MINUTES OF THE PROCEEDINGS

at the

Twenty-second Meeting of the

COUNCIL

of the

IMPERIAL COLLEGE OF SCIENCE, TECHNOLOGY AND MEDICINE

The Twenty-second Meeting of the Council was held in the Council Room, 170, Queen’s Gate at 10:30 a.m. on 14th December 2001, when there were present:

Lord Vincent (Chairman), Mr. G. Able, Professor J. N. B. Bell, Dr. E. Buttle, Mr. A. R. F. Buxton, Professor M. P. Hassell, Mr. D. P. Hearn, Dr. D. P. Isherwood, Mr. H. B. Lowe, Miss J. Mayhew, Professor J. Perkins, Professor P. Poole-Wilson, Professor R. D. Rawlings, Eur. Ing. A. D. Roche, Dr. B. G. Smith, Dame Rosemary Spencer, Dr. C. L. Vaughan, Dr. D. J. Wilbraham, the Rector, the Deputy Rector and the President of the ICU, together with the Clerk to the Court and Council.

Imperial College Union Observer: Mr. B. Hawkins (Deputy President, Finance and Services).

In attendance: the Academic Registrar, the Director of Finance, the Director of Human Resources, the Director of Planning and Information, the Director of ICT and the Assistant Clerk to the Court and Council.

Apologies: Professor Sir Leszek Borysiewicz, Professor M. Green, Professor Dame Julia Higgins, Professor S. P. F. Hughes, Dr. M. P. Knight, Sir Stuart Lipton, Mr. R. J. Margetts, The Hon. Mrs. Sara Morrison, Sir Alastair Morton, Professor J. B. Pendry, Professor D. Phillips, the Director of Strategy Development and the Pro Rector for Public and Corporate Affairs.

WELCOME

On behalf of the Council the Chairman welcomed Professor Mike Hassell to his first Meeting as a member of the Council. The Chairman also welcomed Mrs Heather Allan, the new Director of Information and Communication Technologies (ICT) who was in attendance at her first Meeting of the Council.

IN MEMORIAM

The Chairman informed the Council that Sir Frank Cooper, his predecessor as the Chairman of the Governing Body, had died on 26th January 2002. His funeral had been held on
MINUTES

Council – 14th December 2001

1. The Minutes of the Twenty-first Meeting of the Council, held on 14th December 2001, were taken as read, confirmed and signed.

RECTOR’S BUSINESS

Staff Matters (Paper A)

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

Oral Reports

3. The Rector informed Governors that the College had been visited by the Quality Assurance Agency for Higher Education (QAA) to conduct a Continuation Audit of the College and also to consider its application for degree awarding powers. The QAA auditors had been at the College from 14th to 18th January and had met a wide range of staff. They would now make a report to a Scrutiny Panel, which would, in turn, report to the Privy Council with regard to the College’s application for degree awarding powers. There would also be a separate QAA report to the College on the Continuation Audit. The Rector expected both reports to be positive and expressed his hope that the Privy Council would make a decision before the end of the year that Imperial was competent to have the power to award its own degrees.

4. Moving on, the Rector said that Imperial was continuing to work closely with the London School of Economics and Political Science (LSE), particularly in the area of public policy. To this end, Imperial and the LSE would be launching a series of joint public lectures on Science and Society. These would be annual events and would feature four public debates designed to get to the heart of issues concerned with the social impact of science and technology. The first two lectures would be held at the LSE and would cover Risk and Society: Is Science Dangerous? on 11th March and Is Our Food Safe? on 29th April. The remaining two lectures on New Genetics and Society and Science and the Media would be held at Imperial later in the year. On a related issue, the Rector reported that he had also met with senior staff at University College London (UCL) to consider possibilities for collaboration, including administrative links.

5. The Rector then went on to report that earlier that week the Prime Minister, the Rt. Hon. Tony Blair, had opened the Wolfson and Weston Research Centre for Family Health on the Hammersmith Campus. This unique Centre would bring together in a purpose-built building the largest UK team of doctors and scientists working to improve the health of women and babies. The Centre would also house the Institute
of Reproductive and Developmental Biology, which had been established in 2001 by Professor Lord Winston. Paying tribute to Lord Winston, the Rector reminded the Council that the building of the Centre’s new premises, formerly known as the Obstetrics and Gynaecology Building, had been made possible by his sterling efforts in raising the required funding.

6. Turning to the recruitment of a new Director of Estates, the Rector reported that interviews were being conducted and he hoped that a formal appointment would be made shortly. He then said that, as members would have noticed, work had now commenced on the Tanaka Business School. The hoardings around the building works on Exhibition Road would shortly be used to show off different aspects and themes of the College’s work. Development work for the new College Headquarters (known as Project CACHE) was also progressing and the building’s design was close to being finalised. The building would follow on from the new College entrance, which was being built as part of the Management School, and would act as a link connecting the entrance to the Queen’s Lawn. A presentation on the plans for the building would be made to the Council once they were complete.

7. Continuing, the Rector said that the College was also considering a strategy for its properties in Prince’s Gardens. As part of this, the College would be building the new Sports Hall, for which it already had planning permission, and hoped to provide additional residential accommodation on the site of the existing tennis courts. The refurbishment of the Southside building would be the largest single project within the overall scheme with an estimated cost of £20 – 25M. The first priority though was to build the new Sports Hall and, in order to pay for this, the College would have to realise the value of some of its other assets.

8. The Rector noted that the Imperial College Union (ICU) had been reviewing its Constitution in order to ensure that it was aligned properly with the College’s new Faculty structure. The revised document would come to the Council for approval, once the Union itself had agreed it. The Chairman stressed the importance of the ICU adopting a structure that was aligned with that of the College if it was to represent all the students in the College effectively. He asked the President of the ICU, Mr. Ganesh, to keep the Council abreast of progress on this. Mr. Ganesh replied that, although it was proving difficult to obtain a consensus on all aspects of the revised Constitution, he hoped that the outstanding issues would be resolved shortly and that the revisions would be presented to the Council for approval at its next meeting on 12th April.

9. Concluding his report, the Rector said that a small pamphlet summarising the main points in the College’s Strategic Plan had now been produced. Copies of the pamphlet would be available for Governors after the meeting.

SENATE MINUTES (PAPER B)

10. The Rector formally presented Paper B, which was received for information.
11. The Chairman of the Health and Safety Audit Committee, Mr. Roche, introduced Paper C by reminding the Council that the Committee’s membership had recently been increased by three to include six lay members. Although a new member, Dr Giachardi, had now been appointed, the Committee still had two outstanding vacancies. Mr. Roche urged the Council, through the Nominations Committee, to ensure that these two vacancies were filled before the Health and Safety Audit Committee’s next meeting in May 2002.

12. Moving on, Mr Roche acknowledged that the College’s management of health and safety had improved considerably in recent years. However, he wanted to draw members’ attention to two areas that were still of concern. The first, he said, was Portable Appliance Testing (PAT), that is, the regular testing of items of electrical equipment. This had been a formal requirement for a number of years, but there were still parts of the College where compliance was either partial or non-existent. This was clearly unsatisfactory and those Departments/Divisions which were failing to meet their obligations would have to improve. Secondly, he reminded the Council that the issue of the safety of children visiting the College had been raised before. In that instance, the Council had discussed the issue of balustrades on stairs and the expense involved in making these safe for use by small children. The College had taken the view that the costs involved were prohibitive, given that children would not normally be allowed access to most parts of the College. However, he said, there were other areas of the South Kensington Campus that were accessible to members of the public and would be used by children. He suggested that the College should assess which areas were likely to be used by children, carry out appropriate risk assessments for these areas and then take remedial action should any be required. Finally, he said, the Committee had received an audit of Health and Safety Management in Long Term Maintenance (LTM) carried out for the College by external consultants. While the conclusions of this Audit, as expressed in its Executive Summary, had been generally positive, the Committee had been concerned by some of the detail of the actual Report, particularly in relation to the resources available for LTM. The Committee would therefore be considering the Report in more detail at its next meeting.

13. The Chairman thanked Mr. Roche for his Report and confirmed that two candidates had been identified for the vacancies on the Health and Safety Audit Committee, both of whom were distinguished members of the medical profession. He had written to them inviting them to become members of the Committee and was confident that both appointments would be confirmed before the Committee’s next meeting.

14. Picking up on Mr. Roche’s points on LTM, the Rector remarked that the Audit Report suggested that the backlog cost for maintenance work could be as much as £138M. While the College had to comply with health and safety requirements, it had to maintain an appropriate balance in determining its future maintenance programme. Mr. Roche agreed but noted that, within the £138M identified in the Report, some £46M was specifically related to health and safety items.

15. Mr. Able expressed his surprise at the failure of some Departments/Divisions to meet
the requirements for Portable Appliance Testing. He understood that it was possible to have this work carried out by external contractors and suggested that a College-wide contract might be attractive and cost-effective. The Rector agreed, confirming that those Departments/Divisions which had yet to fully implement PAT would be required to do so.

16. Dr. Vaughan noted that the Hammersmith Hospitals NHS Trust was experiencing similar problems with a backlog of long term maintenance, much of which was related to health and safety. She said that the Trust was working closely with the Health and Safety Executive (HSE) and had agreed with them a programme of work that could be accommodated within the Trust’s annual budget. This suggested that the HSE would agree to the deferral of work on the less serious risks provided they could see that the institution had a long term plan for meeting its obligations for health and safety.

17. Mr. Roche agreed that it was sensible to keep the HSE informed and to obtain their agreement to deferrals when necessary. However, he pointed out that the College had only been able to budget £3.5M for its LTM programme in the current year. The Report suggested that health and safety issues alone would require an annual budget of £4.16M. Having said this, he acknowledged that, if it could obtain additional external funding, the College would spend more on LTM. In the previous year, the College had spent £13M on LTM, most of which had been externally funded.

18. Bringing the discussion to a close, the Chairman said that the first priority was to ensure that the College operated legally and that, if something could not be done safely, it must not be done. Accordingly, if there were parts of the College which were unsafe for children, then they should be kept out of those areas. He asked that the Council should be kept informed of progress on this important matter. In particular, he suggested that any remedial works required as a result of risk assessments should be included in the long term maintenance programme so that these could be managed in a coherent manner.

ANNUAL REPORT FROM THE HOUSE COMMITTEE (Paper D)

19. The Clerk introduced Paper D on behalf of the Chairman of the House Committee. He noted that the Committee had recently been concerned about one Catering enterprise, the Basics Pizzeria in Southside, which had not been performing to expectations. Although this facility had been successful for a number of years, its takings had been falling for some time. During the Summer it had therefore been refurbished and combined with the Southside Shop to provide an enhanced retail outlet for students that also provided take-away food. This was now performing extremely well. The Refectory at the Silwood Park Campus had also recently been refurbished and the Clerk hoped that this too would now show improved results.

20. Turning to future Catering projects, the Clerk noted that the Southside Bar appeared to be in decline. As it had recently received an award from the Campaign for Real Ale (CAMRA), its product remained of high quality. However, the Bar and its associated facilities were badly in need of refurbishment and it was hoped that this
work could be started in advance of the refurbishment of the remainder of the Southside complex. The ICU President, Mr. Ganesh, noted that trade in the ICU bars in the Beit Quadrangle, which had declined in recent years, was improving and had nearly returned to the same level as before the refurbishment of the Beit Hall of Residence.

21. Moving on, the Clerk said that the financial performance of Catering appeared to be disappointing but that it should be taken in conjunction with those of Conferences and Residences. Although Catering had made a loss of £111K, this was outweighed by the surplus generated by the Conference Office which, in addition, had contributed about £100K to the College’s academic departments. Residences had also made a surplus of £2.6M, although £1.5M came from a one-off windfall from the sale of a University of London company, AFSIL, in which the College had had a share. Furthermore, the prospects for the current year were encouraging. Catering and Conferences were expected to break even, with Residences again expected to contribute a surplus of around £1.1M.

22. Concluding his Report, the Clerk said that the Administrative Support Departments relied on feedback from user groups within the College. One of these was the Catering and Bars Advisory Group (CABAG). Unfortunately, owing to its Chairman’s indisposition, the Group had not met recently. The Head of Catering and Conferences, Mr. John Foster, was therefore considering whether feedback could be obtained in other ways. At the same time, the Academic Staff Assembly, which was responsible for appointing CABAG’s Chairman, had been asked to consider the future of the Group.

23. Mr. Hearn asked if the reduction in first year students taking up offers of accommodation was significant. The Clerk stated that historically about 88% of first year undergraduates had accepted the offer of accommodation. Although this year this had dropped to 83%, in the previous year the take-up rate had been 97%. It was therefore too early to say whether the slight drop this year was significant. A shortfall in the number of undergraduates taking places did not mean that beds were empty; any spare accommodation could be allocated to postgraduate students.

24. Mr. Buxton asked if the loss of £111K recorded for the Catering Department included a charge for fixed costs since, in his view, Catering was a facility that the College should be providing for its staff and students, in which case it should only be required to meet its variable costs. The Clerk confirmed that the Catering Department was not required to meet rental and other fixed charges. Mr. Able concurred with Mr Buxton, saying that, if these facilities provided significant benefit to the College for a variety of non-financial reasons, then it should continue to provide them regardless of whether or not they were able to make a profit. The Clerk replied that, although the Catering Department tried to make a modest surplus each year, this was used to improve facilities and pay for refurbishments, such as that of the Southside Bar.

ANNUAL REPORT BY THE ENTERPRISE BOARD (Paper E)

25. Introducing Paper E, the Director of Finance, Mr. Cannon, reminded those present
that the Enterprise Board had been established to oversee the performance of the College’s subsidiaries and its other enterprises. Following a temporary hiatus when the Board had failed to meet, it had been resurrected in 2001. Moving on to the substance of the Report, Mr. Cannon noted in particular that, in line with the College’s strategy to unify the provision of safety services across the various campuses, its contracts with Universal Safety Consultants (USC) - a safety consultancy company the College had inherited from the former Royal Postgraduate Medical School - were being phased out by October 2002. The Director of Finance had been mandated to sell the company and he was progressing this in as pragmatic a manner as possible.

26 Turning to the financial results given in the Paper, Mr. Cannon noted that, with the exception of IC Innovations, there were very few adverse variances. The adverse variance shown for IC Innovations was, he said, due to the considerable cost of taking out patents. The assumption was, he said, that the ideas behind these patents would start to generate income in due course and that the College’s investment would eventually be repaid.

FINANCE MANAGEMENT REPORT (Paper F)

27. Mr. Cannon next introduced Paper F, noting that the latest forecast was for a surplus of £4.2M. However, this included exceptional items of £5.3M and this figure was based partly on expected sales of College property, which might not all be achieved during the coming year, and partly on the realisation of Turbo Genset holdings which unfortunately were continuing to decline in value. On the other hand there was the possibility, mentioned at the previous meeting of the Council, that £8M might be realised from the sale of IPR in the College’s spin-out companies.

28. Mr. Cannon went on to say that the College’s cash position was strong as a result of earlier billing for student fees. This brought a number of benefits, not the least of which was that the College was able to earn extra interest. By the end of January debtors were also showing a net improvement of £1M. However, further progress on this side was heavily dependent on the successful implementation of the upgrade to the Finance computer system, ICIS, which was now due to take place at the end of April. Concluding his remarks, Mr. Cannon acknowledged that more information could be included in the Finance Management Report. He had recently recruited a new Head of Finance Management in the Finance Division and given him the task of improving the format of the Report.

29. Mr. Hearn noted that transfers had been made from specific reserves as a result of the introduction of Faculties and queried whether either the Faculties or Departments had suffered any detriment as a result of these changes. Mr. Cannon confirmed that they had not. The transfers had been made for accounting reasons and did not affect the actual budgets of the Departments or Faculties.

30. Mr. Buxton noted that the College had a significant portion of aged debt, some of which was several years old. He asked if it would be possible to sell this debt on to one of the companies that dealt in debt recovery. Mr. Cannon said that much of the
work involved in clearing these debts was concerned with identifying the documentation relating to the debt. Without this documentation, the College would be unable to ‘sell’ the debt. The Rector agreed with this, noting that much of the College’s aged debt would be recoverable once the relevant documentation had been found, although recovering student debt was more problematic.

31. Professor Bell recalled that students were unable to graduate unless they had paid all their debts. In these circumstances, he was surprised that student debt was difficult to collect. The Academic Registrar, Mr. McClure, reminded the Council that, following the introduction of the Data Protection Act 1998, the College could no longer withhold notification of students’ results if they were in debt, although such students were still unable to graduate.

MEETINGS OF THE COURT AND COUNCIL 2002-03 (Paper G)

32. The Clerk introduced Paper G and advised the Council of a change to the details shown. The Council’s last meeting in 2002-03 would be held on Friday 11 July 2003, rather than 27 June 2003 as stated in the Paper.

Resolved: That, subject to the incorporation of the change noted above, the dates for Council Meetings in 2002-03, as set out in Paper G, be approved.

ANY OTHER BUSINESS

Appeal

33. The Clerk reminded the Council that Part V of the Appendix to the Statutes established the procedures for hearing and determining appeals by members of the academic staff who were dismissed or were under notice of dismissal. Under these procedures, the Council had to be given notice of any appeal received, and the date on which it was served. Accordingly, he informed the Council that, on 14th November 2001, the British Medical Association had submitted an appeal on behalf of a Senior Lecturer in the Division of Paediatrics, Obstetrics and Gynaecology. The appeal was against the termination of the senior lecturer’s full-time employment, which had previously been completely funded by Ealing Hospitals NHS Trust. Unfortunately, the Trust had reduced the level of funding provided for this post and consequently, and only after discussion, the College had reduced the salary to match the level of funding now provided. Although the College was trying to resolve the matter amicably, the Clerk noted that the issues in this case had already been heard before an Employment Tribunal, which had decided in the College’s favour, and that the appeal had been made some 8 weeks after the deadline for making such an appeal.

Valete

34. The Chairman noted that, unfortunately, the Hon. Mrs Sara Morrison had not been
able to attend this, the last Council Meeting before the end of her term as both Deputy Chairman and a valued Governor. He recalled that Sara Morrison had first joined the then Governing Body in 1986, since when she had made a significant contribution to the work of the Governing Body and the Council. She had served on and chaired a number of Council Committees including the Fellowships Committee, the new Finance Committee, the Governance Committee, the Nominations Committee and the Remuneration Committee. She had also been tireless in her championing of the place of women in the College and, in this connection, had been very much involved with the Athena Project. On behalf of the Council the Chairman thanked the Hon. Mrs. Sara Morrison for her considerable contribution to the College and to the work of the Council and asked that this be recorded in the Minutes