

DURHAM SU BOARD OF TRUSTEES
DRAFT MINUTES OF A MEETING HELD ON 17 JULY 2024

Members present: Graeme Osborn (Chair) Dan Lonsdale, Moitreya Ganguli, Helen Cutting, Rob Drury, Clare Powne, Emma Clarke, Josh Loan-Clarke.

In attendance: Gareth Hughes, Jane Whalen (minutes), Georgina Lambert, Martin Horrocks.

Apologies received: Liam Isaac, Dylan Jones.

Any underlined text is confidential and for Board members only and will not be included in papers published on the Durham SU website.

Usual business

1. Opening of the meeting

NOTED: apologies, and no conflicts of interests.

The Chair welcomed new members and urged any questions at any time, as an important part of learning for all trustees.

2. Minutes of the previous meeting, and actions (Chair, 5 minutes)

APPROVED: minutes of the previous meeting, subject to accurate recording of conflicts of interest raised at the time.

3. Chief Executive's Report

NOTED: the Chief Executive's report.

The result of the 2024 National Student Survey question 25 was pleasing, and the trustees asked about how the data set can be understood in terms of participation of total population, and sector benchmarking. Durham SU makes use of Durham University analysis, which will be available in the next few weeks and will guide further action in the new academic year.

Durham SU's access and participation work was applauded, and the trustees noted the intention that Durham SU would lead allocation of £85k of student-led 'belonging' projects, which will significantly enhance the ability to delivery of strategic goals.

4. Finance Report

NOTED: the Finance Report.

The trustees queried the expenditure to date, and future plans, for student staff in delivering services from Kingsgate and were told that the management accounts showed expenditure in-month over budget to compensate for reduced availability of career staff hours as annual leave was wound down at year-end. Durham SU would always seek to offer employment opportunities to student staff, and will brief the trustees on the future of Kingsgate as plans develop over the summer.

The balance sheet showed large cash balances for 'DUCK' (Raise-And-Give) funds, which will be disbursed to charities, principally CALM, in the next month or so. The collection and

distribution of charitable funds raised for the benefit of other charities is consistent with one of Durham SU's charitable objects, but an incident in year had elevated the work to the Strategic Risk Register. An update will be provided at the first Board meeting of the year.

Strategic development business

5. Freedom of Speech Code of Practice

APPROVED: the Freedom of Speech Code of Practice.

The trustees welcomed the refreshing approach of the Code of Practice, and asked how the Code of Practice could be changed after it becomes effective. The Chief Executive replied that it seemed possible for the trustees to amend the Code at their discretion, and for him to adjust operational procedures as necessary. Durham SU undertakes most activity likely to be regulated in the autumn, so there will be a useful reflection point in spring 2025.

The draft guidance issued by OfS had not been re-issued following the close of consultation to offer definitive expectations of the regulator but, in any event, Durham SU had declined to include in its Code of Practice some of OfS' political preferences which went further than the limited remit that the law seemed to permit the regulator. OfS had not been asked for their views on this, but there was wide sector recognition that its guidance had overreached in some areas and was inaccurate in other areas. There would be continued engagement with OfS on its expectations but, in the absence of clarity, Durham SU had to follow the law.

The Code of Practice suggested that notice of four weeks was required for Durham SU to authorise an activity, and the trustees compared this to the draft Durham University Code of Practice which specified seven days' notice. The President noted that the institution had extended this to two weeks, given concerns about capacity, and this was also the reason for Durham SU's set notice period. There was every hope that Durham SU could also adopt a two week notice period, but there would have to be agreement on a shared administrative burden. The Code of Practice itself drew attention to the fact that Durham SU had one of the richest portfolios of student activity in the Russell Group, but with the lowest support resource.

The values statement was, in principle, supported, but the Chief Executive was asked to refine some of the language to make clear how the corporate values had been translated into the values relating to freedom of speech, and then into actions. The Chair and Deputy Chair were authorised to confirm their satisfaction with this statement before publication on 1 August 2024.

Action: The Chief Executive to propose refreshed language on the values statement to the Chair and Deputy Chair, for approval by 1 August 2024.

6. Senior Staff Development

APPROVED: principles for the development of the senior staff team.

The trustees supported the Chief Executive's proposal to open consultation on changes to the senior staff team, informed by the principles that overall expenditure on the senior staff team should be reduced, there should be better control of the risk of poorly managed succession planning, and there should be synergy realised in staff teams which interact with students.

7. Strategic Goals and Measures

NOTED: progress on strategic goals

An update on progress against targets within the strategic goals provided cause for optimism. The trustees noted good progress but agreed that it was necessary to have another year of measurement, with high-quality insight provided by a research partner, before taking any decision to move the targets. This would also allow reflection at the mid-point of the strategy.

There had been a good increase in the independent National Student Survey, although the trustees noted the methodological and contextual limitations on the survey.

The trustees offered guidance on the development of strategic goal and target nine, Access, and asked the Chief Executive to bring forward a recommendation following further consultation to the first meeting of the new academic year.

Action: The Chief Executive to propose wording for a new strategic goal on Access at the next meeting of the trustees.

Good governance business

8. Budget

APPROVED: the Budget.

The Chair noted that £37.5k had been budgeted for the Officer Committee to allocate against strategic goals, with appropriate support from senior staff who would ensure compliance with financial regulations. This was a new way of furthering the strategy but informed by practice from student organisations across Europe and worth the experiment.

The trustees thanked the Finance Manager for the team's work on the budget.

9. Relationship with the Durham Union Society

NOTED: the policy position in respect of the Durham Union Society.

The trustees supported the proposal to approach Durham University to seek a partnership to encourage change from within the Durham Union Society. DUS had made some positive steps on a culture change journey, but insufficient progress and needed further external support.

DUS is an organisation providing services to students but is not a student organisation. The trustees noted that the perception of the organisation was confused and, consequentially, there was confusion as to its rights under law. The Chief Executive drew attention to relevant provisions of freedom of speech legislation.

A future decision-making point was suggested for later in the summer, after the Chief Executive and the President had taken the proposal within the paper to Durham University. Any further updates would be circulated by email.

10. Complaints Procedure

APPROVED: the Complaints Procedure.

Questions about the limits on anonymous complaints were answered by referring to the need to ensure the integrity of the process, and the ability to offer effective remedies to complainants. There was benefit in promoting an anonymous feedback mechanism, however, notwithstanding the fact that those using such a mechanism wouldn't have the same rights as those using the formal Complaints Procedure.

Action: The Chief Executive to create and share an anonymous feedback mechanism, further to the Complaints Procedure.

11. Terms of Reference

APPROVED: Terms of Reference for the Board of Trustees, Officer Committee, Appointments Committee, and Chief Executive Support and Review Committee.

There was support in principle for a Committee of the Board with broad powers, as the size of the organisation and interdependent nature of decisions meant that separately constituted committees for human resource, finance, delivery, strategy, and risk committees, for example, created inefficiency for no clear benefit. The trustees did not believe, however, that the details of the General Purposes Committee were ready for approval, and cited trustee membership, trustee leadership, and reporting to the Board, as areas for further review.

Action: The Chair and the Chief Executive to review and propose a committee of the Board further to feedback provided at the meeting.

The Chair asked whether there was support for the other Committees, and the trustees confirmed that Officer Committee, Appointments Committee, and Chief Executive Support and Review Committee would be constituted as set out in the paper.

12. Delegation Statement.

APPROVED: the Delegation Statement, subject to minute 11 of this meeting and powers delegated to the General Purposes Committee being reserved the Board of Trustees.

The Delegation Statement contained references to the General Purposes Committee and the Chair of the General Purposes Committee which, further to minute 11 of this meeting, should be read as referring to the Board of Trustees and the Chair of the Board of Trustees until a decision on the Committee is made at the next meeting.

At 4.4, an amendment was made to clarify that named trustees could act in staffing matters concerning the Chief Executive without need to act on the advice of the Chief Executive.

13. Schedule of Business

DEFERRED: the Schedule of Business.

The Chief Executive apologised for staffing absence delaying the confirmation of dates for meetings in the 2025/26 academic year. The trustees had already received dates and indicative business for the 2024/24 year, and the paper would be circulated for review and approval at the first meeting of the new academic year.

Action: The Chief Executive to circulate the draft paper for information, and the paper to be on the agenda for the first meeting of the new academic year.

Items for Information

14. DUCFS Charity Partner Proposal

APPROVED: the DUCFS Charity Partner Proposal.

15. Chief Executive's Review

NOTED: the Chief Executive's Review

16. Any other urgent business

Reappointment of a trustee

APPROVED: Graeme Osborn's reappointment as a trustee

Graeme Osborn left the room.

Article 53 provides for lay trustees to be reappointed at the end of their first term of office for a further period of three years, subject to a vote of the other trustees. Graeme Osborn was willing to continue to serve, and the trustees voted to confirm him for a second term of three years.

The Chief Executive clarified that this reappointment was separate to a decision on the Chair of the Board. The question of the Chair would be discussed at the away day in September.

Retirement of a trustee

APPROVED: a vote of thanks for Clare Powne

The Chair thanked Clare Powne for her six years of service to Durham SU, and her continuous care, attention, good humour, and positive approach to being a trustee. The Board and the management team were incredibly grateful for Clare's support over many years.

End of meeting

