

DURHAM SU BOARD OF TRUSTEES

DRAFT MINUTES OF THE MEETING 14 October 2020

Members present: Anthony Baker, Clare Powne, Oliver Colling, Seun Twins, Ewan Swift, Anna Marshall, Nailah Haque, Sarah McAllister

In attendance: Gareth Hughes, Kirsty Morrison, Martin Horrocks, Georgina Lambert, Rebecca Henderson, Lauren Hodgson (minutes)

Apologies: Caragh Aylett-Bullock, Chris Nash

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

Usual business items

1. OPENING OF MEETING

Noted: apologies, no conflicts of interest or notification of any other urgent business.

2. MINUTES OF THE PREVIOUS MEETING AND MATTERS ARISING

Accepted: the minutes of the meeting held on 29 July 2020.

3. CHIEF EXECUTIVE'S REPORT

Received: the Chief Executive's report on Durham SU's performance since the last meeting, and to consider any urgent items requiring guidance from the trustees.

The report outlined some of the main COVID-19 updates, including confirming that Durham SU Staff will continue to work from home until 2021, as well as a brief overview of the Risk Register, which will be provided in full at the next meeting.

It was agreed that Durham SU has the correct priorities going forward and more focus should be on what needs to be done to ensure that staff don't run out of capacity trying to do everything.

The Chief Executive notified the Board that both the Director of Campaigns and the Policy and Campaigns Manager will be on maternity leave from January/February 2021, which does have some implications that need to be managed.

The Board were notified of proposals for maternity leave cover and its impact on the senior staff team.

Good governance items

4. APPOINTMENTS

Approved: the appointment of members to Committees

Received: the outcome of a consultation to invite student leaders to join the Board.

The Chief Executive advised that the delivery of a cross campus election would be difficult with the current elections infrastructure and would require capacity to be withdrawn from other areas of

high student need, therefore the recommendation was to proceed with the appointment of students to the Board.

After an in-depth discussion on the proposal for appointing student trustees for 20/21, the Board decided that this would not be the best way to move forward right now and it would be better to develop the appointment process over time, given what had previously happened in last years' election. An election happening now would not be feasible and would mean other priorities would have to be pushed back. The staff team are also working towards improving the current election process but this work has been planned to finish in January 2021 so would not be able to be effective if an election were to happen now. Therefore it was decided that a compromise would be better and Durham SU would hold an election in February 2021, with an immediate start date for March 2021, which would mean the student trustees would have a longer term in their posts.

The Chair asked if Board members could be kept informed on communications regarding this moving forward and the Chief Executive will pull together a paper for this to be brought to the next Board meeting.

The Board disagreed with the recommendation to appoint students to the Board and instructed the Chief Executive to draw up a plan for an election process to take place in February 2021.

5. CORRESPONDENCE FROM THE CHARITY COMMISSION

Agreed: a response to a request from the Charity Commission for further information.

The Chief Executive asked the Board to note the recent developments with the de-registration of the Durham University Free Market Association and the Durham University Conservative Association.

The Board discussed the response and agreed this was a good way forward and the focus should be on helping the groups to understand what is acceptable and what isn't to be a part of Durham SU and asked what the timeframe for this would be.

The Chief Executive said this was unknown as conversations with the groups were just beginning and there needs to be an opportunity for members to give written communication if they prefer. There may also be further correspondence from the Charity Commission, so time will need to be allowed for this, as the response needs to be agreed by the Board before sending. The response will be sent tomorrow once confirmed.

The Board considered the letter from the Charity Commission and agreed the response drafted by the Chief Executive.

Strategic development items

6. DEMOCRATIC FRAMEWORK

Approved: the papers on Durham SU's democratic framework, including:

- a. Governance of a Democratic Review.

The Opportunities Officer is currently leading the Steering Group currently and is also proposed to lead the Delivery Group.

The Board agreed membership of a Steering Group and a Delivery Group, and alignment of the Delivery Group to the joint working group with the University Council.

- b. Response to the Review of the University Secretary's Office into Durham SU's elections.

Durham SU invited the University Secretary's Office to undertake a full review of the 2020 Officer and Trustee Elections. The full report of the review was provided for the Board.

The report recommends that a working group be set up with the University Governance and Nominations Committee to look at the governance of Durham SU Elections and address the issues outlined in the report.

The Board discussed the malicious use of RON in the election and how this could be addressed democratically and how to prevent future abuse of the option. It was suggested that 'spoil the ballot' or similar may work better.

The Board agreed the management response to the USO Review and endorsed the implementation approach.

c. Assumptions informing development of the 2021 elections.

The Chief Executive advised the Board that Durham SU does not currently have a Returning Officer in place and it has been problematic trying to find someone who would be interested in the role and it may need to become a paid role to get more interest.

The Board agreed the dates proposed for elections in 2020/2021 and a process for appointing the Returning Officer.

d. Management of Assembly in Michaelmas term 2020.

Durham SU Standing Orders do not currently allow for Assembly taking place online and due to the current COVID-19 pandemic, the meeting is not able to take place in person. The paper provided a proposed amendment to the standing orders to allow Assembly meetings in 2020/2021 to take place online.

There had been a request submitted for an emergency Assembly meeting to take place, however the proposed discussion would pose a risk to the organisation so the Chief Executive asked for guidance from the Board to decide if it would be acceptable for Durham SU to allow the meeting to take place. The Board agreed that the safeguarding and legal issues are apparent and this platform wouldn't be appropriate for the suggested discussion to take place.

The Chair suggested that any future concerns or issues of a similar nature should be discussed by the Chair, President and Chief Executive rather than being discussed by the full Board.

The Board discussed the issues with making Assembly available to all members in the current online format, ensuring the meeting can take place in a safe space for all and agreed that it would not be possible to make this happen for the first meeting of the year due to time and capacity restraints, but that Durham SU should consider ways this can be done for future Assembly meetings.

The Board agreed that it was necessary to unilaterally use powers under Article 57 to create a Standing Order to permit Assembly to hold a meeting online, and would ask Assembly to ratify the Standing Order post hoc at its next meeting.

The Board agreed the parameters for the management of Assembly in Michaelmas term and agreed the basis for Assembly proceeding in Michaelmas term, which included the creation of a proposed Standing Order.

7. PLAN OF ACTION, OCTOBER 2020 TO JANUARY 2021

Approved: Durham SU's plan of action for October 2020 to January 2021, including:

a. Priorities in light of emergent situation.

Durham SU would usually present the annual plan for the coming academic year in July, however due to COVID-19 this has not been possible and therefore the Board set Durham SU strategic objectives for 2020/2021 at the last meeting.

The Board noted progress on strategic objectives in the period August to October.

b. Financial assumptions.

The Finance Manager explained that the budget was as seen in the accounts with some variation in costs to cover staff Maternity Leave and £10,000 loss for cost of student staff due to commercial reopening, which will now be minimised following the decision to close the bar/café. Cash flow is fine due to University Grant payments being paid.

The Chief Executive noted that some money was being held for student groups, so not all of the funds shown are Durham SU's. These funds shouldn't decrease very much as there is very little activity happening right now.

The Board noted the financial assumptions informing Durham SU's work to year end.

c. Strategic communication priorities.

Durham SU is prioritising communications capacity for 2020/2021. An update will be provided at the next meeting on anything additional to that provided in the paper. Capacity from January 2021 will be reduced due to the Director of Campaigns going on Maternity Leave.

The Board noted the strategic communications plan for the year.