

DURHAM SU BOARD OF TRUSTEES

MINUTES OF THE MEETING 17 MARCH 2021

Members present: Anthony Baker, Clare Powne, Oliver Colling, Seun Twins, Ewan Swift, Anna Marshall, Sarah McAllister, Caragh Aylett-Bullock, Chris Nash, Nailah Haque

Observing: Robert Smith, Kathryn Ellison, Megan Wishart, Ola Wojciechowska

In attendance: Gareth Hughes, Kirsty Morrison, Martin Horrocks, Katie Shaw, Lauren Hodgson (minutes)

Apologies: N/A

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 27 January 2021.

An updated version of the action log was provided, with new and completed actions.

3. REPORTS FROM COMMITTEES

Received: a report from each of the Board's Committees.

The Chair of Performance and Delivery Committee presented an update from their last meeting. The Committee considered risks and opportunities presented by the freedom of speech agenda and agreed this presents a strategic risk. The Committee reviewed the recommendations in the report 'Taking the Debate Forward' but there were doubts over certain principals within report and the Committee asked for this to be reviewed by the full Board. A report was provided for information on engagement with the UK Government Job Support Schemes. The Committee reviewed the Strategic Risk Register, which had been updated with action taken since December.

The Chair of People and Culture Committee presented an update from their last meeting. The annual NUS Staff Engagement Survey opened on 15 February 2021, and the results will be brought to the next meeting. Durham SU staff are considering flexible and hybrid working patterns. Durham SU will make use of the Job Retention Scheme, with all career staff enrolled into the scheme for a two-week period over Easter. The Committee considered the strategic people risk relevant to Durham SU at this time, and agreed satisfaction with risks management. The Committee considered the pay and reward report and approved staff consultation.

There had been no further meetings of Fundraising Committee since the last Board meeting.

4. CHIEF EXECUTIVE'S REPORT

Received: the Chief Executive's report on Durham SU's performance since the last meeting.

The Prime Minister had announced the UK Government's 'roadmap' out of restrictions and Durham SU is now looking at reestablishment of student group activity in Easter Term, with a possibility of commercial activity. The Director of Services and the Opportunities Officer are working closely with the Director of Experience Durham on 'unlocking' campus again.

There were concerns raised about not having a clearer answer to what is possible not just after 21 June but April and May as well. This should be more specific in order to put a plan in place which could be communicated to student groups.

The Director of Services shared the Opportunities team's work with student groups. The team would need a better understanding of the trustees' risk appetite to create guidelines of what would be possible, and the trustees should note that activity might not be possible at all if student groups ambitions were above that appetite. There are currently no commercial staff, and there would need to be fast recruitment for this if this is required. The Chief Executive suggested that supporting activity in the next term would be as usual: within the stated Risk Policy risk appetite of 8 or 'reduce'. This meant that large events in either size or turnover may be too high risk to support, within the expectation of limited capacity. Some commercial activity may be provided.

The Chair suggested that a small working group of trustees look at student group activity during Easter term, outside of the meeting. The Chief Executive agreed that this could be useful, once student groups had been consulted and there was a clearer picture of the appetite for them to put on activities and events during next term. The Chair asked for a financial overview to be provided for this discussion, as initial outlays for larger events may be a contributory factor in a higher risk rating because of the possibility for cumulative irrecoverable loss if events were cancelled.

The Board questioned the use of the furlough scheme during next term, and the impact of this on planning and delivery. The Chief Executive was of the view that although there was risk, the benefits, during a low-demand period, were desirable and consistent with the rules of the scheme. The Chair confirmed that it is possible to bring staff back from furlough at 24hrs notice.

The Durham SU elections have concluded with Officers and trustees successfully elected, with no disruptions. The University Secretary had agreed that a joint Durham SU and Durham University working group would consider the learning from the 2020 elections, but the immediate risk has diminished before a meeting could be convened, and this may now not be necessary. The University Secretary has suggested that a summary report may be suitable instead. The Chief Executive will prepare the report for review by People and Culture Committee.

Assembly met on Thursday 11 March and passed a motion to adopt the IHRA definition of anti-Semitism and invited the SU Board of Trustees to adopt this policy as organisational policy.

The Trustees agreed to adopt the IHRA definition of anti-Semitism. The Chief Executive would propose a suitable place to 'locate' the definition in Durham SU policy.

5. FINANCE REPORT

Received: the Finance Report and management accounts to period 6 (January 2021).

The Finance Manager presented the report, noting that the month 7 management accounts had been circulated, and showed very little change to the forecast end of year position. The organisation utilised around £91,000 of reserves last year but may be in a position to recover this to a large extent by the end of year due to careful management of costs.

Spending is minimal at current and there is very little student group and DUCK activity. £25,000 was added to funds from the Christmas furlough period, and roughly the same amount is anticipated for the Easter furlough period.

The trustees asked for a summary of 2020/2021 project funds to be shown, and in particular the democracy review. The Finance Manager committed to this for the next meeting.

Good governance items

6. APPOINTMENTS

Appointed: Ola Wojciechowska, Robert Smith, Meg Wishart and Kathryn Ellison as trustees for a term of office beginning 3 May 2021 and ending on 31 July 2021.

The trustees asked about the training proposed for the new trustees. A range of initial training is provided, and the Chair has agreed the programme for this Easter, which would include a facilitator external to Durham SU, and time with the senior staff.

The Board appointed Ola Wojciechowska, Robert Smith, Meg Wishart and Kathryn Ellison as trustees for a term of office beginning 3 May 2021 and ending on 31 July 2021 and delegated authority to the Chair to confirm arrangements for induction and training, and appointment to any Committees of the Board.

The Chair deferred a presentation on the democracy review due to time pressures, and asked the Chief Executive to arrange for a briefing session for trustees before the next meeting.

Strategic development items

7. FREEDOM OF SPEECH

Agreed: A Freedom of Speech Policy and Procedure, including risk mitigation measures.

Students' unions are currently under public scrutiny for the measures used to secure freedom of speech. Performance and Delivery Committee agreed that the misrepresentation of the freedom of speech work undertaken by students' unions presents a strategic risk to the reputation of Durham SU, even though there was no evidence of a problem in reality. Students' unions have always received negative press, but this is largely because certain publications wish to pursue an agenda regardless of any evidence. This is an old debate, but the political context is new and concerning.

Performance and Delivery Committee was of the view that the objectives in the NUS/WonkHE report were sensible but generic and required contextualisation to be most relevant to Durham SU. Durham University is keen to support Durham SU to make the case that our activity contributes to a dynamic higher education, and the misrepresentation of our freedom of speech position bears no resemblance to reality. There would need to be further discussion with the University about the extra support necessary to make this activity successful.

The trustees suggested separating policy and procedure into two separate documents. The procedure is clearly a more operational document with a more internal audience. The Chief Executive thought that many would want to see 'everything' and a key audience is a public who want to understand Durham SU's approach, rather than actually engage with the process.

The Board discussed the risks and opportunities presented by the freedom of speech agenda and agreed:

- **The freedom of speech policy and the guest speak procedure as presented but asked for an editorial review before public release.**
- **Strategic communications priority to address the public perception of Durham SU's commitment to freedom of speech and intellectual curiosity.**

Information Items

8. NUS/WONKHE REPORT TAKING THE DEBATE FORWARD – A NEW CODE TO SECURE AND CHAMPION FREEDOM OF SPEECH AND POLITICAL DIVERSITY ON CAMPUS

Received: the report for information.