



SPECIAL MEETING OF ACADEMIC BOARD

Monday 20 May 2019

MINUTES

PRESENT:

President and Provost (*Chair*)

Ms Wendy Appleby, Dr Paul Ayris, Mr Malcolm Bailey, Dr Jyoti Belur, Professor Stephanie Bird, Dame Nicola Brewer, Ms Lori Coletti Campbell, Professor Claire Carmalt, Ms Elizabeth Carter, Professor Lucie Clapp, Dr Ben Clifford, Dr Alun Coker, Professor Anthony Costello, Professor Nicola Countouris, Ms Sonja Curtis, Ms Donna Dalrymple, Dr Ruth Dann, Dr Johanna Donovan, Ms Dominique Draï, Professor Maria Fitzgerald; Dr Richard Freeman, Dr Bettina Friedrich, Dr Rachael Frost, Dr Martin Fry, Dr Andrew Gardner, Dr Claire Garnett, Professor Alasdair Gibb, Professor Deborah Gill, Professor Derek Gilroy, Dr Hugh Goodacre, Ms Emma Grant, Professor Michael Heinrich, Dr Arne Hofmann, Professor John Hyman, Dr Franz Kiraly, Professor Robert Kleta, Professor Martin Koltzenburg, Professor Nikolaos Konstantinidis, Ms Elvire Landstra, Dr Dewi Lewis, Dr Claire Lindsay, Professor David Lomas, Dr Helga Lúthersdóttir, Ms Collette Lux, Dr Saladin Meckled-Garcia, Professor Usha Menon, Dr Nils Metternich, Professor Susan Michie, Professor Kevin Middlebrook, Professor Jenny Mindell, Dr Susan Moore, Professor Vivek Mudera, Dr Florian Mussgnug, Dr Mark Newman, Dr Teresa Niccoli, Professor Ivan Parkin, Professor David Price, Professor Stephen Price, Professor Geraint Rees, Professor Jane Rendell, Professor Helen Roberts, Professor Sasha Roseneil, Professor Nadar Saffari, Professor Ralf Schoepfer, Professor Tony Segal, Professor Andrea Sella, Dr Lion Shahab, Professor Sonu Shamdasani, Professor David Shanks, Dr Bill Sillar, Professor Richard Simons, Professor Michael Singer, Mr Jamie Smith, Professor Volker Sommer, Professor Sarah Spurgeon, Professor Sacha Stern, Professor Michael Stewart, Dr Sherrill Stroschein, Professor Judith Suissa, Professor Peter Swaab, Professor Alan Thompson, Professor Nigel Titchener-Hooker, Mr Simon To, Ms Louise Vink, Dr Nalini Vittal, Dr Bella Vivat, Ms Yasmin Walker, Professor Andrew Wills, Dr James Wilson, Dr Jinghao Xue.

In attendance: Mr Derfel Owen (Secretary to Academic Board); Ms Sandra Hinton (Academic Services).

Apologies for absence were received from: Ms Raphaela Armbruster, Dr Jane Biddulph, Dr Helene Burningham, Dr Declan Chard, Professor John Collinge, Dr William Coppola, Professor Izzat Darwazeh, Dr Jason Davies, Dr Martin Davies, Professor Annette Dolphin, Mr Rob Doswell, Professor Michael Duchon, Professor Peter Earley, Professor Frances Edwards, Professor Helen Hackett, Dr Evangelos Himonides, Ms Leigh Kilpert, Dr Sandra Leaton Gray, Professor Gesine Manuwald, Professor Robert Mills, Professor John Mitchell, Professor Maxine Molyneux, Professor Ruth Morgan, Professor Enrico Palandri, Professor Alan Penn, Professor Hynek Pikhart, Dr John Potter, Professor Lucia Sivilotti, Miss Thushyanthi Sivagnanam, Professor Trevor Smart, Professor Anthony Smith, Dr Amy Thornton, Mr Michael Wozniak.

Key to abbreviations

AB	Academic Board
Col	Commission of Inquiry
GCAB	Governance Committee of Academic Board
GDPR	General Data Protection Regulation
SMAB	Special Meeting of Academic Board
SMT	Senior Management Team

Matter for discussion

1 REQUISITION LETTER FOR A SPECIAL MEETING OF ACADEMIC BOARD

[PAPER 6-01 (18-19)]

- 1.1 **Received** – an oral introduction from the Chair.
- 1.2 The Chair explained that the Special Meeting had been called to discuss the report of the Visitor and to vote on the proposed Motion.
- 1.3 **Received** – a presentation from Professor Lucie Clapp, Institute of Cardiovascular Science.
- 1.4 The purpose of the meeting and the scope of the proposed motions were outlined. Professor Clapp noted that the academic and learning communities must have direct input into shaping the responses to the report's recommendations. The following key issues were highlighted:
 - the perceived marginalisation of academics;
 - the multiple use of Chair's Action by the Chair of Council. These had found to be within the constitution but the Visitor had noted that these had raised suspicion and had recommended revising Statute 9;
 - Council's receptiveness to challenge, failure to minute dissent and the perceived curtailing of proper debate;
 - Interpersonal issues, such as dismissive behaviour and the mistreatment of an academic member of staff.
- 1.5 The set of proposals before AB was intended to signal a constructive way forward.
- 1.6 Following the presentation, the Chair invited comments from members of AB and encouraged a collaborative and non-confrontational approach. The Chair's own views on the Report had been made known at AB on 15 May at which many of the members attending the Special Meeting had also been present. However, for the sake of those who had not been present, the Chair clarified that UCL had not requested that any recommendations be removed from the report. UCL was invited to provide comments on the draft report, and had highlighted sensitive personal data that was included without the individuals concerned having been engaged in the process and some points of factual accuracy, requesting that these be handled appropriately. The Visitor had then taken the decision to redraft the report.

1.7 During the discussion, the following points were made:

- It was noted that the description of evidence given to the Visitor by the SMT member alleged to have bullied a female Council member had contained a somewhat conditional apology. It was noted that a complaint had been received by the Chair of Council from a Council member immediately after the Council meeting in question. At AB's meeting of 15th May, the Chair had set out some expectations for standards of behaviour at future meetings and it was hoped that these would be communicated to his successor and to Council. The Chair assured AB that the SMT member had since apologised unconditionally and the member of staff concerned now wished a line to be drawn under the incident. It was proposed that, going forward, all colleagues be respectful of each other, in both formal and informal settings in accordance with the standards set out at AB's meeting on 15 November.
- The Petitioner quoted Statute 7 to the effect that AB was to consider and advise the Council upon all academic matters and questions affecting the educational policy of the College, the organisation of teaching, examining, research, and courses of instruction (etc.). It was important to be aware therefore that Statute 7 made it AB's duty to be involved in the governance of UCL. It would be important for the Commission of Inquiry to find a way for AB and SMT to work together more effectively.
- The Chair noted that he and other SMT members had been invited to talk to the Commission of Inquiry over the coming weeks and would engage fully and actively with this process. The Chair also noted that Council wished to take fully into account AB's views on its eventual action plan in response to the Visitor's report.
- One member agreed that it was important to move forward on overarching objectives but at the same time noted that details were important as they set the tone. A number of examples were stated which had, in the member's view, weakened trust:
 1. Council minutes from 2003 to 2009 had been removed from the public website and were now no longer available. Academic Services had explained that this had been owing to the system's move to Drupal which did not allow for password protection and that the minutes could be made available on request or via a Sharepoint which would be set up in due course.
 2. Following the first reading of the Standing Orders, arguments had been put forward by the Secretary to Council which sought, in the member's view, to restrict their scope.
 3. There had been an alleged irregularity in elections from AB to Council. Academic Services had been unwilling to investigate the matter.
 4. A number of staff members were working hard, beyond their job descriptions and their contracted hours to improve governance at UCL. There were some members of SMT who, it was said, had argued that this dedication of time could not act as a substitute for other activities. However, it was the member's opinion that this effort should be formally recognised.

- The Chair had not previously been aware of 1 and 3 and it was agreed that these would be clarified and, if possible, resolved offline. In respect of 4, the Provost was supportive but felt that existing promotions criteria already covered this. It was also a matter for the individuals concerned and the discretion of their line managers.
 - The Chair expressed his hope that the early cooperation with Part Di of the Motion, providing an explanation for the requests from UCL to remove some sections of the draft report, would encourage AB and the Commission of Inquiry to take a reasonable approach to motion Dii - to supply the original version of the draft to the Col. It was noted that the draft document developed by the Visitor had been shared by the Visitor with a select number of UCL staff. It was not within UCL's gift to share a draft which was owned by another person. If the Col wanted to see an earlier draft it would need to apply to the Visitor. If the Visitor was happy for UCL to share the report in a limited way, the GDPR issues would still be UCL's responsibility and so would have to be shared in a way which meant that no leaks were possible – for example, allowing the Chair of the Col to read the hard copy draft report in seclusion.
 - One member requested an internal enquiry about the decisions taken in respect of the purchase of Clare Hall. In response, the Chair proposed that the Col become the major route through which the Provost and SMT worked to find the best way forward, concentrating on constructive solutions and ensuring that issues of governance were addressed without attempting to unpick decisions that had been taken.
 - The Chair gave his assurance that the Col would be given access to all relevant documentation in respect of the purchase of Clare Hall, provided it was not marked commercially sensitive. Despite requests for full access it was considered that little beyond the apportioning of blame would be achieved by reopening the discussion. It would be more constructive to learn the lessons of that episode and advise Council accordingly.
 - A member endorsed this view, noting that UCL had an SMT and a Council who were tasked with making decisions. In the member's view, they did not always make the right decisions but they did not always make the wrong ones either. The Col would consider methods of governance and whether there had been faults in the process of decision making and how these could be avoided in the future. The creation of GCAB had proved a successful way to promote trust and transparency. Similarly the Col had created positive and forward looking ways of dealing with issues of governance in an open and transparent way. The Motion was recommended to AB to promote a spirit of trust going forward.
- 1.8 The Chair thanked members for the constructive discussion and moved to a show of hands to vote on each part of the Motion.

Vote on the motion.

A) This Board directs the Commission of Inquiry of the Academic Board to include in its inquiry the evidence, findings, and recommendations of the 2019 Visitor's report;

- B)** It directs the Governance Committee to cooperate with the Commission of Inquiry in sharing information and analysis on this matter;
- C)** It advises that Council awaits the findings of the Commission before arriving at any decision or course of action relating to the Visitor's report;
- D)** It requests from the officers of UCL, such as the Registrar/Secretary to Council, who have had access to the recommendations of the Visitor on managing governance at UCL in the original version of the report shown to UCL, and who requested the ACADEMIC BOARD - 20 May 2019 Paper 6-01 Visitor to remove some recommendations from that original version before a version was finalised, to:
- i. supply Academic Board with a written explanation as to why they thought it appropriate to ask for the removal of such recommendations, and
 - ii. for the sake of transparency and to facilitate a full investigation into these matters, to supply the original version with all original recommendations to the Commission of Inquiry to assist it with its work.

RESOLVED:

- 1.9 That all parts of the Motion, A, B, C, Di and Dii, be carried: The Chair would work with the Chair of the Col concerning how best to proceed with Dii.

2 DATE OF NEXT MEETING

- 2.1 The next meeting of AB would take place on 23 October 2019: 14.05 – 16.00pm

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