (at least initially) be investigated separately, but might then revert to such other existing procedures. Examples of these types of concern include:

a. Commission of a criminal offence;
b. Failure to comply with a legal obligation or with the Statutes, Ordinances and Regulations of the College;
c. Miscarriage of justice;
d. Dangers to health and safety or the environment;
e. Financial or non-financial maladministration and malpractice;
f. Obstruction or frustration of the exercise of academic freedom;
g. Academic or professional malpractice;
h. Improper conduct or unethical behaviour;
i. Suppression or concealment of any information relating to any of the above.

**PRINCIPLES**

7. No detrimental action of any kind will be taken against a person within the College making a complaint of the nature described above, provided that the complaint is:

a. Made in good faith and without malice;
b. Made in the reasonable belief of the complainant that it is "substantially true" and tends to show malpractice;
c. Not made for personal gain; and,
d. Made to an appropriate person or body as defined in Paragraphs 17 - 20 of these Procedures.

8. Where the complainant makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against the complainant. The College will also take reasonable steps to protect the position of the complainant.

9. A complainant who persists in making allegations which, having previously been investigated under these procedures, were deemed to be without foundation may be subject to disciplinary action including, in extreme cases, summary dismissal for gross misconduct.

10. A complainant who makes malicious or vexatious allegations or who persists in making such allegations or who discloses concerns or allegations of malpractice or misconduct publicly without having first made use of these procedures may also be subject to disciplinary action including, in extreme cases, summary dismissal for gross misconduct.

11. Under the Public Interest Disclosure Act 1998, a worker who makes a qualifying
disclosure under the Act has the right not to suffer any detriment (such as straightforward
dismissal, dismissal under cover of redundancy, bullying, demotion or failure to receive
promotion) as a result of that disclosure. If a worker does suffer such a detriment as a result
of a disclosure he or she has the right to submit a complaint to an employment tribunal. It is
for the tribunal to determine the facts of the case including whether a ‘qualifying disclosure’
as defined under the Act, had been made, and any appropriate remedy for the worker.

12. The College will treat all complaints made in accordance with these procedures in a
confidential and sensitive manner. The identity of the complainant will be kept confidential, if
so requested, for as long as possible provided that this does not hinder or frustrate a proper
investigation. However, the investigation process may reveal the source of the information,
and the complainant may need to provide a statement as part of the evidence required. If
further action is taken under the College’s disciplinary or other procedures as a result of the
complaint, the complainant may also be required to provide a statement or give evidence as
part of that process.

13. Where a complaint concerns another or other members of staff of the College, the
person or persons identified in the complaint will be informed of the allegation and of the
evidence supporting it and will be allowed to comment before any investigation, or further
action, is concluded - except in cases of alleged fraud or where there is a criminal
investigation where this could provide the individual(s) concerned with an opportunity to
destroy or conceal evidence.

14. Individuals are encouraged to put their name to any disclosure they make. Anonymous
complaints may be reported, investigated and acted upon or may be set aside
at the discretion of the College, having regard to the seriousness of the issue raised, the
credibility of the complaint, the prospect of being able to conduct a proper investigation, and
fairness to any individual mentioned in the complaint.

15. Investigations should not be carried out by the person who will have to reach a
decision on the matter. Any investigations are to be conducted as sensitively and as speedily
as possible, having regard to the nature and complexity of the complaint.

16. An official written record will be kept of each stage of the procedure.

17. The Designated Person is to review this Policy annually, or following the conclusion
of an investigation, if sooner.

**THE PROCEDURE**

**STEP 1**

18. A person who believes in good faith that they have discovered evidence of
malpractice within the College should make a complaint in writing to the College Secretary
and Clerk to the Court and Council (the ‘College Secretary’) as the Designated Person under
this Regulation. The College Secretary will, as soon as is practicable, inform the Rector and
the Chairman of the Court and Council of the complaint except where:

a. Specifically requested not to do so by the complainant;

b. The allegation of misconduct concerns the Rector or the Chairman; or

c. The Rector or the Chairman is likely to be involved at any subsequent hearing
or appeal.
In cases where financial malpractice is alleged, the College Secretary shall act throughout in close consultation with the Rector, as the Accounting Officer for the College’s public funding, and with the Head of Management Audit and Review as required by Financial Regulations.

If the allegation concerns the actions of the College Secretary, or the complainant otherwise considers it inappropriate to refer the matter to the College Secretary, then the disclosure should be made directly to the Rector who will then act as the Designated Person and inform the Chairman of the Court and Council of the disclosure, except where the provisions noted under Paragraph 17 above apply. The Rector will consult with the Head of Management Audit and Review in the event of a matter arising under the provisions of College Financial Regulations.

If the allegation concerns the actions of the Rector, or the complainant has grounds to consider it inappropriate to refer the matter to the College Secretary or the Rector, then the disclosure should be made to either the Chairman of the Audit Committee, where the allegation falls within the terms of reference of that Committee, or directly to the Chairman of the Court and Council. Whichever Chairman receives a disclosure will then become the Designated Person for the purpose of these procedures.

**STEP 2**

The Designated Person to whom the complaint has been addressed will decide, after appropriate consultation, whether the matter is to be investigated further and will determine the form such an investigation will take. This would normally be:

a. To investigate the matter internally;

b. To refer the matter directly to the police or other outside body; or,

c. To call for an independent inquiry.

Although a preliminary internal investigation will usually be necessary first, some complaints may require immediate referral to an outside body for consideration and investigation (for example, the Police, the General Medical Council, the Health and Safety Executive, the National Audit Office, or the Higher Education Funding Council for England (HEFCE)).

Where the matter is to be the subject of an internal investigation, the Designated Person will then consider how best to determine whether there is a prima facie case to answer. In doing so, the Designated Person should decide:

a. Who should be appointed as the ‘Investigating Officer’ to undertake the investigation; (1)

b. The procedure to be followed for the investigation; and,

c. The scope and nature of the concluding report.

Where the allegation concerns a breach of the College’s Financial Regulations, the Head of Management Audit and Review will normally undertake this investigation as the

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1. Where the Designated Person is either the Chairman of the Court and Council or the Chairman of the Audit Committee and the allegation concerns senior members of the College, the Investigating Officer may be an independent person.
Where the allegation does not involve a breach of the College’s Financial Regulations, the investigation may be undertaken by another member of staff of the College appointed as the Investigating Officer by the Designated Person for this purpose.

Where a decision is taken not to investigate or take any further action, the complainant and the Audit Committee should be so informed.

STEP 3

The Investigating Officer will report his or her findings to the Designated Person who will, as a result of this report, determine whether there is a prima facie case to answer and, if so, what further action may be required. This may include:

a. Appropriate management action to correct the error;
b. Further action under the College's Disciplinary Procedures;
c. Further action under the College’s Policy and Procedures for the Investigation of Allegations of Scientific Misconduct;
d. Referral to an outside body such as the police, the General Medical Council, the Health and Safety Executive, the National Audit Office, the HEFCE; or,
e. Referral to an independent inquiry.

The Designated Person will inform the complainant in writing of what action, if any, is to be taken. Where the Designated Person’s decision is that no action is to be taken the complainant shall be informed of the reasons for this. The complainant shall have the right of appeal against this decision. Such an appeal must be made within fourteen days and may be made to the Chairman of the Audit Committee or to the Chairman of the Court and Council as appropriate.

The Chairman will consider all the information presented, the Investigating Officer’s report to the Designated Person, the procedures that were followed and the reasons given by the Designated Person for not taking any further action. The Chairman will then decide either:

a. To confirm the decision of the Designated Person that no further action is required; or,

b. That further action is required in accordance with Paragraph 2528 above.

The complainant will be informed of the outcome of his or her appeal in writing. Where the decision is to confirm that no further action is to be taken the complainant shall be informed of the reasons for this.

STEP 4

If, having exhausted the College’s internal procedures, a complainant is dissatisfied with the outcome of a complaint and there are no other opportunities for taking the matter further internally, the complainant may request that the Clerk to the Court and Council refers the matter to the Visitor. Under the 1998 Charter of Imperial College, Paragraph Article 22,
the College’s Visitor is Her Majesty the Queen acting through the President of the Privy Council.

332. Where the decision is to confirm that no further action is to be taken the complainant has the right to raise their concern with an external body, such as the HEFCE, or the College’s external auditors, provided they have sufficient evidence to support their concern.

343. However, the College would strongly advise that, before reporting a concern externally, the complainant seeks advice from one of the following:

a. Employees’ representatives in College: *i.e.* ICAUT, UNISON, MSF and AEEU.

b. Public Concern at Work (see Appendix B).

**REPORTING OF OUTCOMES**

354. A report of all complaints and any subsequent action taken will be made by the Designated Person who will retain such reports for a period of 6 years. A report of all complaints and of the outcomes of any investigation will be made to the Audit Committee in confidence. Where the issue falls within its terms of reference or within the scope of the College Fraud Policy the Committee will receive a detailed report. In all other cases the Committee will receive a summary report so as to monitor the effectiveness of these procedures.

36. The College Secretary will maintain a register of all confirmed Public interest disclosure cases which are investigated within the College. This Register will be available for external inspection and should include the following information:

a. The date the complaint was made;

b. The file reference number;

c. The type of allegation made;

d. The potential cost to the College;

e. The status of the investigation.

Approved by the Council 17 December 1999
### Appendix A

#### KEY COLLEGE CONTACTS UNDER THE POLICY:
(in order of approach)

<table>
<thead>
<tr>
<th>Designation</th>
<th>Contact details</th>
<th>Telephone No. &amp; e-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 College Secretary and Clerk to the Court and</td>
<td>Rector’s Suite, Level 5, Sherfield Building</td>
<td>(020 759) 48801 <a href="mailto:a.mitcheson@imperial.ac.uk">a.mitcheson@imperial.ac.uk</a></td>
</tr>
<tr>
<td>Council</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Rector</td>
<td>Rector’s Suite, Level 5, Sherfield Building</td>
<td>(020 759) 45000 <a href="mailto:rector@imperial.ac.uk">rector@imperial.ac.uk</a></td>
</tr>
<tr>
<td>3 Chairman of the College Audit Committee</td>
<td>C/o Rector’s Suite, Level 5, Sherfield Building</td>
<td>(020 759) 45002</td>
</tr>
<tr>
<td>4 Chairman of the College Court and Council</td>
<td>Room 539, Level 5, Sherfield Building</td>
<td>(020 759) 45010</td>
</tr>
</tbody>
</table>

Contacts for concerns not necessarily arising under the Policy

<table>
<thead>
<tr>
<th>Type of Concern</th>
<th>Contact</th>
<th>Telephone No. &amp; e-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fraud, or other financial irregularity, breaches of financial regulations, or</td>
<td>Head of Management Audit and Review</td>
<td>(020 759) 46601 <a href="mailto:d.thompson@imperial.ac.uk">d.thompson@imperial.ac.uk</a></td>
</tr>
<tr>
<td>conflict of interests</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Misuse of IT equipment or systems</td>
<td>Head of Centre for Computing Services, Head of Information and</td>
<td>(020 759) 469940 <a href="mailto:r.bynds@ic.ac.uk">r.bynds@ic.ac.uk</a>, <a href="mailto:h.allan@imperial.ac.uk">h.allan@imperial.ac.uk</a></td>
</tr>
<tr>
<td></td>
<td>Communications Technologies Division</td>
<td></td>
</tr>
<tr>
<td>Unsafe working practices or environment</td>
<td>Safety Director</td>
<td>(020 759) 49420 <a href="mailto:i.gillett@imperial.ac.uk">i.gillett@imperial.ac.uk</a></td>
</tr>
<tr>
<td>Health matters</td>
<td>Director of Occupational Health Services</td>
<td>(020 759) 49385 <a href="mailto:a.swann@imperial.ac.uk">a.swann@imperial.ac.uk</a></td>
</tr>
<tr>
<td>Breaches of data protection standards, corporate governance or College</td>
<td>Head of Central Secretariat</td>
<td>(020 759) 45535 <a href="mailto:jonathan.hancock@imperial.ac.uk">jonathan.hancock@imperial.ac.uk</a></td>
</tr>
<tr>
<td>Council regulations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Physical security issues</td>
<td>Head of Security and Fire</td>
<td>(020 759) 48902 <a href="mailto:k.reynolds@imperial.ac.uk">k.reynolds@imperial.ac.uk</a></td>
</tr>
<tr>
<td>Grievance or disciplinary issues</td>
<td>Employee Relations Manager, Head of Human Resources Operations</td>
<td>(020 759) 45522 <a href="mailto:j.payne.c.appleby@imperial.ac.uk">j.payne.c.appleby@imperial.ac.uk</a></td>
</tr>
</tbody>
</table>
PUBLIC CONCERN AT WORK

Public Concern at Work is an independent charity which promotes good practice, compliance with the law and accountability in the workplace.

Public Concern at Work is recognised as a leader in its field and its work has been endorsed by Government, the Committee on Standards in Public Life, the TUC, the CBI and the Institute of Directors. Among the services it provides to organisations in the public, private and voluntary sectors is a helpline staffed by qualified lawyers providing advice, free of charge, to employees.

Public Concern at Work can be contacted at:

Suite 306
16 Baldwin’s Gardens
London EC1N 7RJ

Tel: 020 7404 6609
Fax: 020 7404 6576

e.mail: whistle@pcaw.demon.co.uk

Documentation sources:

- AHUA guidance document
- Public Concern at Work guides
- ICSA Best Practice Guide ‘Establishing a Whistleblowing Procedure’
- Conference papers ‘The Implications of the Public Disclosure Act’ (May 1999)
PAPER L

MEETINGS OF THE COURT AND COUNCIL FOR 2004-05

A Note by the Clerk

I set out below for the approval of the Council the proposed dates for meetings of the Court and Council for the academic year 2004-05.

Council  Friday, 15 October 2004 (commencing at 10.30 a.m.)
Council  Friday, 10 December 2004 (commencing at 10.30 a.m.)
Council  Friday, 11 February 2005 (commencing at 10.30 a.m.)
Council  Friday, 1 April 2005 (commencing at 10.30 a.m.)
Court    Friday, 1 April 2005 (commencing at 2.15 p.m.)
Council  Friday, 13 May 2005 (commencing at 10.30 a.m.)
Council  Friday, 8 July 2005 (commencing at 10.30 a.m.)

K.A.M.