NEW YEAR’S HONOURS

Professor Ari Darzi, Professor of Surgery in the Division of Surgery, Anaesthetics and Intensive Care in the Faculty of Medicine on the St Mary’s Campus, has been awarded an honorary KBE in the New Year’s Honours List.

Professor Sir Ravinder Maini, Emeritus Professor of Rheumatology in the Kennedy Institute of Rheumatology in the Faculty of Medicine, has been knighted in the New Year’s Honours List.

Professor Anthony Newman Taylor, Honorary Professor of Occupational and Environmental Medicine in the Division of NHLI in the Faculty of Medicine, has been awarded a CBE in the New Year’s Honours List.

CHANGES TO DEPARTMENTAL AND OTHER TITLES

As part of the re-organisation of the College’s structure several departmental and other titles have been changed. The new titles are to be used with immediate effect:

The Planning and Information Division is renamed the Policy and Planning Division. Its former Information Section has been transferred to the Information and Communication Technology Division.

A new administrative Division, headed by Professor David Ewins, the Pro Rector for International Relations, has been formed from the International Office and the Schools Liaison Office with the title of the International and External Academic Affairs Division.

Dr Tidu Maini’s title as Pro Rector for Public and Corporate Affairs is now to be the Pro Rector for Development and Corporate Affairs.

With effect from 15 January 2003 the Management School has been renamed the Business School. It will be retitled the Tanaka Business School when the new building is opened in 2004.

The Centre for Continuing Education is renamed the Centre for Professional Development.

The Imperial College at Wye External Programme is renamed the Imperial College London Distance Learning Programme.
HEAD OF DEPARTMENT

Professor John Elgin, Professor of Applied Mathematics has been appointed as Head of the Department of Mathematics, in the Faculty of Physical Sciences with effect from 1 September 2003 for a period of five years, in succession to Professor Philip Hall.

PROFESSORS

Professor David Knox Houston Begg, currently Professor of Economics at Birkbeck College in the University of London, has been appointed Director of the Business School and Professor of Economics, with effect from 23 April 2003.

Professor Joseph Vilmos Hajnal, previously Research Associate in the MRC Clinical Science Centre, has been appointed to the Chair in Imaging Science in the Department of Imaging Science at the MRC’s Clinical Science Centre in the Faculty of Medicine, based at the Hammersmith Campus, with effect from 1 July 2002.

Professor Michael Anthony Lomax, currently holder of the Strathcona Fordyce Chair in Agriculture at Aberdeen University, has been appointed to the Chair in Animal Sciences in the Department of Agricultural Sciences in the Faculty of Life Sciences, based at the Wye Campus with effect from 1 May 2003.

VISITING PROFESSORS

Dr Anna Charny, currently Technical Leader at Cisco Systems USA, has been offered association with the College as Visiting Professor in IC Parc from 1 December 2002 to 30 November 2004.

Professor Peter Crane, currently Director of the Royal Botanic Gardens Kew, has been offered association with the College as Visiting Professor in the Department of Biological Sciences in the Faculty of Life Sciences, from 1 December 2002 to 30 November 2005.

Professor Christopher Del Mar, currently Deputy Head of School, School of Medicine and Director and Professor of General Practice in the Centre for General Practice at the University of Queensland, Australia, has been offered association with the College as Visiting Professor in the Division of Primary Care and Population Health Sciences in the Faculty of Medicine, from 1 January 2003 to 30 July 2003.

Dr Paul Rutter, recently Research Associate and Senior Advisor at BP, has been offered association with the College as Visiting Professor in the Department of Chemical Engineering and Chemical Technology in the Faculty of Engineering, from 1 November 2002 to 30 September 2005.

Professor Costas Soutis, currently Professor and Head of Aerospace Engineering at the University of Sheffield has been offered association with the College as Visiting Professor in the Department of Aeronautics in the Faculty of Engineering, from 1 January 2003 to 31 December 2004.
RESIGNATION

Professor Sumit Majumdar, Professor of Strategic Management in the Business School has resigned with effect from 30 November 2002.

R.B.S.
BACKGROUND

1. This Paper sets out some of the key issues in the Government White Paper on ‘The Future of Higher Education’ which was published on 22 January 2003.

2. The Government is seeking comments on the White Paper by 30 April 2003. The College will prepare a formal response to the consultation.

ISSUES

3. For ease of reference, this Paper groups the discussion under the six main themes in the White Paper, namely:

   a. Research Excellence
   b. Higher Education and Business
   c. Teaching and Learning
   d. Expanding higher education
   e. Fair access
   f. Freedoms and funding.

RESEARCH EXCELLENCE (pages 23 - 35)

4. The White Paper seeks to build on the announcement in the Spending Review that expenditure on science and research will increase by £1.25 billion (in total, including national and international facilities) by 2005/06. The White Paper proposes increased investment in the very best research institutions, the encouragement of ‘new and emerging’ areas of research (not the same as novel areas of research that we would recognise) and the development of new standards for research student funded places.

5. For the College the main area of potential gain relates to the creation of a 6* RAE rating in each subject area. International peers will look at “additional material” relating to 5* departments to identify the very best of the 5* departments which have a critical mass of researchers. Additional funding will flow to these 6* units over the three years from 2004-
5. For the College, 13 of its 22 submissions (and 75% of assessed staff) were in departments rated as 5* and hence potentially we have much to gain. A negative impact will, of course, be felt by those 5* units which are not rated as 6*. Such departments will no longer be able to claim the ‘top rating’ and knock-on effects may occur through League Tables, recruitment, funding from other sponsors, etc. Additional funding will, though, flow to the 6* units over the next three years but the White Paper is not clear whether this will be funded solely from ‘new money’ or through a reduction in the funding to those departments assessed at 5* or below.

6. The Science Research Investment Fund (SRIF) will be extended for a second round of capital allocations for the two-year period 2004-6. As with the first round of SRIF, the allocation to institutions will be based on a formula in which the College would expect to do well. The funding is mainly to be used to reduce the backlog of work required to renew the physical infrastructure. The Paper goes on to state (paragraph 2.19) that additional capital funding will be allocated to those ‘leading institutions’ which are well managed, are effective in supporting good research and knowledge transfer and provide relevant skills for the economy, in addition to a critical mass of excellent research. The details are not yet specified, but it seems fair to assume that the College will receive some funding from this. The Grant Letter to HEFCE from the Secretary of State separates the additional capital funding for leading universities from the requirement for good management, knowledge transfer, etc.

7. Paragraph 2.32 introduces a Promising Researcher Fellowship Scheme which will provide funding aimed at researchers in departments rated 4 or less in the 2001 RAE. Those selected will spend six months undertaking research in high rated departments. Each award will provide up to £50,000 for six months including replacement teaching costs. One hundred awards per year are anticipated by 2004 (2005 in the Grant Letter). On the whole, this would appear to be aimed predominantly at promising researchers in the less research-intensive universities. From the College’s perspective, it seems unlikely that the criteria or competition would lead to College staff in our 4 rated departments being funded to research in other College departments which are rated more highly. However, it seems likely that the College will be asked to host staff from other universities. We will need to have a policy in place for this, especially since no money appears to be promised to cover the costs incurred by the ‘host’ institutions.

**HIGHER EDUCATION AND BUSINESS (pages 36 – 45)**

8. As announced in the Science and Innovation White Paper, support to facilitate interactions between higher education and business will become a permanent third stream of HEFCE funding, worth £90M a year, in 2005-06. Disappointingly, it seems that the additional funding, at least, will be aimed predominantly at the less research-intensive universities. As paragraph 3.3 states ‘we want to provide incentives for the less research intensive universities to make close and productive links with business to promote the local and regional economy.’ It seems likely that the majority of funding under the second phase of the Higher Education Innovation Fund (HEIF II) will require collaborative bids which are developed in conjunction with, and have the support of, the Regional Development Agencies (RDAs).
9. A positive aspect of this section of the White Paper is the recognition that the less research-intensive universities should use funding under this stream to exploit acquired new technologies through consultancies rather than licensing new technology themselves. The research-intensive universities will, of course, still need financial support to exploit their research and continue to develop successful existing programmes.

TEACHING AND LEARNING (pages 46 – 56)

10. Much of the material in this section is worrying and downplays the significance of the link between teaching and research. For example, paragraph 4.33 proposes a change to the system used to confer university status. University title will now be awarded on the basis of taught degree awarding powers, student numbers and the range of subjects offered. Research degree awarding powers will no longer be relevant. It seems to be a neat way to enable, for example, the NHS University to function as a full university.

11. The White Paper seeks recognition of teaching in its own right and for universities to develop reward mechanisms based around teaching performance. In addition to the earmarked funding already provided within the human resource strategies, an extra £50M will be provided in 2004/05 followed by a further £117M in 2005/06. These monies will be transferred into the block HEFCE teaching grant once each institution has an approved pay and reward scheme, including rewarding excellent teaching.

12. The Government is keen for universities to develop more robust teaching performance measures. It is of some concern that DfES will ask HEFCE to explore ways of measuring ‘value added’ in terms of student achievement. This measure may look at the degree award of each student in relation to their entrance level performance, with the implication that value added is greater where a student started from a lower base. If the intention is to have a standard ‘value-add’ score across institutions, then HEFCE will need to make some assumptions about the standard of the final degree if the measure is to have any credibility. HEFCE have also been asked to review the honours classification system “given the increasing number of first and upper-second class degrees being awarded”.

13. Summaries of external examiners reports will be made public from 2004 (as part of the reformed QAA process). Training given to examiners will be ‘strengthened’ (both for internal and external roles) and a ‘national development programme’ for external examiners put in place by 2004-5. It is not clear what this means and whether external examiners will be required to be ‘developed’ before they can act. As we pointed out to the QAA last year, the fees paid for external examining are so nominal that the system risks collapse if staff were required to spend days in training for what most of them have been doing for many years.

14. Other measures within the White Paper are aimed at improving student choice and information to assist their decisions. The NUS will lead in publishing a Guide to Universities which will include student surveys, the national graduate survey, facilities available, external examiners’ reports and information about teaching standards.

15. Centres of Excellence for teaching will be established and funded at £0.5M per year (apparently independent of size) for five years. The funds will be used to reward academic staff and spread good practice. Centres will be able to bid for up to £2M capital funding each
to improve teaching infrastructure and accommodation. By 2006, some 70 Centres will be identified by peer review, with the expectation of more to follow. The process will be managed by HEFCE using existing information where possible. Depending on the criteria, the College might consider submitting for two or three of these.

**EXPANDING HIGHER EDUCATION** (pages 57 – 66)

16. The White Paper restates the Government commitment to increase participation ‘towards’ 50% of 18-30 year olds by 2010. It acknowledges that most of this expansion is unlikely to come from increased numbers studying traditional degree subjects. Instead, Foundation degrees are to be the main vehicle and from 2004 any additional funded places will be for foundation degrees. Other types of flexible provision (including flexible 2+ arrangements, credit transfer and e-learning) are also encouraged. One possible implication for the College is that it could come under pressure (from the Access Regulator) to admit students with foundation degree level qualifications onto later years of its courses.

**FAIR ACCESS** (pages 67 – 75)

17. The White Paper stipulates various measures to ensure fair access to higher education. The Partnerships for Progression initiative and the Excellence Challenge co-ordinators will be brought together under the AimHigher programme as part of the drive to build better links between schools, colleges and universities. Admissions procedures will be scrutinised with the aim of ensuring transparency, fairness and use of the widest possible range of information about applicants when making decisions. HEFCE, working with UUK, SCOP and UCAS will be asked to formulate best practice into a ‘flexible framework’ to ensure fairness and consistency. As it is suggested that the Access Regulator will require compliance with this framework, its development for use in our context will be crucial to our ability to charge higher fees. HEFCE will need to be briefed about the primacy of academic ability in our (and similar others’) admissions processes.

18. The White Paper restates the previous announcement that the funding premium for each student from a disadvantaged background will increase from 5% to around 20% from 2003-4. The impact for the College will be felt in two main ways. First, if this level of increase cannot be funded from additional resources available to HEFCE, then it can only be done (as the Chief Executive has already publicly explained) from a transfer from the core teaching grant to the widening participation fund. Given that the College’s current share of the core teaching grant is 1.4% compared with a share of 0.45% of widening participation funds, then the overall teaching grant will decrease. In addition, the methodology used to derive the premium is likely to be amended. At present, this is based on the home postcode of the student but in the future it is likely to take account of family income, the parents’ previous levels of education and the average results of the school attended. Those HEIs, including Imperial, which recruit students with traditional A level qualifications and from schools which perform well are likely to see a further decline in funding.

19. The White Paper also states that the Access Regulator will be asked to develop a system of drop-out benchmarks. As announced previously, the widening participation monies will be directed towards aiding retention.
20. The White Paper states that, from 2006 onwards, universities will be allowed to set their own tuition fee for undergraduate home and EU students within the range £0 to £3000. The monies will be collected once a student is earning through a new Graduate Contribution Scheme. The Government will continue to pay the first £1,100 of any contribution for those from low-income backgrounds. A maintenance grant (of up to £1000) will be re-introduced to provide help for students from the most disadvantaged backgrounds. Loans for living costs will continue.

21. The freedom to charge increased fees comes only with additional scrutiny. A Higher Education Access Regulator will be appointed. Working with HEFCE, their role will be to develop Access Agreements for each institution. Universities will be able to charge a fee in excess of the current standard fee only if they have an approved Access Agreement. Each Agreement will require ‘rigorous admissions regimes, bursary schemes and proactive engagement with schools and colleges’. In theory, the College should be able to meet these requirements. However, our policy of raising aspirations to higher education in general is likely to be at odds with a policy for institutions to target particular students. As paragraph 6.15. states, “… admissions staff, both academic and administrative [should be] properly trained so that they can recognise genuine potential as well as achievement and make fair decisions.” This could be problematic for the College since our course requirements necessitate prior specific knowledge and competencies, as demonstrated by A level (or similar) performance, rather than potential. Admitting those who are not prepared or equipped to benefit from our courses will be harmful to them and their fellow students and eventually counter-productive in improving access.

22. The maximum fee of £3,000 will still fail to recover the full costs of an undergraduate education at the College. The Transparency Review demonstrated that it costs approximately £10,500 to teach each Home/EU undergraduate student. The maximum fee combined with the HEFCE teaching grant would still leave a funding shortfall of the order of £900 per student at 2002 prices.

23. Paragraph 7.47 states that the Government would not wish to deter people entering training for, or taking jobs in, the public sector. In order to ensure a continued supply of high quality research students and post-docs, the College should urge that those entering postgraduate study, post-doctoral, academic and other selected employment in higher education should have their fees loan re-paid from the relevant funding source. This, though, will not begin to be a major funding issue until at least 2010 and probably not until after 2014.

24. The White Paper discusses, in paragraphs 7.16 – 7.23, the need to reduce dependence on Government funding and to seek alternative sources of funding (through donations, alumni contributions and so the building up of an endowment). The Paper states in paragraph 7.18 that the Government will seek the resources for a time limited, matched endowment fund to which any university can apply. The allocation mechanism would take account of universities’ existing fund-raising capacity and might include matching the disposal of under-used assets. The criteria for funding are likely to include capital renewal, research and
bursaries for poorer students. Possible sources of funding are currently being explored by the DfES. This appears to be a welcome initiative, if a source for the matching funds is identified.
PAPER C

HEALTH AND SAFETY AUDIT COMMITTEE

A Note by the Chairman of the Committee

VISIT TO THE DIVISION OF INVESTIGATIVE SCIENCES AT THE ST. MARY’S CAMPUS

1. The Health and Safety Audit Committee Meeting on 22 January 2003 took place at the St. Mary’s Campus and was preceded by a visit to the Division of Investigative Sciences. Following an excellent presentation on the management of health and safety within the Division, the Committee toured some of the laboratories and the visit was concluded by a discussion with senior staff of the Division.

2. By its own admission, the Division has only recently started to concentrate on its management of health and safety. Following its creation in 1997 as part of the medical school mergers, the Division’s senior management had been primarily concerned with reducing its operating deficit. As this was now under better control, it had been able to address health and safety issues across the Division more directly. To this end, in 2001 the Division appointed a full-time Divisional Safety Officer, Mrs J N Cotton, who has introduced a number of changes to the management of health and safety. These include the introduction of a ‘Safety Support Pack’, which provides staff with the Division’s Health and Safety Policies and the tools to assist with their implementation. The Division’s Health and Safety organisation has also been re-vamped with safety co-ordinators having been appointed in each of its Departments. The Divisional Safety Officer has also been conducting a series of audits of each Department designed not only to assess the extent to which the Division’s policies are being implemented, but also to encourage a culture in which the importance of safety is recognised by all staff.

3. The Committee was impressed with the Division’s structure for managing health and safety and was particularly pleased to see a strong commitment to health and safety being demonstrated by its senior staff. It was clear to the Committee that the Division had managed to make very real progress in a relatively short space of time. In just over a year, the Divisional Safety Officer, with the full support of the Head, had been able to introduce a comprehensive set of policies and procedures across the Division. Indeed the Division had recently been audited by the College’s Safety Unit and had achieved an excellent rating. It was recognised that the next stage for the Division would be to ensure compliance with its policies across all its sites and to foster a culture in which each member of staff understood their own responsibilities for health and safety. Although the Committee recognised that there was still much to be done, it commended the Division and the Divisional Safety Officer for the significant advances it had made in the previous year.

4. While touring the laboratories at St. Mary’s the Committee did note some concerns about the lack of storage space, which led to boxes being stored on high level shelves above the work benches. Other issues raised during the tour related to the storage of liquid nitrogen and the fire alarm system. These are being followed up by the Safety Director. The Committee also noted that, as a number of the Departmental Safety Co-ordinators were
research staff on short-term contracts, there might therefore be a high turnover of these staff. As it had done in its previous visit to the Division of Medicine, the Committee again raised its concern over the completion of health assessments for visiting staff and MSc students. Whereas a new member of staff or full-time student undergoes screening by the Occupational Health Service, it was not clear to the Committee that all visiting staff and/or students were screened with the same rigour to ensure that they were fit and able before commencing work in the labs.

HEALTH AND SAFETY AUDIT COMMITTEE MEETING

5. The following items were discussed at the Health and Safety Audit Committee Meeting on 22 January 2003.

6. **Rector’s Prize for Safety.** The Committee was pleased to hear that the College’s Executive Committee had approved the introduction of an annual “Award for Excellence in Health and Safety”, which would be open to all staff below senior management level. The Committee asked to be kept informed of progress with the Award. As it was designed to raise the profile of, and promote, health and safety, it was important that the Award should be publicised widely.

7. **Accident Reports.**

a. The Committee received a copy of the Higher Education Injury, Disease & Dangerous Occurrence Statistics Report. This included the College’s summary of accidents for 2001 and 2002 together with national statistics for 2001 produced by the University of Kent. The Committee noted that, for reportable injuries, (1) the College’s “injury rate” (that is the number of injuries per 1000 at risk) was in line with the national average for staff and students. For total injuries, however, the rate for students was significantly higher than the national average (13.83 against a national figure of 3.7). It was thought that this was because the College’s reporting procedures were more comprehensive than those at other institutions, and because the majority of students at the College were involved in work that was potentially hazardous. This would not be the case at other institutions. A copy of this Report is attached to this Paper for Council’s information together with a graphical representation of these figures.

b. The Health and Safety Council Papers also included a report of accidents since its last meeting. It was suggested that the College might consider publicising internally incidents where either a misunderstanding or a deliberate breach of College policy had led to a serious incident and/or accident. This would not only serve to advise others of particular areas of risk, but would also serve to highlight that breaches of health and safety procedures were taken seriously by the College.

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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, certain diseases and dangerous occurrences which could have resulted in a reportable injury are reported to the Health and Safety Executive (HSE).
8. **Long Term Maintenance.** At its previous meeting, the Committee had received a helpful Report on Long Term Maintenance (LTM) from the Director of Estates. During its discussion of this Paper, the Committee had been advised of the methods used for categorising and prioritising LTM work and it had been agreed that the Committee would be provided with a list of the categories and scheduled works. The Committee therefore received a detailed paper on the definitions and categorisation of priorities for LTM, examples of building surveys, an assessment of LTM demand by building and the LTM expenditure allocation schedule. The Committee also noted that this issue had been discussed by the Council at its meeting in October. The Committee’s interest in this issue is focused primarily on the investment required to meet the College’s health and safety obligations and it was therefore pleased to note the statement by the Director of Estates that the College currently complied with its legislative responsibilities. It was recognised that the next step would be for the Estates Division to conduct a gap analysis so as to ensure that those works that would not be addressed as part of the College’s Capital Plan, were included in the LTM plan.

9. **Stress Survey.** A copy of the Stress Survey, to which the College had contributed, was tabled. This appeared to show that the College was in line with other higher educations institutions. Manual and support staff showed the highest levels of stress. Interestingly, neither pay nor work overload were identified as particular causes of stress at the College.

**HEALTH AND SAFETY COUNCIL MEETINGS**

10. The Committee reviewed the Minutes and Papers of the Health and Safety Council Meeting held on 28 October 2002 making note, in particular, of the following issues:

   a. **Chairman.** Professor M P Hassell, the Principal of the Faculty of Life Sciences had been appointed as the Chairman of the Health and Safety Council, in succession to Professor J Caldwell, who had left the College. The Committee welcomed Professor Hassell’s appointment.

   b. **Annual Reports.** The Health and Safety Council had considered the annual reports from Campus Health and Safety Committees, together with some remaining Departmental Reports. The Committee agreed that these were of a high standard and that they again showed a steady improvement on the reports presented in previous years.

**NEXT MEETING**

11. The Committee’s next meeting will be on Wednesday 28 May. The meeting will be preceded by a visit to the Imperial College Union.

A.D. Roche
This Annex comprises the following:

1. A Report on Higher Education Injury, Disease and Dangerous Occurrence Statistics 2001 produced by the Safety Office at the University of Kent. These statistics are collated from the responses of 94 universities, including Imperial College.


4. Two graphs comparing the College’s injury rates for total injuries and for reportable injuries with national averages. Please note that national statistics for 2002 have not yet been published.
15 March 2002

Dear Colleague,

Higher Education Injury, Disease and Dangerous Occurrence Statistics 2001

Thank you for participating in the annual collation of statistics. Those contributing usable data, (94 institutions) are listed in the attached appendix. A master summary report is attached and comparison with recent years’ rates is given in the following table.

<table>
<thead>
<tr>
<th></th>
<th>Injuries per 1000 at risk</th>
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<tbody>
<tr>
<td>Staff</td>
<td></td>
</tr>
<tr>
<td>major injury</td>
<td>0.8</td>
</tr>
<tr>
<td>reportable injury</td>
<td>5.5</td>
</tr>
<tr>
<td>total injury</td>
<td>66</td>
</tr>
<tr>
<td>Students</td>
<td></td>
</tr>
<tr>
<td>reportable injury</td>
<td>0.07</td>
</tr>
<tr>
<td>total injury</td>
<td>5.3</td>
</tr>
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</table>

It is pleasing to note that the number of Universities contributing this year (94) has maintained and in fact slightly exceeded last year’s very good return rate. This is despite the fact that the UCEA letter to Vice Chancellors was not sent out this year. So on behalf of the Universities’ Safety Association I would like to thank all of those who have participated.

The reportable injury rate per thousand at risk for staff has continued its steady downward trend to 3.80 from 5.50 in 1996, and in fact is now lower than at any time in the 1990s. This is a very encouraging sign and as noted in previous reports could be seen as reflecting a steady improvement in the management of health and safety within Universities.
The three main causes of reportable injuries to staff are listed below for 2001, 2000 and 1999 in terms of their percentage of the total number of reportable accidents.

<table>
<thead>
<tr>
<th></th>
<th>1999</th>
<th>2000</th>
<th>2001</th>
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<tbody>
<tr>
<td></td>
<td>Slip, trip, fall - same level (30%)</td>
<td>Handling, lifting, carrying (30%)</td>
<td>Slip, trip, fall - same level (33%)</td>
</tr>
<tr>
<td></td>
<td>Handling, lifting, carrying (27%)</td>
<td>Slip, trip, fall - same level (28%)</td>
<td>Handling, lifting, carrying (28%)</td>
</tr>
<tr>
<td></td>
<td>Fall from height (12%)</td>
<td>Fall from height (11%)</td>
<td>Fall from height (9%)</td>
</tr>
</tbody>
</table>

The wide range of rates reported by the participating institutions noted in recent years was reduced in 2001 for staff reportables, viz. from 0.6 per 1000 to 14.0 per 1000 [see Charts 1 and 2 attached], however, it has slightly increased for total staff injuries ranging from 1.55 per 1000 to 164.5 per 1000.

The rates of student reportable and total injuries reported in 2001 have both significantly reduced and, in fact, are at their lowest level since 1996.

There continues to be significant under-reporting of non-injury accidents. In 2001 total dangerous occurrences have accounted for 10.7% on average of total accidents. Although this is a slight increase on 2000, it compares with a figure of 95% given by the HSE for a NHS hospital in their most recent book on the costs of accidents*.

There were a significant increase in the number of reportable diseases in 2001 at 39 compared to 23 in 2000 and 22 in 1999. The majority of these were again work-related upper limb disorders suffered by administrative staff although there were an increased number of reports in academic/related. This latter group also contributed the main increase in reportable diseases (see attached table). Although information about the types of work causing the problems was not requested, experience suggests that it may be reasonable to assume that work with DSE is the cause of most, if not all, of the WRULD ill-health.

There was also a noticeable increase in reports of occupational asthma (from 1 in 2000 to 7 in 2001) mainly in academic/related.

My thanks once again for your assistance in compiling this report.

Yours sincerely,

[Signature]

Encs:

* The costs of accidents at work, HS(G)96 ISBN 0 7176 1343 7
Summary Report

ACCIDENTS INVOLVING INJURY

<table>
<thead>
<tr>
<th></th>
<th>Staff (u/g+p/g)</th>
<th>Students</th>
<th>Others</th>
<th>TOTALS</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
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<tr>
<td>2</td>
<td>137</td>
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<td>3</td>
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<td>318</td>
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<td>7</td>
<td>251,626</td>
<td>1,339,833</td>
<td>1,591,459</td>
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<tr>
<td>8</td>
<td>3.8</td>
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<tr>
<td>9</td>
<td>50.5</td>
<td>3.7</td>
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DANGEROUS OCCURRENCES

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<td>11</td>
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<td>1,187</td>
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<tr>
<td>13</td>
<td>2,072</td>
</tr>
<tr>
<td>14</td>
<td>1.3</td>
</tr>
</tbody>
</table>

TOTAL ACCIDENTS (7+14)
# Higher Education Injury, Disease & Dangerous Occurrence Statistics Report

## REPORTABLE INJURIES - RIDDOR CATEGORIES

2001 - Data from 94 universities

<table>
<thead>
<tr>
<th>RIDDOR Cause</th>
<th>Staff</th>
<th>Students</th>
<th>Others</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact with moving machinery or material being machined</td>
<td>21</td>
<td>13</td>
<td>1</td>
<td>35</td>
</tr>
<tr>
<td>Hit by a moving, flying or falling object</td>
<td>65</td>
<td>29</td>
<td>7</td>
<td>101</td>
</tr>
<tr>
<td>Hit by a moving vehicle</td>
<td>6</td>
<td>2</td>
<td></td>
<td>8</td>
</tr>
<tr>
<td>Hit something fixed or stationary</td>
<td>55</td>
<td>29</td>
<td>11</td>
<td>95</td>
</tr>
<tr>
<td>Injured while handling, lifting or carrying</td>
<td>265</td>
<td>41</td>
<td>7</td>
<td>313</td>
</tr>
<tr>
<td>Slipped, tripped or fell on the same level</td>
<td>315</td>
<td>67</td>
<td>37</td>
<td>419</td>
</tr>
<tr>
<td>Fell from a height</td>
<td>86</td>
<td>33</td>
<td>26</td>
<td>145</td>
</tr>
<tr>
<td>Trapped by something collapsing</td>
<td>1</td>
<td>2</td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>Drowned or asphyxiated</td>
<td>2</td>
<td>1</td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>Exposed to, or in contact with a harmful substance</td>
<td>24</td>
<td>27</td>
<td>1</td>
<td>52</td>
</tr>
<tr>
<td>Exposed to fire</td>
<td>1</td>
<td>2</td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>Exposed to an explosion</td>
<td>2</td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Contact with electricity or an electrical discharge</td>
<td>6</td>
<td>1</td>
<td>2</td>
<td>9</td>
</tr>
<tr>
<td>Injured by an animal</td>
<td>4</td>
<td>4</td>
<td>1</td>
<td>9</td>
</tr>
<tr>
<td>Physically assaulted by a person</td>
<td>13</td>
<td>8</td>
<td>13</td>
<td>34</td>
</tr>
<tr>
<td>Another kind of accident</td>
<td>99</td>
<td>60</td>
<td>16</td>
<td>175</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td>964</td>
<td>318</td>
<td>124</td>
<td>1406</td>
</tr>
</tbody>
</table>
CHART 1 - Range of Staff Reportable Rates - 2001

Number of universites in each range

Staff reportable rate value range

No. in Range

0.0 - 0.9
1.0 - 1.9
2.0 - 2.9
3.0 - 3.9
4.0 - 4.9
5.0 - 5.9
6.0 - 6.9
7.0 - 7.9
8.0 - 8.9
9.0 - 9.9
10.0 - 10.9
11.0 - 11.9
12.0 - 12.9
13.0 - 13.9
14.0 - 14.9

25.0
20.0
15.0
10.0
5.0
0.0
## RIDDOR Schedule 3, Part I: Reportable Diseases

**Master Report:** 94 Universities/Institutions  
**Year:** 2001

<table>
<thead>
<tr>
<th>Category of staff</th>
<th>Disease number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>8</td>
</tr>
<tr>
<td>1. Academic/related</td>
<td>5</td>
</tr>
<tr>
<td>2. Administrative</td>
<td>7</td>
</tr>
<tr>
<td>3. Catering</td>
<td></td>
</tr>
<tr>
<td>4. Cleaning/domestic</td>
<td>2</td>
</tr>
<tr>
<td>5. Farm workers</td>
<td></td>
</tr>
<tr>
<td>6. Grounds/gardening</td>
<td></td>
</tr>
<tr>
<td>7. Maintenance</td>
<td></td>
</tr>
<tr>
<td>8. Portering</td>
<td></td>
</tr>
<tr>
<td>9. Security</td>
<td></td>
</tr>
<tr>
<td>10. Technical</td>
<td></td>
</tr>
<tr>
<td>11. Other staff</td>
<td>1</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td>16</td>
</tr>
</tbody>
</table>

**Code Number**

- **8:** Cramp of the hand or forearm due to repetitive movements
- **12:** Traumatic inflammation of the tendons of the hand or forearm or of associated tendon sheaths
- **13:** Carpel tunnel syndrome
- **45:** Occupational dermatitis
- **47:** Occupational asthma
Appendix

Higher Education Injury, Disease and Dangerous Occurrence Statistics 2001

The 2001 summary report contains data from the following 94 universities and institutions:

Aberdeen
Aston
Bath
Birkbeck College
Birmingham
Bolton Institute
Bournemouth
Bradford
Bristol
Brunel
Cambridge
Canterbury Christ Church
Cardiff
Central England
Central Lancashire
Coventry
Cranfield
De Montfort
Derby
Durham
East Anglia
East London
Edinburgh
Essex
Exeter
Glamorgan
Glasgow
Gloucestershire
Heriot-Watt
Hertfordshire
Huddersfield
Hull
Imperial College
Keele
Kent
King's College London
Kingston
Lancaster
Leeds
Leeds Metropolitan
Leicester
Lincoln
Liverpool
Liverpool Hope
Liverpool John Moores
London Guildhall
London Institute
London Sch Hygiene/Trop Med
Luton
Manchester
Manchester Metropolitan
Napier
Northumbria at Newcastle
Nottingham
Nottingham Trent
Open
Oxford
Oxford Brookes
Paisley
Plymouth
Portsmouth
Queen's Belfast
Reading
Robert Gordon
Royal Holloway
Royal Veterinary College
Salford
Sheffield
Sheffield Hallam
South Bank
Southampton
St Andrews
St George's Hosp Med School
St Mark and St John
Staffordshire
Stirling
Strathclyde
Sunderland
Surrey
Sussex
Teeside
Thames Valley
Ulster
UMIST
University College London
Wales College, Newport
Wales Institute, Cardiff
Wales, Aberystwyth
Wales, Bangor
Wales, College of Medicine
Wales, Swansea
Warwick
West of England
York
Higher Education Injury, Disease & Dangerous Occurrence Statistics Report

The information contained within this Report must not be transmitted to any other person without the consent of the Safety/Reporting Officer stated below.

University: Imperial College Safety/Reporting Officer: Dina Mannix
Period from: January 2001 to December 2001 Date: 10.01.02

The completed Report must be sent to:
Mr. M. Salmon, Safety Office, Physical Sciences Building, University of Kent, Canterbury, Kent CT2 7NR

Summary Report

ACCIDENTS INVOLVING INJURY

<table>
<thead>
<tr>
<th>Staff</th>
<th>Students (UG+BPP)</th>
<th>Others</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. Fatalities

2. Specified major injuries

3. Non-employee: hospital treatment for reportable injuries

4. Other injuries involving more than 3 days lost time

5. Total reportable injuries (1 + 2 + 3 + 4)

6. Other accidents involving injury

7. Total accidents involving injury (5 + 6)

8. Numbers of persons at risk

9. Reportable injuries per 1000 at risk (5/8) x 1000

10. Total injuries per 1000 at risk (7/8) x 1000

DANGEROUS OCCURRENCES

11. Reportable dangerous occurrences

12. Fires

13. Other dangerous occurrences

14. Total dangerous occurrences (11 + 12 + 13)

15. Dangerous occurrences per 1000 at risk (14/8) x 1000

OCCUPATIONAL DISEASE REPORTABLE UNDER RIDDOR

<table>
<thead>
<tr>
<th>Schedule no: of disease</th>
<th>Category of person (as defined in App. 2 of notes)</th>
<th>No: of cases</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RIDDOR Cause</td>
<td>Number of reports</td>
<td></td>
</tr>
<tr>
<td>-----------------------------------------------------------------</td>
<td>-------------------</td>
<td></td>
</tr>
<tr>
<td>Contact with moving machinery or material being machined</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Hit by a moving, flying or falling object</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Hit by a moving vehicle</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Hit something fixed or stationary</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Injured while handling, lifting or carrying</td>
<td>8 1</td>
<td></td>
</tr>
<tr>
<td>Slipped, tripped or fell on the same level</td>
<td>8 1</td>
<td></td>
</tr>
<tr>
<td>Fell from a height</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Trapped by something collapsing</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Drowned or asphyxiated</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Exposed to, or in contact with a harmful substance</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Exposed to fire</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Exposed to an explosion</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Contact with electricity or an electrical discharge</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Injured by an animal</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Physically assaulted by a person</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Another kind of accident</td>
<td>1 1 2</td>
<td></td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>22 2 3 27</strong></td>
<td></td>
</tr>
</tbody>
</table>
The information contained within this Report must not be transmitted to any other person without the consent of the Safety/Reporting Officer stated below.

University: Imperial College  
Safety/Reporting Officer: Dinah Mannix  
Period from: January 2002 to December 2002  
Date: 15.01.03

The completed Report must be sent to:  
Mr. M.L. Salmon, Safety Office, Physics Building, University of Kent, Canterbury, Kent. CT2 7NR

### Summary Report

#### ACCIDENTS INVOLVING INJURY

<table>
<thead>
<tr>
<th>Description</th>
<th>Staff</th>
<th>Students</th>
<th>Others</th>
<th>TOTALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Fatalities</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0</td>
</tr>
<tr>
<td>2 Specified major injuries</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>3 Non-employee: hospital treatment for reportable</td>
<td>2</td>
<td>3</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>4 Other injuries involving more than 3 days lost time</td>
<td>17</td>
<td>-</td>
<td>3</td>
<td>20</td>
</tr>
<tr>
<td>5 Total RIDDOR reportable injuries (1 + 2 + 3 + 4)</td>
<td>227</td>
<td>130</td>
<td>60</td>
<td>417</td>
</tr>
<tr>
<td>6 Other accidents involving injury</td>
<td>244</td>
<td>132</td>
<td>63</td>
<td>440</td>
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<tr>
<td>7 Total accidents involving injury (5 + 6)</td>
<td>5622</td>
<td>9,399</td>
<td>63</td>
<td>64,675</td>
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<tr>
<td>8 Numbers of persons at risk</td>
<td>3.02</td>
<td>0.21</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>9 RIDDOR Reportable injuries per 1000 at risk (5/8) x 1000</td>
<td>43.4</td>
<td>14.04</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

#### DANGEROUS OCCURRENCES

<table>
<thead>
<tr>
<th>Description</th>
<th>No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 RIDDOR Reportable dangerous occurrences</td>
<td>192</td>
</tr>
<tr>
<td>12 Fires</td>
<td>206</td>
</tr>
<tr>
<td>13 Other dangerous occurrences</td>
<td>13</td>
</tr>
<tr>
<td>14 Total dangerous occurrences (11 + 12 + 13)</td>
<td>64</td>
</tr>
</tbody>
</table>

#### TOTAL ACCIDENTS (7 + 14)

<table>
<thead>
<tr>
<th>Description</th>
<th>No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>15 Dangerous occurrences per 1000 at risk (14/8) x 1000</td>
<td>64</td>
</tr>
</tbody>
</table>

### OCCUPATIONAL DISEASES REPORTABLE UNDER RIDDOR

<table>
<thead>
<tr>
<th>Schedule no. of disease</th>
<th>Category of person (as defined in Appendix to Guidance Notes)</th>
<th>No. of cases</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RIDDOR Cause</td>
<td>Number of reports</td>
<td></td>
</tr>
<tr>
<td>---------------------------------------------------------------</td>
<td>-------------------</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Staff</td>
<td>Students</td>
</tr>
<tr>
<td>Contact with moving machinery or material being machined</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Hit by a moving, flying or falling object</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Hit by a moving vehicle</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Hit something fixed or stationary</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Injured while handling, lifting or carrying</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>Slipped, tripped or fell on the same level</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>Fell from a height</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Trapped by something collapsing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Drowned or asphyxiated</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Exposed to, or in contact with a harmful substance</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Exposed to fire</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Exposed to an explosion</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contact with electricity or an electrical discharge</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Injured by an animal</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Physically assaulted by a person</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Another kind of accident</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>17</strong></td>
<td><strong>2</strong></td>
</tr>
</tbody>
</table>
1. The Minutes of the Meetings of the Senate held on 6 November 2002 and 11 December 2002 are attached\(^1\). The following points are drawn to the attention of Council.

**MINUTE 483 – POWERS OF THE SENATE**

2. The Senate noted that, pending Privy Council approval of an amendment to the Statutes to enable the Senate to delegate responsibilities to individuals, a Chairman’s Action Committee had been established to take forward urgent Senate business between meetings of the Senate.

**MINUTE 487 - OVERSEAS RESEARCH STUDENT FEE AWARD SCHEME 2002**

3. The Senate received the results of the 2002 ORS Fee Award Scheme competition and noted that the College had been allocated 45 new awards compared with 48 new awards in 2001.

**MINUTE 500 – STUDENT ON-LINE EVALUATION (SOLE)**

4. The Senate noted that the first College-wide Student On-Line Evaluation exercise had been successfully completed, with an overall response rate of 40%.

**MINUTE 504 – REVIEW OF POSTGRADUATE TAUGHT PROGRAMMES**

5. The Senate was pleased to support the implementation of new procedures for the periodic review of postgraduate taught programmes at Faculty level, to be conducted under the auspices of the Graduate Studies Committee.

R.B.S.

\(^1\) Not included with these Minutes
UPDATE ON COLLEGE BORROWINGS

1. The Committee received a paper from the Director of Finance regarding the status of the two major components of the College’s borrowing strategy: a private placement for £50M and a loan from the European Investment Bank (EIB) for £23M. It was confirmed that the rate for the private placement had been fixed at 5.39% over the 30 year term and that, subject to formal due diligence by the lenders, the money would be drawn down on 6 March 2003. The Committee was also advised that the negotiations with the EIB were progressing well. The terms remained as previously noted: 15 year life, with a grace period of 3 years before capital repayment begins. The interest rate would be settled at the two anticipated drawdowns in May 2003 and May 2004.

2. The Committee reviewed the covenants attaching to the two facilities and were satisfied that the stipulated conditions were very acceptable. In particular, it was noted that none of the covenants should unduly constrain the College’s other fundraising or property development activities. The Committee also noted three further points:

   a. The need for the Finance Division to manage appropriately the treasury risks being taken on with these borrowings.
   b. The need for the Finance Division to provide regular covenant monitoring.
   c. The need to plan for the funding of the debt service requirements.

3. The Committee noted that the agreements would be ratified by the sub-committee set up by the Council to approve the loans, and that the details would be formally presented to Council on 14 February 2003.

FINANCE DIRECTOR’S REPORT

4. The Director of Finance provided the Committee with a report on various key financial issues:

   a. It was noted that the College is exempt from corporation tax, and that it is only able to secure a partial recovery on VAT. However, it was also noted that this exemption means certain tax breaks, such as capital allowances, that are used by commercial organisations are not available to the College. It was agreed, therefore, that careful consideration should to be given to the structure of future property
development and construction projects in order to optimise the benefits available due to the differing tax statuses of the parties involved in any specific project.

b. Following the query raised at the last Council Meeting, the Director of Finance also gave the Committee an explanation of the College’s accounting policy with regard to reserves, the use of general reserves and the accounting treatment of depreciation in relation to College-owned assets for which there is not a specific and identifiable income stream. It was agreed that in future the emphasis should be placed on reporting the overall reserve position. It was confirmed that the College’s total reserves stood at over £100M, and that this position was not expected to change materially in the near future.

c. The Director of Finance also provided the Committee with an updated cash flow projection and a brief report on the College’s current operating surplus forecast. On the former it was stressed that cash flow projections from the Finance Division needed to be consistent with capital project commitments and plans – and vice versa. On the Income and Expenditure (I and E) Statement, it was noted that the College was still forecasting an operating deficit for the current year, but it was confirmed that the need to ensure that the I and E account was brought into balance for the following year would be considered by the Executive Committee.

INTELLECTUAL PROPERTY VALUATION REPORT

5. The Committee received an updated summary of valuations for the College’s spin-out companies as at the end of December 2002 from Dr Maini, the Pro Rector (Development and Corporate Affairs). The Committee noted that, as might be expected in a portfolio of unquoted private companies, there was no significant change since October 2002. Dr Maini noted that the funding environment for new private companies remains very difficult, with the result that Innovations role has become more focussed on those spin-out companies with the best chance of success. It was confirmed that despite these challenging circumstances, Innovations had made good progress in securing finance from two proposed technology focussed funds.

APPROVED CAPITAL PROJECTS REPORT

6. The Committee received a report on the status of the College’s main Capital Projects from the Director of Estates. The Committee was pleased to note that positive moves had been taken to ensure that the £1.4M cost saving on the Primary Electrical Infrastructure Project had now been secured and that the Physics SRIF project has now been re-scoped to overcome the projected £900K overspend.

M.P.K.
INTRODUCTION

1. At its Meeting in October, the Council approved a revised Funding Policy whereby the College would borrow up to £100M, utilising a balanced mix of sources, maturities and interest rate bases. The detailed work was delegated to a committee (the “Borrowing Committee”), reporting back to the Council via the Finance Committee.

BORROWING PROGRAMME

2. Formal approval is now sought for the following, which, together with the short-term facilities previously approved, will complete the programme:

   a. £50M of Senior Notes, by private placement with financial institutions (Prudential M&G: £35M, GE Capital: £10M; and UNUM Provident: £5M), interest fixed for 30 years at 5.39%. Draw down is scheduled for 6 March. Interest will be payable half-yearly commencing 6 September. The principal is repayable in a single payment on maturity.

   b. £23M (approximately) from the European Investment Bank (“EIB”), for 15 years, interest either fixed or floating at our option, at rates to be determined at draw down, but generally about 1% finer than the College could obtain in the commercial market. No draw down timing has yet been settled but it could possibly be £10M in May 2003 and £13M in May 2004. There is a repayment moratorium for three years, and then capital is repaid over the remaining 12 years.

3. Both borrowings will be unsecured.

4. The text of the underlying agreements has been considered by the College’s lawyers (Ashurst Morris & Crisp). The principal conditions, particularly as regards covenants to be given by the College, have also been considered by the Finance Committee.

RESOLUTIONS

5. The Finance Committee considered that the proposed long and medium term loans fulfilled the requirements of the Financial Memorandum between Imperial and the HEFCE, which are that:

   a. Any new (capital) investment should be consistent with the institution’s corporate plan and should represent the best value option.
b. Any new financial commitment, or re-financing arrangement, should be consistent with the institution’s financial strategy and represent best value.

c. The institution must be able to meet its financial commitments, without recourse to additional grant (from the HEFCE), and its ability to maintain financial and academic viability must not be impaired as a result of its financial commitments.

d. The institution’s governing body has taken an informed decision regarding any new financial commitment or refinancing arrangement.

6. Accordingly, Council is invited to consider, and if it sees fit, approve the following resolutions:

(1) The Council empowers and authorises the Borrowing Committee to finalise the terms of the Note Issue and the EIB Loan (together, the “Finance Transactions”) including the terms of the Note Purchase Agreement to be entered into with the purchasers of the Notes and the EIB Loan Agreement to be entered into with the European Investment Bank (together, the “Finance Documents”).

(2) The Council empowers and authorises the Borrowing Committee to do all such acts and to agree all such documents, certificates and notices and other communications as may be required in connection with or as contemplated by the terms of the Finance Transactions or any Finance Document or as may be necessary or desirable in order to complete them.

(3) The Council empowers and authorises any member of the Borrowing Committee to execute and deliver the Finance Documents and to execute all such documents, certificates and notices and other communications as may be required in connection with or as contemplated by the terms of the Finance Transactions or any Finance Document or as may be necessary or desirable in order to complete them.

(4) The Council empowers and authorises the Clerk to the Council, upon the request of the Borrowing Committee, to execute and deliver any certificates and notices and other communications that may be required in connection with or as contemplated by the terms of the Finance Transactions or any Finance Document or as may be necessary or desirable in order to complete them.

A.S.D.C.
 Council  14 February 2003

PAPER G

FINANCE MANAGEMENT REPORT
for the five months ended 31st December 2002

A Note by the Director of Finance

FORMAT OF FINANCE MANAGEMENT REPORT

1. Page 1 of the Report (1) has been revised to include year-to-date results and expenditure classified by responsibility. It is considered that the new format provides a more useful view of current performance against budget and a better way of monitoring costs.

LATEST FORECAST – 2002/03 (Page 1)

2. No significant changes in the full year forecast have been made since the last Report. The forecast operating deficit is £4.6M compared with the last reported forecast of £4.5M and the budget of £3.2M. As reported at the December Meeting, the main reasons for the variance from budget are £0.8M in respect of the SAUL provision and £0.2M in respect of an unbudgeted provision for the specialist engineering facility.

3. The forecast for exceptional income remains unchanged at £2.8M. The reasons for the shortfall from the budgeted exceptional income were reported in December.

4. As a result of the above, the forecast for the overall deficit remains almost unchanged at £1.8M (against £1.7M last reported).

YEAR TO DATE RESULTS (Page 1)

5. To provide a better view of current performance against budget, certain income and expenditure items which in previous years were recorded only in the last month of the year are now accounted for on a monthly basis. Work continues to refine the phasing of the annual budget to allow a better comparison between year-to-date actual results and budget.

6. The year-to-date net operating surplus of £1.4M contrasts with the full-year forecast deficit. The reason for this is that the rate of spend tends to be higher in the second half of the year.

7. With five months (41%) of the year elapsed, the overall income to date is in line with budget. However, research overhead income is £0.8M below budget.

(1) Not included with these Minutes
8. The shortfall of overhead income of £0.8M is represented by Engineering £0.5M below and Medicine £0.9M below, offset by Life Sciences £0.5M above and Business School £0.1M above budget. The negative variances are being investigated by the Faculties to assess the likelihood of delivery of the full year income targets.

9. Actual expenditure, including Research direct expenses, in all Faculties totalled £111.7M, some £1.5M below budget. Non-staff recurring expenditure at £12.0M represents 35% of the full year forecast.

10. Actual expenditure for the year to date totalled £28.8M, some £1.3M below budget. The under-spend against budget is considered likely to reduce as the year progresses.

11. In line with the normal seasonal trend, the net cash position deteriorated slightly in the month from a net positive position of £2.4M to a net negative £0.5M. (However, at 31 January net cash was again positive).

12. Invoiced debtors reduced from £81.1M at 30 November to £75.8M at 31 December, mainly due to a £3.6M reduction in student fee debt. The over-12 month element continues to improve and is down from £12.2M a year ago, and £6.5M last month, to £5.6M at 31 December.

13. Expenditure in the first five months totalled almost £19M. A further £59M is forecast to be spent in the remaining seven months. This seems unlikely, although there is about to be a sharp acceleration in the average monthly spend rate, as reflected in the cash flow chart.

14. The updated chart showing projected cash balances shows a very similar pattern to those recently presented to Council and indicates that borrowings are expected to reach over £90M in about eighteen months’ time. A separate paper has been presented to the Meeting concerning the borrowing facilities previously considered by Council.
INTRODUCTION

1. The Council will recall that the Burlington Danes Project is a strategic development to create an innovative translational clinical research facility at Imperial. This would position the College alongside rival institutions with similar interactions across these interfaces, and at the forefront of UK biomedical and clinical research. The facility would be housed in a new, purpose-built building at the College’s Hammersmith Campus providing 20,000 square metres (gross) of space for research and development.

2. Burlington Danes is the only realistic opportunity to expand or consolidate activity at the Hammersmith Campus (which is home to about 40% of the Faculty of Medicine’s research activity as a whole). It is therefore integral to the Faculty of Medicine and Imperial’s research strategy. To facilitate this development, the College has achieved key heads of an agreement with a major pharmaceutical company to establish a major new imaging facility on the site. The co-location of Imperial staff (and those of the Hammersmith Hospitals Trust) with this facility will present major collaborative opportunities at the cutting edge of translational research. The College believes that the introduction of a key external partner will also act as a magnet to other occupants, as has happened in similar situations elsewhere, for example at Cambridge.

4. The Hammersmith Hospital is unique as a ‘research’ hospital, receiving the highest amount of NHS R&D funding in the UK. This facilitates important collaboration between the Trust and Imperial. However, Hammersmith’s position is under threat from the NHS, particularly through the loss of NHS R&D funding. The proposed Burlington Danes initiative would enhance both the Hospital’s and Imperial’s clinical science position to ameliorate this significant risk.

5. The total Project costs are estimated at £113M. The College cannot itself meet the significant costs involved in this Project and is therefore exploring external funding options.

EXPENDITURE TO DATE

6. Governors will recall that on 18 October last year the Council endorsed a Vacation Powers Committee’s decision, taken during the summer vacation, to authorise an initial spend of £1.5M of College funds to take the Project through feasibility to outline design. This approval was on the condition that this did not constitute a commitment by the College to act as lead developer on the Project or to take on the development risk entailed in it.
APPROVAL REQUIRED

7. In order that the Project may progress towards scheme design over the next three months a further £870K of College funding is required. This would take the College’s total commitment at this stage to £2.37M and will be supplemented by a contribution of £0.95M from the College’s external partner, taking the total expenditure commitment on the Project to £3.32M.

8. The College’s Executive Committee has considered this proposal and agreed to recommend that the Council approve this limited additional expenditure as the sum of money necessary to make reasonable progress to encourage third party investment, mitigating Project risk whilst limiting the College’s exposure.

9. The Principal of the Faculty of Medicine will make a fuller presentation on the Project at the Council Meeting. In the meantime, a breakdown of the Project Activities/ Deliverables to be executed over the next three months together with a breakdown of their costs is appended to this Paper.

D.B.W.
L.B.
THE BURLINGTON DANES MEDICAL RESEARCH FACILITY -
THE NEXT THREE MONTHS (FEBRUARY TO APRIL 2003)

AIM

1. The key aims of the Project Team’s activities over the next three months are to:
   - Assist the College secure funding for the Project.
   - Minimise the development risks.

2. We have therefore targeted work on the critical high cost design elements and third party approvals/ agreements.

PROJECT TEAM ACTIVITIES/DELIVERABLES

3. **Complete State C – Outline Scheme Design (Covered in Existing Fees).**
   a. Prepare and submit detailed planning application on revised scheme (18,188m² GIA).
   b. Confirm College and partner approvals to amended Stage C.

4. **Progress Stage D (Full Scheme Design) - Design (39%).**
   a. Continue external partner briefing and design (Note: Imperial College and CBS areas to be put on hold).
   b. Develop design and costing of following critical high cost elements:
      - (1) external envelope cladding
      - (2) epistitial wall
      - (3) lifts
      - (4) atrium
      - (5) primary services distribution (outside floor plate)
      - (6) central plant (space allocation and capacities)
      - (7) substructure and superstructure (form and materials)
      - (8) lifts
      - (9) atrium
   c. Develop key design strategies as input to the above for:
      - (1) fire
(2) vibration

d. Confirm schedule of total building areas, gross and net internal floor areas.

e. Investigate capital allowances and VAT liability.

5. **Continue Negotiations with Third Parties.**

a. Finalise Agreement for Lease with external partner (including funding level and parking spaces).

b. Progress Heads of Terms on funding agreement with other external partners.

c. Progress discussion on opportunities and requirements with other partners/users as required.

d. Special Trustees:

   (1) Update them on revised scheme.
   
   (2) Finalise split of funding for new 8MVA supply, common external areas and demolition of existing school buildings.

e. School - secure agreement in principle to temporary use of playing fields during construction and possible purchase for longer term parking use.

**APPROVAL REQUIRED FROM COUNCIL**

6. **Currently Authorised Expenditure to end January 2003.**

   a. The current authorisation comprises two elements, one funded by Imperial College, the other by the College’s external partner. The split is calculated by ratio of floor area, taken as approximately 6,000m²:12,000m² Partner:Imperial on project costs only (i.e. the College’s own costs excluded):

      (1) Imperial College expenditure authorisation (£1,400,000 £1,500,000 project costs plus £100,000 the College’s own costs)
      
      (2) Partner’s contribution on project costs £650,000
      
      (3) **Total expenditure limit (incl VAT)** £2,150,000

   b. Current commitment against this authorisation is £2,086,472 (incl VAT).

7. **Stage D Fees.**

   a. The original project programme shows Stage D as an activity lasting four months. The Executive Committee has endorsed, subject to Council approval, limited additional expenditure over the next three months whilst development funding is being
secured by the College. Assuming full authorisation is secured for the next stage at the end of the three month period, the Stage D design will be a six-month activity, with the initial three months being undertaken at a reduced speed and with a reduced financial commitment.

b. The proposed expenditure for the initial 3 months of Stage D at reduced speed is as follows:

1. **Project Team Fees:**
   - Design Team (39% of Stage D fee) £735,700
   - Cost Consultant (39% of Stage D fee) £70,800
   - Project Manager £72,350
   - User Co-ordinator £21,150

   **Sub-Total (incl VAT)** £900,000

2. **Sundries (assume the College’s own costs at present):**
   - Legal £188,000
   - 8MVA power supply reservation £24,252
   - Planning Fee £11,000
   - Other (e.g. property/leasing advice, special presentation material) £47,000

   **Sub-total (incl VAT)** £270,252

3. **Total (incl VAT)** £1,170,252

**Note:**

a. Legal fees to cover:
   - Agreement for Lease with external partner
   - Special Trustees Development Agreement
   - Consultant Team Appointments
   - Heads of Terms with other external partner
   - Other third party agreements

b. £93,504 (incl VAT) invoiced by Cameron McKenna the first two items to date.

8. **Approval Required.**

a. Authorisation is now required to cover the current commitment of £2,086,472, plus the initial 3 month Stage D expenditure of £1,170,252. This totals £3,256,724.

b. To allow for this, an increase of the College’s commitment from the current £1.5M to £2.37M is required. This provides for a total expenditure limit of:

1. Imperial College expenditure on project costs £2,100,000

A- 3
(2) Imperial College expenditure on own costs (sundries) £270,252

(3) External partner’s contribution on IC project costs £950,000

(4) Total expenditure limit (incl VAT) £3,320,252

9. **Summary.**

<table>
<thead>
<tr>
<th>Description</th>
<th>To Date</th>
<th>Future</th>
</tr>
</thead>
<tbody>
<tr>
<td>College Authorised Spend for initial three months of Stage D design</td>
<td>£1.5M</td>
<td>£2.1M + £0.27M = £2.37M</td>
</tr>
<tr>
<td>External partner</td>
<td>£0.65M</td>
<td>£0.95M</td>
</tr>
<tr>
<td>Total Expenditure for initial three months of Stage D design</td>
<td>£2.15M</td>
<td>£3.32M</td>
</tr>
</tbody>
</table>
INTRODUCTION

1. The Committee’s last Report to the Council was made in February 2002. Since then, the Committee has met three times, in June and October 2002 and January 2003. In conjunction with these Meetings, the Committee has visited facilities at Silwood Park and Charing Cross Campus as well as viewing the programme for the refurbishment of halls of residence at Evelyn Gardens.

2. The Committee has continued to concentrate on monitoring the catering and bar activities of the College, the ICU and the Holland Club and 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 now receive reports on any particular Health & Safety issues that have arisen.

CATERING AND CONFERENCES

4. Refurbishments.

   a. With the continued delay in the refurbishment of the Southside halls of residence the Catering Division undertook a survey to establish the cost of refurbishing the Southside Bar. The costs for this were higher than expected and the decision was taken not to proceed with any work. The Committee are keenly awaiting further developments in the College’s Prince’s Gardens Strategy.

   b. A new café has been built in the Electrical Engineering Building as part of its refurbishment and this has just opened. The Catering Division has also undertaken to open a new outlet in the Commonwealth Building at the Hammersmith Campus.

   c. The Committee were disappointed to learn that due to local council policy changes it would not be possible to obtain a hotel licence for Beit Hall during the vacation periods. This in no way prevents the College from using the Hall for vacation letting, but does limit its flexibility in exploiting the potential market.

5. Financial Position.

   a. The Committee received accounts for the period 2001-2002 that showed a positive variance of £61K for the catering and bars operation against the revised budget. The Division achieved sales of £5.33M in 2001-02.
b. Performance in the first 4 months of 2002-03 compares very favourably with the previous year. In particular the accounts for Silwood Park are within £800 of a budgeted loss of £11K against a loss in the previous year of £59K.

c. The Conference Office accounts for the period 2001-02 showed a surplus of £43K for the year against a forecast surplus of £90K. However, both foot and mouth and the threat of terrorism seriously affected trade in the year.

6. **Computerised Catering Management.** The Catering Department has now installed a new computerised Catering Management and Stock Control System at the South Kensington Campus, which it plans to extend to both Silwood Park and Wye later in 2003. This is already beginning to show substantial benefits and has been combined with the introduction of discounts for those customers able to present a College ID card. Both of these measures will assist in the College’s proposed move to a cashless payment system next year.

7. **Forward Business.** The Committee continue to receive Forward Business Reports for both the Conference Office and the Vacation Accommodation Office. The Forward Business Reports for the year 2002-03 compare favourably with the results for 2001-02.

8. **Reception Services.** The Conference Office is now responsible for the new Reception Service which has just been launched and which comprises a Reception Manager and 15 members of staff. These now man the lodges in the main buildings on the South Kensington Campus, releasing Security staff for redeployment onto more effective patrol duties.

**IMPERIAL COLLEGE UNION**

9. The performance of the ICU catering and bar outlets was badly affected by the refurbishment of the Beit Hall, but an improvement was seen during 2001-02. The accounts showed an overall profit of £17.2K, a positive variance of £3K against budget.

10. The Committee noted that the ICU had observed a change in student culture regarding drinking that was leading to a reduction in bar profits. There appeared to be less ‘casual’ drinking, with students being more concerned about the entertainment offered or the appearance of the venue than the prices. The Union had taken initial steps to address this by introducing a revised entertainments programme and several other new initiatives.

**THE HOLLAND CLUB**

11. The Holland Club for non-academic staff achieved a trading surplus of £23K in 2000-01, as had been budgeted. The Club closed at the end of December 2002 for the installation of a new bar and expects to reopen at the end of January 2003.

**RESIDENCES**

12. The Residences’ accounts for 2001-02 showed an operating surplus of £3.2M, £2.5M of which was, however, exceptional income generated by the sale of two properties.
13. The Committee was disappointed to learn that the proposed refurbishment of Southside Hall has been delayed again. In view of this, and after consultation with the ICU, two kitchens in Southside had been improved to ease congestion and similar work had also been completed in Weeks Hall.

14. The Committee is pleased to report that the guarantee of accommodation to first year undergraduates has once again been met, despite some initial teething difficulties with the new computerised accommodation system. The take-up rate was 88% for 2002-03, compared to 83% for 2001-02. This allowed Holbein Hall to be allocated to post-graduate and continuing students.

CATERING AND BARS ADVISORY GROUP (CABAG)

15. The Committee decided that the Catering and Bars Advisory Group was not fulfilling its function of providing feedback on the services provided by College. The Academic Staff Assembly had agreed with this and it was decided that in future the Catering Department would provide information to the Committee based on customer surveys.

MEDICAL AND DENTAL SERVICES ADVISORY GROUP

16. The Committee has received two reports from the Medical and Dental Services Advisory Group since its last Report to Council. The two major items discussed by the Group have been the continuing negotiations with the Imperial College Medical Practice over the proposed Operational Agreement between the College and the Practice and the College’s initiative in arranging a Corporate Healthcare Scheme with BUPA for members of staff who wish to take advantage of it.

John Corbet-Singleton
PAPER J

TERMS OF REFERENCE OF THE AUDIT COMMITTEE

A Note by the Clerk

1. In October 2002 the College’s Internal Audit Department conducted a review of Risk Management at the College as part of the of the Internal Audit Operational Plan approved by the Audit Committee. The Review resulted in two recommendations. One, that the Risk Register should be published on the College’s Intranet, Intrinsic, has been implemented. The other related to the Audit Committee’s terms of reference and was expressed as follows:

“The Risk Management Policy lays down specific responsibilities for the Council, Audit Committee and Executive Committee with regard to their respective roles in the risk management process. Whereas the Terms of Reference for the Council and the Executive Committee can embrace these new responsibilities as they stand, those of the Audit Committee are more specific. For example, the Committee has a specific responsibility for monitoring and reporting to Council on the College’s arrangements for promoting economy, efficiency and effectiveness. This is similar to their responsibility for risk management, which is to monitor the process and report annually to the Council. This is not, however, currently listed in their Terms of Reference.

Risk

The Audit Committee’s Terms of Reference may not fully reflect their actual responsibilities.

Recommendation - Low

The Audit Committee’s Terms of Reference should be amended to include their responsibility set out in the College’s Risk Management Policy, that it is “charged by the Council with keeping the effectiveness of the College's risk management under review and reporting on this annually.”

2. At its Meeting in January, the Audit Committee considered the Review Report and its recommendations and agreed to propose to the Council that the following clause should be added to its terms of reference:

“(vii) To monitor the effectiveness of the College’s risk management policy and procedures.”

3. The amended terms of reference are attached at Annex A. The Council is invited to consider, and if it sees fit, to approve the proposed amendment.

K.A.M.
AUDIT COMMITTEE

Terms of Reference:

(i) To keep under review the effectiveness of internal control systems, and in particular to review the external auditors’ management letter, the internal auditors' annual report, and management responses.

(ii) To consider the Annual Financial Statements in the presence of the external auditor, including the auditor's formal opinion, the statement of members’ responsibilities and any corporate governance statement.

(iii) To monitor the implementation of agreed recommendations arising from internal and external audit reports.

(iv) To advise the Council on the appointment of the external auditors, the audit fee, the provision of any non-audit services by the external auditors and any questions of resignation or dismissal of the external auditors.

(v) To review the internal auditors’ audit needs assessment and the audit plan; to consider major findings of internal audit investigations and management's response; and promote co-ordination between the internal and external auditors. The committee will ensure that the resources made available for internal audit are sufficient to meet the College’s needs.

(vi) To satisfy itself that satisfactory arrangements are in place to promote economy, efficiency and effectiveness.

(vii) To monitor the effectiveness of the College’s risk management policy and procedures

(viii) To receive any relevant reports from the National Audit Office, the HEFCE and other organisations.

(ix) To monitor annually the performance and effectiveness of external and internal auditors.

(x) To report to the Council at least annually on its activity for the year and to give its opinion on the extent to which the Council may rely on the internal control system and the arrangements for securing economy, efficiency and effectiveness.

(xi) The Committee shall have the authority to call for any information from College officers, external and internal auditors and others which it considers necessary to discharge its responsibilities effectively.
Constitution:

A Chairman to be appointed by the Council from among the lay members of the Council
Three members with appropriate expertise to be appointed by the Council from among the lay
members of the Court and/or Council.
One member to be appointed by the Council from among the elected staff representatives on
the Court
No member of the Audit Committee may also serve on the College’s Finance Committee.

In attendance:
The Rector
The Deputy Rector
The College Secretary
The Director of Finance
The Head of Management Audit and Review.
A representative of the external auditors

Secretary
Head of Central Secretariat and Assistant Clerk to the Court and Council

Present Membership:

Mr D P Hearn (Chairman)
Mr G Bickerton
Mr D R L Duncan
Dr J D Wilbraham
Ms D Griffiths

Meetings and Reporting:

The Committee shall meet not less than three times a year and shall report:

(a) to the Council in December.

(b) to the Court in March.

Quorum:

The quorum shall be the Chairman or Deputy Chairman and two other members.
PAPER K

MEMBERSHIP OF THE ATHLETICS COMMITTEE

A Note by the Clerk

1. As Governors will be aware, when Dr Martin Knight was appointed as the Honorary Treasurer and Chairman of the Finance Committee in May 2001, he was already Chairman of the Investments and Athletics Committees and of the Harlington Trust. This is, of course, in addition to his own commitments and he now, quite understandably, feels that he cannot continue to devote this level of time and energy to the College. He has therefore decided that he should stand down as both Chairman and member of the Athletics Committee and as Chairman of the Harlington Trust.

2. A copy of the Athletics Committee’s existing terms of reference is attached at Annex A. From this members will see that there are currently two other lay members of the Committee, Mr David Elleray and Mr M.C. Black, both of whom are members of the Court. Mr. Elleray has indicated that he would be willing to succeed Dr. Knight as Chairman of the Committee and of the Harlington Trust and it is therefore proposed that he be appointed to these positions.

3. In addition, there is an existing vacancy on the Athletics Committee for a Faculty Principal. Professor Sir Leszek Borysiewicz, the Principal of the Faculty of Medicine, has indicated that he would be willing to serve in this capacity and it is therefore proposed that he be appointed to fill the vacancy.

4. The Council is asked to consider, and if it sees fit, approve the appointment of Mr. David Elleray as the Chairman of the Athletics Committee and of the Harlington Trust, and of Professor Sir Leszek Borysiewicz as a member of the Committee, all with immediate effect.

K.A.M.
ATHLETICS COMMITTEE

Terms of Reference:

(i) To review the College’s strategy for the development of its facilities for sport and leisure and monitor its progress in implementation. The facilities deemed to fall within the Committee’s remit shall be as agreed by the Council from time to time.

(ii) To advise the Council on the policies for the use of these facilities and for the sports and leisure needs of the College in general.

(iii) To receive reports from the Central Sport and Leisure Advisory Group (SPALAG)

Constitution:

Three lay members of the Court appointed by the Council, one of whom shall be Chairman
One of the Principals of the Faculties, to be appointed by the Council

The Imperial College Union (ICU) President
The ICU Deputy President (Clubs and Societies)

*Ex officio*:
The Rector
The Pro Rector (Educational Quality)

*In attendance*:
The College Secretary
The Director of Estates
The Sport and Leisure Manager

*Secretary*:
The Assistant to the Head of Central Secretariat

**Present Membership:**

Dr M P Knight (Chairman)
Mr M C Black
Mr D Elleray
*Vacancy for Faculty Principal*
ICU President
ICU Deputy President (Clubs and Societies)
The Rector
Professor R D Rawlings

Meetings and Reporting:

The Committee shall normally meet at least once a term and shall report annually to the Council at the Council's Meeting in May.

Quorum:

The quorum shall be four members including the Chairman and one other lay member.
PAPER L

PROPOSED REVISIONS TO REGULATION A11:
RESERVED AREAS OF BUSINESS AND THE DELEGATION OF
POWERS OF THE COUNCIL

A Note by the Clerk

1. At its last meeting, the Council was advised that the Chairman had taken action on its behalf to approve a suspension of the College’s academic Regulations. This raised an important point in that the College’s Regulations did not currently provide a framework for the Chairman to take action on behalf of Governors in the rare cases, such as this, when a decision could not be delayed until the next Meeting of the Council. The Clerk was asked to resolve this.

2. The circumstances under which the Chairman may take Chairman’s action are set out in the Guide for Governors produced by the Committee of University Chairmen (CUC), which states:

“Delegation to the Chairman

4.29 The governing body may grant delegated authority to the chairman to act on its behalf between meetings. Policy on this matter should be defined in the governing body's standing orders. Action taken under delegated authority will normally consist of routine business which would not have merited discussion at a governing body meeting (e.g. the signing of routine documents, detailed aspects of the implementation of matters already agreed by the governing body).

4.30 Occasionally, matters may arise which are judged too urgent and important to await the next meeting of the governing body. In such an event, the chairman has the option of calling a special meeting, consulting the members of the governing body by correspondence, or dealing with the matter by chairman's action. The chairman should exercise great care to avoid taking decisions by chairman's action where it is inappropriate to do so, or exceeding the scope of the delegated authority granted by the governing body. Chairman's action on matters of importance should only be taken where delaying a decision would disadvantage the institution.

4.31 The chairman is answerable to the governing body for any action which he/she takes on its behalf. Where chairman's action is taken, a written report should be made to the next meeting of the governing body.”

3. In order to address this gap in the College’s regulatory framework, it is proposed that an additional section on “Chairman’s Action” be added to Regulation A11, which is concerned with the delegation of the Council’s powers. The proposed amendments are in line with best practice as recommended by the CUC and are incorporated in the attached copy of the Regulation.
4. The Council is invited to consider, and if it sees fit, approve the amended Regulation A11.

K.A.M.
1. RESERVED AREAS OF BUSINESS

The Reserved Areas of Business are defined in Statute 6 of the College’s Statutes, as follows:

“Student members of the Court, the Council and the Senate and of their Committees and of such other committees or bodies of the College as may from time to time be established shall not be entitled to participate in the consideration of reserved areas of business. Reserved areas of business shall be appointment, re-appointment, promotion and any other matter affecting individual members of staff; the admission, re-admission and academic assessment of individual students; the appointment of examiners for individual students; the consideration of courses of study for individual students, including research projects; and discussion of the award of grants, scholarships and prizes for individuals. It shall be for the relevant Chairman to decide in any case of doubt whether a matter is one to which this Statute applies, and that decision shall be final. In respect of any item of business to which this Statute does apply, papers for consideration at meetings of any such bodies and minutes and other records relating to such matters shall not at any time be available to a student member.”

2. DELEGATION OF POWERS OF THE COUNCIL

1. The delegation of Powers of the Council is defined in Statute 4(6) of the College's Statutes as follows:

“The Council may delegate any of its functions, powers and duties (other than its power to make Regulations) to committees appointed by it or to its officers as it sees fit, and such committees and individuals may further delegate unless the Council has provided to the contrary.”

2. Pursuant to Statute 4(6), the Council has determined that the following matters may not be delegated to its committees or its officers except by special resolution of the Council:

(a) Final approval of the College Strategic Plan
(b) Final approval of the College’s Annual Budget

(c) Final approval of the audited Annual Financial Statements.

(d) Final approval of purchases or disposals of assets, land or buildings exceeding £1M in value.

(e) Final approval of any borrowing facility that would cause the College’s total borrowing from all sources to exceed £5M.

(f) The appointment of the Rector

(g) The recommendation to the Court for the appointment of the Chairman, Deputy Chairman and Honorary Treasurer

(h) The appointment of the Clerk to the Court and Council and of the College Secretary.

3. CHAIRMAN’S ACTION

(1) Pursuant to Statute 4(6) the Council has determined that the Chairman shall have delegated powers to act on its behalf between scheduled Meetings of the Council on:

(a) Items of routine business that would not normally merit discussion at a meeting of the Council;

(b) Matters relating to the implementation of policies that have already been approved by the Council.

(2) Where an issue arises which, in the view of the Chairman, is too urgent and important for consideration to be deferred until the next scheduled Meeting of the Council, the Council has determined that the Chairman shall have delegated authority to take action on its behalf. Such action may, at the discretion of the Chairman, take the form of:

(a) Calling a Special Meeting of the Council;

(b) Consulting with the Members of the Council by correspondence;

(c) Taking Chairman’s action.

(3) In all cases, the Chairman will exercise great care before taking action on behalf of the Council, and will consult with the Clerk to the Court and Council on the most appropriate course of action. Chairman’s action on matters of importance will be taken only where delaying a decision would disadvantage the College.
(4) Where the Chairman has exercised his delegated authority to act on behalf of the Council, a written report on the action taken will be made to the next scheduled Meeting of the Council.
BACKGROUND

1. Governors will recall the proposal by the Department for Education and Skills (DfES) for the establishment of an Independent Adjudicator to hear complaints from students in higher education who have exhausted all internal procedures within their institutions. This followed consultation by Universities UK (UUK) and SCOP (Standing Conference of Principals) with higher education institutions (HEIs) and other representative bodies.

2. At its Meeting on 18 October the Council discussed a recommendation from the Executive Committee that, whilst the continuation of the College’s existing visitorial system was to be preferred, the College should be prepared to accept the proposed new system. Governors, however, took the view that it would not provide protection from the Courts, that it would result in an overly bureaucratic system and that it would be expensive to implement. The Council therefore instructed the Clerk to respond to a request from Universities UK for information on the College’s reaction to the proposal by indicating that the College was content with its current arrangements.

3. The Government has now published its White Paper on “The Future of Higher Education” and this confirms its intention to introduce primary legislation to establish an Office of an Independent Adjudicator (OIA) as follows:

“Redress for Student Complaints

4.11 Reforms to give students a greater voice must include providing them with a fair, open and transparent means of redress when things go wrong, a safeguard that will be especially important in a freer system. Last Autumn, the sector was consulted on the establishment of an independent review of student complaints. The consultation revealed that there was substantial support from HEIs for an independent adjudicator to hear student complaints, and recognition that ultimately legislation would be needed to underpin whatever arrangements were put in place.

4.12 We will, therefore, legislate for the establishment of an independent adjudicator in the forthcoming higher education bill, but have asked the sector to press ahead with establishing a voluntary independent adjudicator in the meantime. The aim is for the office of the independent adjudicator to be in place by June 2003 and ready to receive representations and adjudicate from September 2003.”

4. We have also received the attached letter from Universities UK which includes the statement that “those HEIs whose Visitor falls under the jurisdiction of either the Privy Council or the Lord Chancellor’s Department….will be required to participate in the OIA”. The same letter invites the College to state by 28 February whether or not it intends to refer student complaints to the Office of the Independent Adjudicator.
DISCUSSION

5. It would seem that the Government’s declaration of its intentions in the White Paper faces the College, and a number of other universities of like mind, with something of a *fait accompli*. However, the College can continue to express its opposition to the proposed new system in its reply to Universities UK this month and, more directly, in its comments on the White Paper which are due to be submitted by the end of April. Such responses would, of course, carry more weight if the College enlisted the support of other universities.

6. It should be noted that, if the *status quo* was to be maintained, the Privy Council’s existing procedures would themselves need to be substantially revised in order to ensure that they were fully compliant with Human Rights legislation. These procedural changes would have to include the introduction of oral hearings, with the opportunity for the appellant to cross-examine witnesses and to have the hearing in public, within a reasonable time and by an impartial tribunal. Such changes would inevitably require significant additional resources.

ACTION REQUIRED

7. The Council is asked to consider whether it wishes to acquiesce in the Government’s decision to make legislative provision for the Office of an Independent Adjudicator or to continue to make representations opposing the introduction of such a scheme.

K.A.M.
27 January 2003

Dear Richard

Independent Review of Student Complaints


The White Paper confirms the intention of the Government to provide the OIA with a statutory framework in the forthcoming higher education bill. UUK/SCOP have been pressing for this and we welcome this statement.

As I have pointed out before, however, Ministers have announced that the OIA should be introduced in advance of the legislation, which in consequence means that participation in it by HEIs will be on a voluntary basis. This was the reason that we asked the DfES to finance it until it became mandatory. The Minister, Margaret Hodge, has now written to me agreeing in principle to this for the first two years of its operation. However, she wants to be assured that it will be established on a sound legal and financial footing. Accordingly, she has released the sum of £50,000 in order that legal advice and other preparatory work can go ahead immediately. The first priority is being given to the drafting of a Memorandum and Articles of Association of the company that will provide the constitutional and administrative framework of the OIA, and draft "Rules of Procedure" of the Adjudicator.

These drafts are now being studied and discussed with the lawyers by a small team comprising Professor Norman Gowar, the Registrars of Bath and Central England, Jon Bursey and Maxine Penlington (representing AHUA), and David Anderson-Evans. They will also be holding further discussions with DfES officials about the details of the costs of the OIA.
In parallel with this work it is proposed to set up a “Shadow Board” of the company to take matters forward in advance of the incorporation of the company. This will comprise two representatives nominated by UUK, HEW, CUC, SCOP, AHUA and the NUS. Professor Gower has agreed to act as the “shadow chairman”.

Returning to the voluntary nature of the OIA prior to it being given a statutory framework, may I remind those HEIs whose Visitor falls under the jurisdiction of either the Privy Council Office or the Lord Chancellor’s Department that, subject to exceptional circumstances, they will be required to participate in the OIA. It is important, therefore, to know at this stage which of the remaining HEIs in England and Wales propose to do so. Attached is a form requesting a response to this question. I would be grateful if you could return it by no later than 28 February 2003.

I am aware, as I have indicated before, that whilst we all accept the principle of independent review of student complaints, there are some of you who have misgivings about proceeding to put a system in place in advance of it having a statutory framework. The insistence on this by Ministers is now underpinned in the White Paper, and I do not believe that it can any longer be resisted.

I very much hope, therefore, that we can now work together to ensure that a robust scheme can be created which will command the respect of both HEIs and their students.

I will, of course, continue to keep you informed as matters develop.

Yours sincerely

Diana Warwick

cc Mr Ron Haylock, CUC Chairman

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