



LEEDS  
BECKETT  
UNIVERSITY

# GOVERNANCE & NOMINATIONS COMMITTEE

14 June 2019

at 13:30 in Room G05 Old Broadcasting House, City  
Campus

**Governance & Legal Services**

Leeds Beckett University, 101 Old Broadcasting House, City Campus, Leeds, LS2 9EN  
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## AGENDA for the meeting on Friday 14 June 2019

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The next meeting of the Governance & Nominations Committee will be held on Friday 14 June 2019 at 13.30 in Room G05, Old Broadcasting House, City Campus.

13:30	<b>Part A: Preliminary Items</b>	<b>Paper</b>	<b>Led by</b>
	A1 Apologies		Chair
	A2 Declarations of interest		Chair
	A3 Minutes – 15 March 2019	GON-2018-029 <b>CONFIDENTIAL</b>	Chair
	A4 Matters Arising	GON-2018-030	C Thomas
13:35	<b>Part B: Compliance matters</b>	<b>Paper</b>	<b>Led by</b>
	B1 UKVI Compliance Annual Report	GON-2018-031 <b>CONFIDENTIAL</b>	C Thomas
	B2 Report on Students' Union elections (Spring 2019)	GON-2018-032	C Thomas
	B3 OIA Referrals Annual Report	GON-2018-033	C Thomas
	B4 Access and Participation Plan	Presentation	T Lancaster
14:20	<b>Part C: Governance matters</b>	<b>Paper</b>	<b>Led by</b>
	C1 Board Evaluation 2018/19 – Final Report	GON-2018-034 <b>CONFIDENTIAL</b>	C Thomas
	C2 OfS Reportable Events	Verbal	C Thomas
15:00	<b>Part D: Governor matters</b>	<b>Paper</b>	<b>Led by</b>
	D1 Board Appointments 2019/20	GON-2018-035 <b>CONFIDENTIAL</b>	C Thomas

	D2	Committee Memberships 2019/20	GON-2018-036 <b>CONFIDENTIAL</b>	C Thomas
	D3	Governor Pairing 2019/20	Verbal	C Thomas
15:20	<b>Part E: Other Business</b>		<b>Paper</b>	<b>Led by</b>
	E1	*Use of the University Seal	GON-2018-038 <b>CONFIDENTIAL</b>	Chair
	E2	Schedule of Business 2019/20	GON-2018-039	Chair
	E3	Date of next meeting: The date of the next meeting will be confirmed shortly.		Chair

■ *Shaded items indicate that the Board / Committee is being asked to make a decision.*  
 \**Starred items will be taken without discussion unless a member notifies the Chair or Secretary in advance that she or he wishes the item to be open for debate.*



## Matters Arising

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### *Executive Summary*

This paper provides an update on matters arising from the previous meetings of the Committee that are not included elsewhere on the agenda.

### *Action Requested*

The report is **for information**. The Committee is asked to note the report.

### *Appendices*

None

### *Author*

*Name:* Cath Smith  
*Job title:* Governance Co-ordinator  
*Date:* May 2019

### *Approval Route*

**Matters arising / update on outstanding actions as at 14 June 2019**

Minute	Matter and action required	Responsibility	Progress and status
053.2018.GON (b)	<b>Student Complaints and Appeals 2017/18 Annual Report</b> There appeared to be a higher proportion of students in the Business School submitting appeal requests. The Dean would be approached to ask for further context on the figures and to advise on any action that would be taken.	University Secretary / Dean of the Business School	<u>Ongoing</u> – the Compliance & Casework Manager has undertaken to review the data further prior to approaching the Dean of School to provide further context on the number of students submitting appeals in the school. A verbal update would be provided at the meeting if available at that time.

15 MARCH 2019

## Report on Students' Union Elections

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### *Executive Summary*

Elections were held in February 2019 for the 2019/20 Exec Officer posts.

As the Returning Officer for the Students' Union, the University Secretary is required to report to both the Students' Union and the Board of Governors on the conduct of the elections.

### *Action Requested*

The report is **for information**. Members are invited to receive the report and to note the Returning Officer's opinion that:

- (i) The elections have been conducted fairly and in accordance with the applicable rules;
- (ii) The University has discharged its responsibility for the oversight of the elections in accordance with the provisions of the Education Act 1994.

### *Author*

*Name:* John Goodwin

*Job title:* Head of Membership Engagement, Students' Union; Deputy Returning Officer

*Date:* 17 April 2019

### *Approval Route*

17 April 2019

Caroline Thomas, University Secretary

## **Report on Students' Union Elections**

### **Introduction**

1. Elections were held in February 2019 for the 2019/20 Exec Officer posts.

### **Responsibilities of the Returning Officer**

2. The Returning Officer for the SU elections is responsible for ensuring that the elections are carried out fairly, openly and in accordance with the SU constitution and bye-laws. The SU's Head of Membership Engagement was appointed Deputy Returning Officer and another member of SU staff appointed Assistant Returning Officer to act under delegated authority in the day to day running of the elections.

### **Elections process**

3. The following posts were open for election:

#### Executive Officers

Union Affairs Officer (formerly SU President)

Education Officer (formerly Vice President Education)

Welfare and Community Officer (formerly Vice President Welfare and Community)

Equality and Diversity Officer (formerly Vice President Equality and Diversity)

Activities and Events Officer (formerly Vice President Activities)

4. It should be noted that elections to the Student Council normally held at this point in the year were suspended pending the outcome of the democracy review being undertaken by the Students' Union between January and May 2019.

### **Nominations process**

5. Nominations were required to be submitted online and to remain consistent with the view that the right to stand for election is a right of full membership of the Union, a simple self-nomination was the only requirement for nomination.
6. At the time of the candidate briefing on 04 February 2019 the number of candidates nominated was 29. This number decreased to 24 by the time polling opened, due to candidates withdrawing themselves from the elections.

### **Candidate briefing**

7. The candidate briefing was a compulsory part of the elections process and covered all aspects of being a candidate including their responsibilities and obligations in relation to campaigning and the rules of the election. At this point candidates were informed of their campaign budget allocation and associated protocols.

### **Campaign budgets**

8. Candidates were provided with the following resources and budgets to support their campaign activities and promotional items:

- £50 allowance for spend on campaign resources (reimbursable by the Students' Union)

### Campaign period & candidate discipline

9. Three formal complaints was received during the campaigning and voting period:

Complaint	Findings	Outcome
Candidate exceeded limit of number of posters permitted in a single location.	Physical evidence verified the complaint, candidate admitted they had placed the posters and hadn't fully understood the rules.	Complaint upheld – deemed that no significant advantage would have been gained, but to redress the balance of the rule breach candidate was instructed to remove half of their posters for the remainder of the campaign.
Complaint regarding general conduct of one group of candidates and the atmosphere it was creating.	Nothing being complained about was found to be in breach of any election rules.	Complaint not upheld.
Complaint regarding a number of issues about a particular candidate, including: <ul style="list-style-type: none"> <li>- General conduct</li> <li>- Placing their publicity over someone else's</li> <li>- Referencing other candidates in online publicity</li> <li>- Claiming endorsement from the University</li> </ul>	<p>General conduct complained about was not found to be in breach of any rules.</p> <p>Unable to evidence the placing of publicity deliberately obstructing someone else.</p> <p>Candidate (and multiple other candidates) had made reference to other candidates in online social media posts.</p> <p>Candidate had used a photo of some previous University</p>	Complaint not upheld, but highlighted a grey area within the rules and regulations regarding referencing other candidates online, which will need clearing up prior to the next elections.

	<p>publicity in which they had featured, but not actually claimed they had been endorsed for the elections.</p>	
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### Access to voting

10. Elections were conducted through a cross campus ballot using a third party online voting site. This year we also trialed a new web app for hosting the voting interface which made the process quicker and more intuitive. There were one or two technical issues, largely due to inconsistencies in the student data set, which will be rectified for the next elections.

### Count & results presentation

11. The count for all elections was conducted at 18.00 on 27 February 2019 following confirmation that there were no outstanding complaints or investigations concerning candidate behaviour.
12. The declaration of the results took place from 19.00 on 28 February 2019 in the Students' Union's 'The Hive' social space at Headingley. This was the first time the results have been hosted at Headingley, in a more informal format – feedback from candidates, students and staff was that the venue and format worked really well, so this will continue in future years.

### Participation

13. A total of 2,042 unique voters (down from 3,215 in March 2018) participated in the elections. The decrease in turnout can likely be attributed to the restriction on candidates using mobile devices to gather votes compared to last year, as well as the suspension of the Student Council elections which meant that there were roughly half the number of candidates compared to last year.
14. Interestingly, number of individual voters per position actually increased on three of the five roles, with the average being brought down by a significant drop for Union Affairs compared to last year's SU President election:

<b>2019</b>	<b>% change</b>
Union Affairs (formerly SU President)	-18.37%
Education	+6.39%
Welfare and Community	-1.71%
Activities and Events	+9.27%
Equality and Diversity	+12.78%
<b>Total</b>	<b>-36.49%</b>

## Review and improvements

15. After the March 2018 elections, the following recommendation was made:

*“It is recommended that the SU no longer permits the use of mobile devices by candidates during the voting period, and instead explores ways in which the potential negative effect this may have on turnout could be countered.*

*The use of mobile devices covers any portable device which can connect to the internet and therefore access the voting system, so would include phones, tablets and laptops. The aim of restricting this usage is to ensure that any location where a student casts their vote is neutral and free of pressure from any candidates or their campaign teams.”*

This recommendation was first implemented for the October 2018 elections and seemed to be observed well by all candidates. No complaints or reports of misuse of mobile devices were received, however there was a significant drop in turnout. With this in mind, for the Feb 2019 elections we increased the number of staffed polling stations from two to nine, and employed student ‘Election Ambassadors’ to engage students from a neutral perspective and encourage them to vote.

While there was still a decrease in turnout year-on-year, feedback from candidates, students and staff is that the atmosphere was much better during voting, with more quality conversations happening between candidates and students, and voters being more informed.

16. The following recommendations are made for future elections:

- a. Clarification around rules for referencing other candidates on printed and online publicity
- b. Continuation of mobile device restriction but with increased use of student staff to promote the elections more generally
- c. Any elections that result as an outcome of the democracy review should be held separately from Exec Officer elections from this point onwards
- d. Review the purpose and format of the ‘Great Debate’
- e. Give serious consideration to incentivising voting, which has seen success at other Students’ Unions

## Opinion

17. It is the Returning Officer’s opinion that:

- (a) The elections were conducted fairly and in accordance with the applicable rules;
- (b) The University has discharged its responsibility for oversight of the Students' Union elections in accordance with the provisions of the Education Act 1994.

### **Recommendations**

18. Members are invited (a) to receive the report and (b) to note the Returning Officer's opinion.

## Office of the Independent Adjudicator for Higher Education – Annual Report 2018

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### ***Executive Summary***

The Office of the Independent Adjudicator for Higher Education (OIA) publishes an annual report on the operation of its complaints scheme, together with an annual statement for each subscribing provider. This paper provides an update on the national position and an analysis of Leeds Beckett's comparative performance.

The annual report and statement both provide a positive picture of our university's performance. Overall, complaints to the OIA increased by 20% in 2018. This follows a 7.5% increase in 2017 and sees a return to the peak in the numbers of complaints to the levels of 2012-2014. Referrals from Leeds Beckett students reduced slightly this year, following a reduction of 21% in 2017. In total, our students made 14 referrals. This compares favourably with other HEIs of a similar size which ranged from 9 (University of Westminster) to 82 (University of Plymouth). 15 of the 28 providers in the same band saw an increase in referrals while two saw no change. The increases ranged from 7% at Nottingham Trent to 367% at Hertfordshire.

The OIA settled 20% of its cases in favour of the student in 2018 (2017:24%) and acknowledged that providers are getting better at resolving genuine issues internally. We had one complaint justified in 2018. Six providers had none while Plymouth had 12 justified or partly justified. With regard to the timeliness of our responses to requests for information from the OIA, we performed well with an average of 26 days compared with the average across all subscribers of 28 days.

The information set out in the attached paper provides evidence of the University's compliance with the OIA Good Practice Framework and assurance of our performance against their expected standards. It forms part of the published information available to the Office for Students in their assessment of our cooperation with the requirements of the OIA complaints scheme and our role in promoting access to the scheme to students, is a condition of registration (C2) in relation to protecting the student interest.

### ***Action Requested***

The Committee is invited to receive this report.

### ***Author***

**Name:** Kathryn Giddings  
**Job title:** Compliance & Casework Manager  
**Date:** 04 June 2019

### ***Approval Route***

7 June 2019

*Caroline Thomas, University Secretary*

# Office of the Independent Adjudicator for Higher Education – Annual Report 2018

## Introduction

1. The Office of the Independent Adjudicator for Higher Education (OIA) publishes an Annual Report on the operation of its student complaints scheme and an Annual Statement for each subscribing member. This paper provides an update to the Committee on the national picture and analysis of Leeds Beckett University's performance.
2. Students may apply to the OIA to request a review of a decision once they have exhausted a university's internal processes. Data from the OIA will form part of the information considered by the Office for Students in its assessment of a university's relative risk.
3. The Annual Report and Annual Statement are available at: <https://www.oiahe.org.uk/resources-and-publications/>.

## Sector highlights

4. The OIA reported that a total of 1,967 complaints were received in 2018, an increase of 20% compared with 2017 when 1,635 were received. As a proportion, this represents less than 0.1% of the entire HE student population in England and Wales.
5. The OIA measures its performance against cases closed in a calendar year rather than the number received as complaints may extend beyond one reporting year. Of the 1,722 cases closed in 2018, 11% were justified or partly justified. A further 9% were settled between the complainant and the provider before the OIA process had concluded.
6. Half of the cases that were closed related to complaints on matters of academic status. The majority of these arose from academic appeals. 23% of cases that were closed related to service issues. This category includes complaints about the availability and quality of services and facilities and the accuracy of published information.
7. Where a case is justified in full or in part, the OIA will make recommendations intended to put the complainant back in the position they would have been had the issue complained about not arisen. Where possible, the remedies are practical and aimed at supporting a student to continue with their studies or ensuring that processes are appropriate, for example by recommending that a provider reviews its processes. The annual report notes that, in 2018, recommendations totalling £366,107 in financial compensation were made. A further £273,408 was paid to students whose cases were settled, either by agreement of the parties or as a result of suggestions made by the OIA.

## Leeds Beckett University highlights

8. As well as the annual report, each subscribing provider receives an annual statement which summarises its performance against the Good Practice Framework. Each provider is allocated to a band based on its number of students. This enables providers to compare their performance with similarly sized HEIs. Leeds Beckett is in Band F (20,001 – 30,000 students). In 2018, there were 27 other providers in the same band. The remainder of this report considers our key indicators and comparison of our position relative to the rest of the band.

9. The OIA received 14 complaints from Leeds Beckett students in 2018 (a very small reduction from 15 in 2017) compared with 19 for the band median. 8 of our complaints were closed in 2018 which is almost half the band median of 15.5.

10. The table below provides a comparison with other providers in Band F of the number of complaints received and the percentage difference between 2017 and 2018.

	Complaints received by OIA in 2018	Complaints received by OIA in 2017	Year-on-year change
Anglia Ruskin University	23	11	109%
Birmingham City University	19	19	0%
Coventry University	26	34	(24%)
De Montfort University	23	23	0%
King's College London	33	52	(37%)
Kingston University	24	35	(31%)
Leeds Beckett University	14	15	(7%)
Liverpool John Moores University	13	9	44%
Newcastle University	17	12	42%
Northumbria University	15	25	(40%)
Nottingham Trent University	16	15	7%
The University of Sheffield	16	17	(6%)
The University of Warwick	20	26	(23%)
University of Brighton	19	15	27%
University of Bristol	10	12	(17%)
University of Central Lancashire	19	14	36%
University of Exeter	22	14	57%
University of Greenwich	14	11	27%
University of Hertfordshire	28	6	367%
University of Liverpool	46	11	318%
University of Oxford	14	9	56%
University of Plymouth	82	59	39%
University of Portsmouth	14	17	(18%)
University of Salford	20	15	33%
University of South Wales	34	16	113%
University of Southampton	10	16	(38%)
University of the West of England	19	17	12%
University of Westminster	9	9	0%

11. We have also looked at competitors who while not in our OIA Band are of interest to us. Except for the University of Leeds which saw a 28% decline in OIA referrals this year, all others saw a significant increase. (Huddersfield: 22%, Bradford: 50%, Manchester Met: 71%, Sheffield Hallam: 120%, Oxford Brookes: 40%).

12. To be eligible to submit a request for review to the OIA, a complainant must have exhausted a provider's processes and been issued with a Completion of Procedures (CoP). The time limit to submit a complaint to the OIA is 12 months from the date of issue of the CoP. In 2018, Leeds Beckett issued 164 CoPs, compared with 208 in 2017. While this is a reduction of 21%, the total is still more than double the band median of 68.5. We consider that this is good practice as it provides complainants with a further opportunity to seek redress once our processes have been completed.

13. While we have consistently issued many more CoPs than other providers, this has not resulted in more complaints being made to the OIA. The annual statement shows that one in every 23 Leeds Beckett students issued with a CoP during 2017 ultimately made a complaint to the OIA by the end of 2018, compared with one in every 5.6 students in the band as a whole.

14. Of the 8 complaints closed by the OIA, one was justified and seven were not justified. The table below sets out the numbers of complaints closed in 2018 across the band. Complaints settled before completion or withdrawn by the complainant are excluded.

	Complaints justified / partly justified by OIA	Complaints not justified / considered not eligible
Anglia Ruskin University	1	14
Birmingham City University	2	11
Coventry University	0	26
De Montfort University	1	19
King's College London	5	22
Kingston University	3	29
Leeds Beckett University	1	7
Liverpool John Moores University	2	5
Newcastle University	1	10
Northumbria University	3	10
Nottingham Trent University	2	11
The University of Sheffield	1	9
The University of Warwick	4	20
University of Brighton	2	11
University of Bristol	0	7
University of Central Lancashire	5	10
University of Exeter	1	9
University of Greenwich	3	10
University of Hertfordshire	4	12
University of Liverpool	0	7
University of Oxford	2	7
University of Plymouth	12	57
University of Portsmouth	4	10
University of Salford	0	11
University of South Wales	0	30

University of Southampton	2	11
University of the West of England	0	14
University of Westminster	3	5

15. The complaint that was justified related to a student in the School of Health and Community Studies whose registration was terminated following the conclusion of an academic integrity case about alleged collusion. The student subsequently submitted an academic appeal which was considered by a panel and was not upheld. The OIA concluded that, while the procedure had been followed appropriately, the University's decision was not reasonable in the circumstances. The Appeal Panel had determined that the Academic Integrity Board decision was in line with the outcomes available and that there had been no procedural errors. However, it had failed to consider whether the decision to terminate the student's registration was reasonable and proportionate. Further, the panel had not shown that it had given sufficient weight to additional evidence which had been submitted in support of the student's case. In accordance with the OIA's recommendation, the decision was quashed, and the student's registration was reinstated.
16. Our response times to requests for information from the OIA have improved. In 2018 we responded in an average of 26 days compared with 29 days in 2017. The average across all providers in the scheme was 28 days in 2018.

### **Conclusions and recommendations**

17. This paper provides evidence of the University's compliance with the OIA Good Practice Framework and assurance of our performance against their expected standards. It forms part of the published information available to the Office for Students in their assessment of our cooperation with the requirements of the OIA complaints scheme and our role in promoting access to the scheme to students, is a condition of registration (C2). The Committee is invited to receive this report.

Kathryn Giddings  
Compliance & Casework Manager  
04 June 2019

14 JUNE 2019

## Schedule of Business 2019/20

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### *Executive Summary*

The proposed schedule of business for the Governance and Nominations Committee for 2019/20 is attached, based on the University's business cycle.

Assuming the Board's agreed to extend this Committee's remit, as recommended in the Board evaluation, reporting on the additional responsibilities relating to the Access & Participation Plan, transparency information, and other student interest/protection matters will be scheduled appropriately across the year.

### *Action Requested*

The report is for information.

### *Author*

*Name:* Cath Smith  
*Job title:* Governance Co-ordinator  
*Date:* 16 May 2019

## Schedule of Business 2019/20

	04 October 2019	14 February 2020	12 June 2020
<b>COMPLIANCE MATTERS</b>	Annual report on data protection and freedom of information 2018/19	Student complaints and appeals 2018/19 annual report	UKVI compliance annual report
	Register of Interests	Students' Union Elections held in October 2018	Report on Students' Union Elections held in Spring 2019
	Annual report on compliance matters	Annual Report on subsidiary, associate and investment companies	OIA referrals, 2019 Annual Report
			Access & Participation Plan
<b>GOVERNANCE MATTERS</b>	Board evaluation– action plan reporting	Board evaluation– action plan reporting	
	Corporate Governance Statement for the Year Ended 31 July 2019		
<b>GOVERNOR MATTERS</b>	Annual review and remuneration of the Chair and the Committee Chairs 2018/19	Governor Recruitment	Appointment of the Chair
	Induction and development update		Appointment of committee chairs
			Committee memberships 2020/21
			Governor pairing 2020/21
<b>OTHER MATTERS</b>	Annual report on fundraising and donations		
<b>STANDING ITEMS</b>	OfS Reportable Events Schedule of Business 2019/20 Use of the University Seal		
<b>OTHER MATTERS</b>	Board Effectiveness Review (external) – September 2021 <i>Access and Participation Plan (tbc)</i> <i>Electoral registration of students (tbc)</i> <i>Student Protection Plan and student transfer - published information (tbc)</i>		