



Council

Wednesday 24 February 2021, 8:00am

Video-conferencing meeting via Zoom

Minutes

Present Members:

Mr Victor Chu CBE (Chair); Mr Ayman Benmati; Mr Mintoo Bhandari; Professor Lucie Clapp; Dr Alun Coker; Professor Annette Dolphin; Dr Martin Fry; Dr Andrew Gould; Ms Lindsay Nicholson MBE; Mr Turlogh O'Brien CBE; Ms Carol Paige; Professor Helen Roberts; Professor Ralf Schoepfer; Lord Sharkey; Dr Michael Spence; Mr Philip Sturrock; Dr Justin Turner QC; Baroness Valentine; Ms Sarah Whitney.

Attendees:

For Minutes 71-78: Dr Clare Goudy, Chief of Staff, President and Provost's Office
For Minutes 71-78: Professor Dame Hazel Genn, Interim Vice-Provost (International & Advancement)

For Minutes 71-78: Mr Phil Harding, Director of Finance & Business Affairs

For Minutes 71-78: Professor David Lomas, Vice-Provost (Health)

For Minutes 71-78: Professor David Price, Vice-Provost (Research)

For Minutes 71-78: Ms Fiona Ryland, Chief Operating Officer (COO)

For Minutes 71-78: Professor Anthony Smith, Vice-Provost (Education and Student Affairs)

For minute 71-73:

Mr Kevin Argent, Director of Estates Development

Professor Andrew Dick, Director of Institute of Ophthalmology

Ms Rachel Fishwick, Head of Strategic Partnerships for the Faculties of Brain Sciences and Population Health Sciences

Ms Tessa Green CBE (Chair, Moorfields Eye Hospital NHS Foundation Trust Board)

Mr David Probert (Chief Executive, Moorfields Eye Hospital NHS Foundation Trust)

Mr Chris Shore, Director of Estates Development

Professor Alan Thompson, Dean of the Faculty of Brain Sciences

Apologies:

Mr Dominic Blakemore

Officer(s):

Ms Wendy Appleby, Secretary to Council

Ms Anne Marie O'Mullane, Assistant Secretary to Council

Ms Olivia Whiteley, Governance Officer

Part I: Preliminary Business

71. Operation of the Meeting

- 71.1. As a consequence of the Covid-19 pandemic, it was not possible to convene a meeting in person of Council. Therefore, members of Council were participating in a video conference, using tools that enabled all members to see and hear each other simultaneously. Decisions would be ratified by Chair's Action after the meeting.

72. Declaration of Interests

- 72.1. The Chair of Council invited Council to declare any new interests they may have or any interests they had in the items being considered at the meeting as well as any former interests Council members had.
- 72.2. In connection with Item 2, Baroness Valentine declared she was currently Chair of the Heathrow Southern Railway. Aecom had invested in Heathrow Southern Railway. She was a former member of the HS2 Board.

Part II: Strategic Items for Discussion

73. Confidential: Project Oriel (UCL Institute of Ophthalmology/Moorfields Eye Hospital collaboration) Outline Business Case (4-01)

- 73.1. Exempt from publication, please see confidential minute.
- 73.2. Exempt from publication, please see confidential minute.
- 73.3. Exempt from publication, please see confidential minute.
- 73.4. Exempt from publication, please see confidential minute.
- 73.5. Exempt from publication, please see confidential minute.
- 73.6. Exempt from publication, please see confidential minute.
- 73.7. Exempt from publication, please see confidential minute.
- 73.8. Exempt from publication, please see confidential minute.
- 73.9. Exempt from publication, please see confidential minute.

74. IHRA working definition of antisemitism (4-02)

- 74.1. The President and Provost introduced the paper which summarised the terms on which Council adopted the International Holocaust Remembrance Alliance (IHRA), in light of an Academic Board recommendation that Council should underscore that its adoption of the IHRA working definition had no legal force and did not supersede existing law and policy at UCL. Lord Mann, the government's independent adviser on antisemitism, had been consulted on the approach and had confirmed that he was supportive of Council making this clarification should it be needed. In due course Council would receive a request from Academic Board that the IHRA definition be replaced with their recommended definition. For the time being, IHRA remained in place. Should that change in the future, UCL would need to negotiate with the OfS and government if a new definition was preferred. In the event that AB did propose a new definition, the Chair of the AB Working Group should present it to Council and Council would need to decide other forms of consultation required before considering a proposal for the adoption of an alternative. Meanwhile, the Provost reported that he was liaising with Jewish community organisations who were concerned with recent events as well as Jewish Chaplaincy and UCL Jewish Society (JSoc). Council was invited to note and endorse the statement provided in the paperwork.
- 74.2. During discussion the following key points were made:
- a. During the Academic Board meeting it was made quite clear that one could not rely on a definition alone to produce a change in behaviours. Council had previously requested an action plan to tackle the issue and Council had yet to receive sight of plans. A summary of actions and plans was requested as well as a report on freedom of speech. The President and Provost advised that this could be produced. Professor Roseneil, Pro-Vice-Provost (Equity and Diversity) would be launching a programme to look at antisemitism and antiracism for the return to campus.
 - b. A Council member who had initially not been in favour of adoption had met with JSoc and Professor Anthony Julius and changed their mind after detailed consideration of the issues. The Council meeting on November 2019 by a majority vote approved the definition of antisemitism which instigated the definition into the rules of UCL. UCL had acted on its duty to protect minority groups. Dissent from a minority was not relevant to the duties that trustees held.
 - c. Council at the November 2019 meeting left the door open to Academic Board to come back to Council with an alternative definition and to show why this definition merited replacement of the IHRA definition.
 - d. Academic Board held the view that there had been delays to the formation of its Working Group that were outside its control. However, it was felt that going back over past issues was not helpful and that Council was seeking to forge a new relationship with Academic Board recognising Academic Board advice to Council to inform its decision-making.

- e. It was the prerogative of minorities to determine and define what discrimination was for them.
 - f. It was absolutely right for Academic Board to discuss academic freedom implications and advise Council accordingly.
 - g. The Academic Board Working Group on an Alternative Definition would need to consult with the Jewish communities beyond the academic community.
 - h. It was clear from the correspondence that Council received that there needs to be a culture change at UCL. There was discussion about the approach of disseminating numerous items of correspondence to Council.
 - i. The evidence of antisemitic behaviour that had been provided to Council had been anecdotal and not reported via the complaints route indicating a need to create an environment to encourage reporting.
 - j. Academic Board's consideration of the Working Group Report on the IHRA Definition had also focussed on the need to address antisemitism on campus. The Working Group's press release had been a balanced and thoughtful statement and would be shared with Council.
 - k. There was support for marginalised groups to self-define oppression but it was important in that self-defining of oppression that others' freedoms were not infringed. This matter had to be looked at carefully.
 - l. There was discussion about the endorsement of the proposed statement. A number of Council members were of the view that the definition formed part of the regulatory environment at UCL. To endorse the statement would fundamentally change the decision taken by Council in November 2019.
- 74.3. Council noted the statement, UCL's adoption of the IHRA definition as an educational and awareness raising tool.

Part III: Other Business for Approval or Information

75. Variation to the Access and Participation Plan (4-03)

- 75.1. Council approved the proposed variation of the Access and Participation Plan for submission to the Office for Students.

76. Action Taken by the Chair (4-04)

- 76.1. Council received a report on an occasion where the Chair of Council took action on behalf of Council between the November 2020 meeting of Council and the February 2021 meeting of Council. The actions taken were as follows:
- 76.2. In accordance with Statute 18, paragraph 16, the Chair took Chair's Action to appoint a Tribunal with the following members:

- a. Chair: Professor Vivek Mudera, Division Director, UCL Division of Surgery and Interventional Science
- b. Council Member: Dr Justin Turner
- c. Member nominated by the Academic Board: Professor Colm O'Cinneide.

77. Date of the Next Meeting

- 77.1. The next meeting of Council would take place on Thursday 29 April 2021 at 9:30am.

78. Any Other Business

- 78.1. Exempt from publication, please see confidential minute.

Wendy Appleby
February 2021