



CONFIDENTIAL

Board of Governors

**Minutes of the fifty-seventh meeting held on
Thursday 16 August 2012**

Present: Clive Jones – in the Chair
Syed Ali
Kay Dudman
Katherine Farr (by teleconference)
Emir Feisal
Malcolm Gillies – Vice-Chancellor
Rob Hull
Maureen Laurie (by teleconference)
Tony Millns
Daleep Mukarji
Mark Robson

In attendance: Paul Bowler, Deputy Chief Executive
Lyn Link, Director of Human Resources
Peter McCaffery, Deputy Vice-Chancellor
Pam Nelson, Director of Finance
Richard Shaw, KPMG (External Auditors)
Alison Wells, University Secretary
Jonathan Woodhead, Executive Officer

778 Apologies for absence

Apologies for absence were received from Ann Minogue, Dianne Willcocks and Kathy Castle.

779 Declarations of interest

The Board noted Mark Robson's interest as a member of the Board of HEFCE.

780 The University's Suspension from the UKBA Register of Sponsors

Paul Bowler gave a brief introduction to his paper and opened the discussion. The Board recalled the sequence of events as set out in the briefing paper. The University was at first advised that a decision on suspension would be communicated by 10th August. This deadline was then revised by UKBA to Friday 24th August. The University remains suspended during its busiest recruitment period of the year.

The Board discussed the duration of the suspension and the interpretation by the UKBA of the length of time it had to respond formally. During the suspension, the University has been mindful of HEFCE counsel and has adopted a positive and receptive stance to the UKBA that has included clear statements about the impact on the University of the continuing suspension.

[Paragraph removed on grounds of commercial sensitivity]

It was clear that the final decision by the UKBA on whether HTS would be restored, the suspension continued, or the licence revoked was critical to the Board's deliberations.

The Vice-Chancellor raised a number of points and possible actions for the Board's consideration.

The Board acknowledged that some damage to the institution was now inevitable. Pam Nelson, Director of Finance, was requested quickly to carry out detailed reforecasting and budgeting for the consideration of the Finance Committee. Richard Shaw from KMPG commended this

approach and further recommended that the University commence discussions with HEFCE on its repayment schedule.

Governors explored in depth the points and issues and the institution's next steps. A number of governors expressed concern at the disproportionate and inconsistent actions of the UKBA and the possibility that targeting the University was politically motivated. Legal avenues potentially open to the University were discussed and it was agreed that preparations should commence in order to be ready to proceed quickly, in order that action could be launched immediately if either a negative decision is taken or if no decision is received before next Friday (24th August).

The Board agreed key governors and members of the executive should engage urgently with a range of key organisations and stakeholders. HEFCE must also be kept apprised. Pressure would be exerted and influence would be brought to bear wherever possible.

The Board then considered the prospect of a shift in mission for the University to recruit UK/EU students only, a step that would require major restructuring. The Board expressed reluctance but noted formally that it this may be an option.

The Board expressed its firm and continuing commitment to acting in the interests of the University's students and fulfilling its legal and moral responsibilities.

It was agreed that Governors would be kept fully and closely informed of developments with an option to convene a further urgent meeting if necessary.

The University's risk register would be revised to reflect the changing risk profile for the institution.

The meeting then closed.

Certified to be a true record:-

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Chair, 27 September 2012