

King's College Council	
Meeting date	13 July 2022
Paper reference	KCC-22-07-13-02
Status	Final
Access	Members and senior executives
FOI exemption	s.43, commercial interests where indicated RESERVED

Meeting of the King's College Council to be held on **13 July 2022** at 17:00, 8th Floor, Bush House, Strand.

Agenda

17:00 Chair, Principal, Principal's Direct reports and attendees remain outside of the meeting room

In-Camera session [RESERVED]

1	Report of the Governance & Nominations Committee (i) Re-appointment of the Chair (to approve) <i>See the Consent agenda for remaining items</i>	KCC-22-07-13-01	Chair of GNC
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17:10 All Members join the meeting

2	Welcome, apologies and notices		Chair
3	Declarations of interests (to note)	KCC-22-07-13-03	Chair
4	Approval of agenda	KCC-22-07-13-04	Chair
5	Unanimous Consent Agenda , including: 5.2 Minutes of the Previous Meeting; and 5.3 Actions Log	KCC-22-07-13-05.1 KCC-22-07-13-05.2 KCC-22-07-13-05.3	Chair
6	Matters Arising	Verbal	Chair
7	Report of the Chair [RESERVED]		Chair
17:15	7.1 Charter & Statutes amendments (to approve) <i>See the Consent agenda for remaining items</i>	KCC-22-07-13-07.1	
8	Finance & Estates Proposals (to approve) [RESERVED]	KCC-27-07-13-08	
17:20	8.1 Draft Budget 2022/2023 (to approve)		Chair FC/VP Finance
17:35	[REDACTED]		Principal/Chairs FC & ESC
17:55	[REDACTED]		Chair FC/Chair ESC
18:05	[REDACTED]		Chair FC/VP Education
9	Report of the President & Principal		
18:20	9.1 Summary Report on Key Issues (to note)	KCC-22-07-13-09.1	Principal
18:30	9.2 NSS and PTES Results	TO FOLLOW	Director of Analytics
18:40	9.3 Access and Participation Plan Variation 2023/24 (to note)	KCC-22-07-13-09.3	VP (Education)
10	Report of the KCLSU		
18:45	10.1 KCLSU President Report (to note)	KCC-22-07-13-10.1	KCLSU President
18:55	10.2 KCL/KCLSU Relationship Agreement (to approve)	KCC-22-07-13-10.2	Principal/KCLSU President
19:00	10.3 KCLSU/KCL Memo of Understanding (to approve)	KCC-22-07-13-10.3	SVP (Ops)/KCLSU Head of Governance & Compliance

11 Reports of Committees

19:05	11.1	Report of Audit, Risk & Compliance Committee (i) Annual Report of Fundraising Operations (to approve) (ii) Annual Report of the Fundraising Ethical Review Group (to approve) (iii) Audit, Risk & Compliance Committee Effectiveness (to note) (iv) External Audit Tender Update (v) Cyber Security Update Report	KCC-22-07-13-11.1 Annex 1 Annex 2	Chair ARCC
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See the Consent Agenda for remaining items

19:20	11.2	Report of the Fellowships & Honorary Degrees Committee (i) Revisions to Guidelines for the Award of Honorary Degrees, Honorary Fellowships and Fellowships of King's College London (to approve) (ii) Process for Rescinding of Honours (to approve)	KCC-22-07-11-11.2	Chair FHDC
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See the Consent Agenda for remaining item

11.3	Report of the Finance Committee [RESERVED] <i>Four items covered in Item 8 above.</i>	KCC-22-07-13-11.3	Chair FC
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See the Consent Agenda for remaining items

11.4	Report of the Estates Strategy Committee [RESERVED] <i>Two items covered in Item 8 above.</i>	KCC-22-07-11-11.4	Chair ESC
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See the Consent Agenda for remaining items

11.5	Report of Academic Board <i>See the Consent Agenda for all items (all to note)</i>	KCC-22-07-11-11.5	Chair AB
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11.6	Report of the Remuneration Committee [RESERVED]	KCC-22-07-13-11.6	Chair RemCo
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12	Any other business	Verbal	Chair
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13	Meeting Adjourned	Verbal	Chair
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19:30

Irene Birrell
College Secretary
July 2022

Council		
Meeting date	13 July 2022	
Paper reference	KCC-22-07-13-01	
Status	Final - RESERVED	

Report of the Governance and Nominations Committee

Contents	Meeting at which considered	Consent agenda	Council action
1. Re-appointment of the Chair of Council – RESERVED	18 May 2022	No	Approve
2. Council and Committee Membership Recommendations	18 May 2022	Yes	Approve
3. Appointment of members of the Staff and Culture Strategy Committee	18 May 2022	Yes	Approve
4. Communications re Council	18 May 2022	Yes	Note
5. Update on Council Vacancies	18 May 2022	Yes	Note
6. Composition of the Academic Board	18 May 2022	Yes	Note
7. Committee Meeting Dates Changes	18 May 2022	Yes	Note
8. Away Day Agenda	18 May 2022	Yes	Note
9. Council Calendar of Business	18 May 2022	Yes	Note

For Approval

1. Re-appointment of the Chair of Council

Motion: That Council approve the re-appointment of Lord Geidt as Chair of Council effective 1 August 2022 for a term of up to three years.

In coming to this recommendation, the Governance and Nominations Committee considered Lord Geidt's contributions to King's and to Council through the last six years of service and the importance of stability in leadership at a time of great transition for the College.

Lord Geidt joined King's as Chair of Council in 2016, succeeding the Duke of Wellington who had served nine years as Chair. During his tenure King's has grown in size and reputation and Council has been engaged in considering and supporting a range of key initiatives. A short list of these would include developments such as:

- Articulation of a Vision 2029 statement that has provided clarity and direction to the College's Strategy and Achievements.
- The establishment and success of King's Business School
- The rejuvenation of Engineering programmes and a renewed focus on the importance of natural sciences

- An increased focus on student and staff mental health and well being
- Ensuring that the College negotiated the Covid period with a balanced approach which ensured continuing education and research as well as supporting student and staff safety successfully.
- Receipt of an Athena Silver Award and Race Equality Charters
- Commendable REF2021 performance with the College consolidating its position as one of the leading universities in terms of Research Power and Research Impact.
- The development of the Quad Buildings and the London Institute for Healthcare Engineering
- The creation of the Centre for Young People's Mental Health
- The opening of the School for Government and the Global Institute for Women's Leadership
- Sale of Canada Water and securing significant debt issue to assure the College's financial sustainability for the future.
- Substantial gains in philanthropic income from the UK and abroad

He has worked to improve the effectiveness of Council and transparency of decision making, commissioning a full-scale review of governance in 2017. This has led to better clarity with respect to committees' authority, codification of processes for the selection of Council and committee members, a complete revision of the terms of reference and membership of the Academic Board, provision for elected staff members on Council, a determination to add a second student to the membership of Council, and increased opportunities for engagement of members of Council with the College outside of meetings. One prime example of his demand for more openness: as Chair of the Selection Panel for the President & Principal, he insisted that a wide range of stakeholders within the College and externally were consulted to help inform the Panel of challenges ahead as perceived by the community. These provided fundamentally important input into the skills and attributes that should be sought in a successful candidate – the first time such a process had been used.

External to the College, he has been a stalwart support for the Principal in engaging with government, alumni, donors and partners and, prior to Covid, travelled extensively to strengthen and build external relations.

Lord Geidt, and through him the Council, has been a steadfast and invaluable support to the Principal and the senior executive team through the pandemic. With that support, the College has come out of that crisis stronger than before but also facing new challenges:

- Issues of financial sustainability as inflation soars yet government freezes student fees
- Challenges and increased regulatory demands and expectations from government
- Changes in the senior leadership team both structural and in terms of team turnover, with a new Principal, two of four senior vice-presidents who will be new next year, along with two vice presidents
- Changes in Council membership with over half of the independent members of Council having served only one term or less and several very senior members of Council having stepped down or stepping down this year

Reappointment would provide time for orderly succession planning, in conjunction with the next full review of governance in 2023-24. Continuity of leadership will be a significant advantage as the College begins to implement the strategy refresh in its continued pursuit of Vision 2029.

Council's Statutes provide that:

Members shall be appointed for a period of three years and shall be eligible for re-appointment up to a maximum normally of three terms of three years or nine years in total in any one capacity.

This has been refined further by Council's Ordinances which say

Membership of the Council will normally be for a period of no more than two consecutive three-year terms, up to a maximum of six years. Exceptionally a Council member's term may be extended by the Council for a further single three-year term, up to a maximum continuous membership of no longer than nine years.

As noted above, in Lord Geidt's case there is an impressive record of performance for six years during which King's has risen in performance and reputation. It is further recognized that Lord Geidt and the Council provided effective governance leadership to the College during Covid such that students have been well served, and the College's business and reputation have been preserved and enhanced, and a transition to a new Principal has been successfully managed.

Given that the College is just emerging from Covid and its consequences, the new management team and the considerable turnover in the Council members – there are compelling grounds for a third term with a particular purpose of providing stability of governance in the immediate post-Covid period and ensuring an orderly succession to a new Chair.

The Chair of the GNC has consulted with all members of Council as part of this process. The College Secretary has confirmed that we have also confirmed that there were no conflicts of interest during Lord Geidt's tenure.

Having conducted a thorough process and due diligence the Governance & Nominations Committee strongly recommends his reappointment.



2. Council and Committee Membership Recommendations

Motion: That Council approved the following appointments and re-appointments:

- (i) That Clare Sumner, Jon Coles, Paul Cartwright and Ron Kerr be reappointed as independent members of Council for terms from 1 August 2022 to 31 July 2025.
- (ii) That Michael D'Souza's appointment as Honorary Treasurer and independent member of Council be extended to 31 December 2022.
- (iii) That Davide Ferrari be appointed to the student seat on ESC for a three-year term effective 1 August 2022.
- (iv) That Michael Creamer, Stephen Clifton and Stephen Hughes be reappointed as independent members of the Estates Strategy Committee for terms from 1 August 2022 to 31 July 2025.
- (v) That Andrew Scott be reappointed to the Finance Committee for the period 1 August 2022 to 31 December 2022.
- (vi) That Beatrice Devillon-Cohen, Philip Keller, Isabel Neumann and Nicky Richards be reappointed to the Finance Committee for terms from 1 August 2022 to 31 July 2025.
- (vii) That the Rev'd Canon Dr Mark Oakley and Catherine McGuinness be appointed to the Fellowships & Honorary Degree Committee as Fellows representatives for terms from 1 August 2022 to 31 July 2025.

Biographical information for Davide Ferrari, Mark Oakley and Catherine McGuinness is in Annex 2.

3. Appointment of members of the Staff and Culture Strategy Committee

Motion: That Council approved the following appointments:

- (i) That Donna Catley and Hillary Briffa be appointed as members of the Staff and Culture Strategy Committee from 1 August 2022 to 31 July 2025
- (ii) That Lan Tu be appointed as Chair of the Committee for 2022-23
- (iii) That the number of independent members of the Committee be increased from three to four allow a broader range of external HR expertise
- (iv) That the Governance & Nominations Committee be delegated authority to appoint the remaining members of the Committee so that it may begin its work immediately in September

Calls for nominations are being issued to a wide range of stakeholder groups and senior leaders across the College for the various staff seats on the Committee. A general call for nominations will also be put on the College's website. It will be important to seek members from across the College and from different categories of staff to ensure a wide-range of staff participate. As Council will not meet again in regular session until November, GNC is seeking authority to make the appointments so that the Committee can be in operation as soon as possible. An external search consultant will assist with the identification of potential candidates for the independent seats.

For Note

4. Communications re Council

Over the past few months, the issues around an overall communications strategy both internal and external around what Kings stands for, and how we manage important internal relationships has come under more scrutiny and pressure than ever before. This now goes wider than the previous discussions which focused on how to improve the understanding of Council and its role across the College community set out by the Director of Communications and agreed that these needed to be more ambitious and scaled up with robust and clear procedures to put the case for Council on a different footing. The objectives of the communications plan needed to be clear with issues parsed for different responses with better delineation of the objectives of the various parts of the communication strategy. The Principal would work with the Director of Communications to develop a more comprehensive communications strategy for GNC consideration which would then merit further discussion at Council itself.

5. Update on Council Vacancies

The Committee reviewed progress in the search for new members of Council to fill upcoming vacancies.

As part of the governance review, the GNC has identified processes for searching for independent members and the criteria used for selecting members as areas to be considered

6. Composition of the Academic Board

The Committee agreed that the College Secretary should proceed to take forward proposals to enlarge the membership of Academic Board to include elected members from the new King's school of Professional and Continuing Education (PACE) formed in 2021. PACE is a cross-university function bringing together King's Foundations, King's Online, King's Professional & Executive Development (KPED), the Modern Language Centre and Summer Programmes to work with colleagues across faculties and directorates to widen King's educational offering and reach, enabling wider groups of students to experience a King's education. Though not officially a 'faculty', the new function operates much like a faculty, which was acknowledged by agreement that the Director of PACE should serve on the Academic Board ex officio. The establishment of PACE has meant that a number of academic teaching staff who had previously been associated with faculties (especially Arts & Humanities and SSPP) were moved to the new unit and are now no longer directly represented on the Academic Board.

The proposal to establish seats on the Academic Board for this group will be presented to Council from the Academic Board. It is likely that the addition of three seats will be recommended (the Board's seats being assigned to faculties based on size of their academic staff cohort), bringing the Board's total size to 81 members.

The timing of meetings meant that the GNC would need to agree its recommendation of the final proposal by email circulation in order that Council might approve it in July for those elected to be in post for the start of the new academic year and GNC was happy to take that course of action.

7. Committee Meeting Date Changes

The Committee approved the following changes of dates necessary to improve the flow of business through the various cycles of meetings for 2022-2023:

- Moving Thursday 8 September ESC/FC slot to Monday 12 September
- Moving Wednesday 28 September GNC slot to Thursday 20 October
- Moving Wednesday 7 December Academic Board slot to Wednesday 14 December
- Moving Thursday 2 February 2023 GNC slot to Thursday 23 February
- Moving Tuesday 7 March ARCC slot to Tuesday 14 March
- Moving Wednesday 17 May GNC slot to Wednesday 14 June

8. Away Day Agenda

The Principal and the College Secretary would work with the Chair of GNC to finalise an agenda for the Council's next Away Day and would circulate it to GNC for review and approval. The Away Day was scheduled for Wednesday 21 September 2022 and would be held at the Science Gallery at the Guy's Campus. The primary focus of the meeting would be the strategy refresh and related goals and objectives.

The practice in place pre-Covid of holding a dinner the evening before for Council members and session participants would be re-established.

9. Council Calendar of Business

The Committee agreed that the College Secretary should adopt the format of the Calendar of Business included in the Agenda papers for this Council meeting and present it as a standing information item at Council and GNC meetings. The Calendar would set out when the Council responsibilities established in the Charter and Statutes would be discussed over an average year. As they become known, unique proposals (such as capital projects) would be added to the Calendar with estimated timing.

The College Secretary would consult with Council members re topics for strategic focus meetings and breakfast briefings for next year.

Irene Birrell
College Secretary

This paper has been redacted.

King's College Council

Meeting date 13 July 2022

Paper reference KCC-22-07-13-03

Status Final



Declaration of Members' Interests

Action required

- ☐ For approval
- ☐ For discussion
- ☒ To note

Executive summary:

This report records the standing declarations of interest of Council Members. Members are asked to advise the Secretariat of any changes and to declare any conflicts of interest for the business to be considered in the current meeting.

Declaration of Members' Interests

The following report lists the declared interests of each member of the King's College Council. Members are requested:

- (i) To confirm that the record against their name is correct, or to inform the College Secretary of any changes which need to be made.
- (ii) To highlight any items on the agenda of the current meeting which contain any potential conflict of interest for any member.

Christopher Geidt (Chair)

- The Queen's Commonwealth Trust (Chairman)
- The Nuffield Trust for the Forces of the Crown (Trustee)
- The Queen Elizabeth Diamond Jubilee Trust (Trustee) (ended 30 June 2020)
- Schrodgers plc (Chairman, International Relations and Corporate Responsibility)
- BAE Systems plc (Member, International Advisory Board) (ended 8 April 2021)
- Theia Group Inc (UK Adviser) (ended 31 August 2021)
- House of Lords (Crossbench Member)
- The Independent Adviser on Ministers' Interests (ended 15 June 2022)
- President of the Royal Overseas League

Vivek Ahuja

- Chief Executive Officer, Terra Firma Capital Partners Limited
- Non-Executive Director, NatWest Markets plc.
- Fellow member of the Institute of Chartered Accountants in England & Wales (ICAEW)

Hillary Briffa

- Lecturer in National Security Studies, KCL
- Vice-Chair of the governing board of Godwin Junior School
- Vice-Chair of the governing board of Carpenters Primary
- Registered as self-employed – private rental
- Member of the Carpenters Destination Steering Group
- Member of University College Union

Paul Cartwright

- Fellow of The Institute of Chartered Accountants in England and Wales (ICAEW)
- Trustee of Raise, West Hertfordshire Hospitals NHS Trust Charity 1052210 (ended 31 May 2022)
- Non-Executive Director of West Hertfordshire Hospitals NHS Trust (ended 31 May 2022)

Donna Catley

- Paid employee of Compass Group U&I

Jon Coles

- Trustee, Athena GEP Trust (formerly Athena Schools Trust)
- Chief Executive and Trustee, United Learning
- Honorary President Challenge Partners (formerly Chair to August 2021)
- Trustee, Professional Teaching Institute (ended April 2021)

Michael D'Souza

- Bank of England (part-time)
- Independent member, Bank of England RTGS/CHAPS Board of Directors and Chair, Risk Committee
- Member of the Bank of England's Court of Directors' RTGS Renewal Committee
- Independent senior advisor at the Bank of England's Prudential Regulation Authority

- Chair of the Regulatory Arbitrage and Market Consequences Committee
- Independent Member, Bank of England Resolvability Assessment Framework Steering Committee

Paul Goswell

- Trustee of the Somerset House Trust
- CEO of Delancey Real Estate Asset Management
- Cape Projects Limited, Centros Miller 1999 Limited
- Cortx Holdings Limited, Croydon Plaza Limited
- Dcif Uk General Partner Limited, Delancey Asset Management Limited, Delancey Coinvestment Limited, Delancey Nw1 Co-Investments Ltd, Delancey Nw1 Group Ltd, Delancey Nw1 Promote Ltd, Delancey Partners Co. Limited, Delancey Real Estate Asset Management Group Limited, Delancey Real Estate Asset Management Limited, Delancey Real Estate Debt Services Limited, Delancey Real Estate Partners Limited, Delancey Real Estate Partners Limited, Dream Nw1 Co-Invest Spv Limited, Dream Nw1 Gp Spv Limited, Dv4 Administration 1 Uk Limited, Five Oaks Investments Limited, Headland Investments Limited, Here East Management Limited, Innovation City (London) Limited, Jupiter Properties 2011 UK Limited, Minerva (Croydon) Limited, Minerva (Finance) Limited, Minerva (Kensington Developments) Limited, Minerva (Stores) Limited, Minerva Corporation Limited, Minerva Limited, Mount Kendal Limited, Mount Kendall Group Limited
- Newincco 1404 Limited, Newincco 1407 Limited
- Nw1 Partners (Gp) Ltd, Nw1 Spanish Logistics (UK) Holdco Ltd
- Penninsula Projects Limited, Penninsula Projects (Ellands) Limited
- Scarp Developments Limited, Soho Clerkenwell and General Industrial Dwellings Company Limited, Somerset House Trust
- Totton Investments Limited
- Member of the RCIS

Shitij Kapur

- President & Principal, KCL
- Advisory Board of the Medical Research Future Fund, Australia
- Advisory Board of SUSTech

Ron Kerr

- Guys and St Thomas' Foundation Trustee
- Special Advisor to the Board, Guy's and St Thomas' NHS Foundation Trust
- Chair, NHS Providers

Steve Large

- Senior Vice President (Operations), KCL
- Trustee, Council for the Advancement & Support of Education Europe (ended 23 September 2020)
- Trustee Director of the Superannuation Arrangements of the University of London (SAUL)
- Fellow of the Chartered Association of Certified Accountants
- Member of the Chartered Institute of Management Accountants

Sarah Mullally

- London Diocesan Board of Finance – Trustee & Director
- London Diocesan Board for Schools – Trustee & Director
- London Diocesan Fund – Trustee, Director & Chair
- Lygon Almshouses Trust – Trustee & Patron
- Royal Foundation of St Katharine (The) – Trustee (member of the Court)
- Bromley & Sheppard's Colleges – Trustee
- Allchurches Trust – Member
- The Church Commissioners (Clerk in Holy Orders)
- Member of the House of Lords - Lord Spiritual
- UNITE

- Bereavement Commission
- Health Inequalities Group for London

Clare Sumner

- Director, Policy for the BBC

Zahra Syed

- President, KCLSU

Guy Tear

- Head, Department of Genetics, KCL
- Member of University and College Union
- Member of British Society for Developmental Biology
- Member of Genetics Society
- Fellow of Royal Society of Biology

Kat Thorne

- Director of Sustainability, KCL

Richard Trembath

- Senior Vice President (Health & Life Sciences), Professor of Medical Genetics, Faculty of Life Sciences & Medicine, KCL
- Executive Director, King's Health Partners
- Director & Trustee, The Francis Crick Institute
- Non-Executive Director, King's College Hospital
- Board Director, UK Biobank
- Non-Executive Director, MedCity
- Member, Royal College of Physicians
- Member, Academy of Medical Sciences
- Member, British Society for Human Genetics
- Member, Association of Physicians of Great Britain
- Member, American Society of Human Genetics
- Owner, Apartment 10, Victor Wharf, Clink Street, London, SE1 8DW

Lan Tu

- NED, WNS (Holdings) Ltd (NYSE: WNS)
- Director, Lonsdale Road (Barnes) Management Company Ltd
- Non Executive Director, Shawbrook Bank
- Board Advisor, Mental Health at Work

Evelyn Welch

- Senior Vice President Service, People & Planning; Professor of Renaissance Studies, KCL
- Chair, Board of Trustees, Dulwich Picture Gallery
- Chair, Advisory Board, Warburg Institute, University of London
- Research England, REF Panel Member
- Director, Florence & the Machine Ltd and subsidiaries
- Member, Association of Art Historians
- Member, Renaissance Society of America
- Member, Society for Renaissance Studies
- Member, Court History Society
- Member, Royal Historical Society

Unanimous Consent Agenda

A consent agenda is a tool often used by organizations to deal expeditiously with routine matters and reports, leaving more time for more strategic discussions. The items on a consent agenda are expected to be non-controversial and unlikely to engender questions. The items on the consent agenda, whether for approval or information, are dealt with by a single motion to accept/receive for information all items contained in the consent agenda. Before taking the vote, however, the Chair will ask whether any member wishes to have any item removed from consent in order to ask a question or make a comment about it. In such a case, the item is automatically removed from the consent agenda and will be dealt with at the end of the meeting or within the report of the Committee under which it sits. The remaining items are then unanimously approved/received for information en bloc without discussion.

While approval of an omnibus motion saves time at meetings, members will want to review the consent agenda materials carefully in order that they properly discharge their responsibilities. Members may ask to have an item removed from the consent agenda by so informing the Secretary or Chair at any time up until the motion is put.

Recommended: That the Council approve or note for information the items contained in the Unanimous Agenda, listed below.

Item	Title	Paper	Action
5.2	Minutes of May 2022	KCC-22-07-13-05.2	Approve
5.3	Actions Log	KCC-22-07-13-05.3	Note
Report of the Governance & Nominations Committee		KCC-22-07-13-01	
01	(ii) Council and Committee Membership Recommendations		Approve
	(iii) Appointment of members of the Staff and Culture Strategy Committee		Approve
	(iv) Communications re Council		Note
	(v) Update on Council Vacancies		Note
	(vi) Composition of the Academic Board		Note
	(vii) Committee Meeting Dates Changes		Note
	(viii) Away Day Agenda		Note
	(ix) Council Calendar of Business	Annex 1	Note
Report of the Chair			
07.2	Ordinances amendments	KCC-22-07-13-07.2	Approve
07.3	Council and Committee dates 2023/2024	KCC-22-07-13-07.3	Note
Report of the Audit, Risk & Compliance Committee		KCC-22-07-13-11.1	All to note
11.1	(vi) Annual Internal Audit Plan 2022/2023		
	(vii) External Audit Plan for 2021/2022 Financial Statements		
	(viii) Internal Audit Update		
	(ix) Compliance Report		
	(x) Risk presentations and discussions: Fundraising Risks; Annex 3 and Reputation management	Annex 4	

Report of the Fellowships & Honorary Degrees Committee		KCC-22-07-13-11.2	
11.2	(iii) Court of Benefactors		Note
Report of the Finance Committee		KCC-22-07-13-11.3	All to note
11.3	(v) Financial Statement Reporting Pack and Forecast Debt		
	(vi) Principal's Report and Strategy Refresh Report		
	(vii) Financial Statement Accounting Issues 2021/2022		
	(viii) Chief Finance Officer Report		
Report of the Estates Strategy Committee [RESERVED]		KCC-22-07-13-11.4	All to note
11.4	[REDACTED]		
	[REDACTED]		
	[REDACTED]		
	[REDACTED]		
	[REDACTED]		
	[REDACTED]		
Report of the Academic Board		KCC-22-07-13-11.5	
11.5	(i) Student Terms & Conditions		
	(ii) The Strategy Refresh		
	(iii) Update on King's People & Culture Strategy		
	(iv) Celebrating Cultural Competency		
	(v) Academic Board Sub-Committee reports		

See published minutes from the previous meeting [here](#)

Actions Log

Action required

- ☐ For approval
- ☐ For discussion
- ☒ To note

Executive summary

Council is asked to note the action taken following discussions at previous meetings.

Actions Log

Meeting	Minute	Topic	Decision for Action	Notes	Owner	Original deadline	Progress
<i>May 2022 Council Meeting</i>							
<i>March 2022 Council Meeting</i>							
<i>January 2022 Council Meeting</i>							
<i>November 2021 Council Meeting</i>							
23/11/21	7.1 (iii)	Finance Committee (Private & Confidential)	LIHE FBC The Chair (ARCC) suggested this project could be a good candidate for review of benefits two to three years out against what was promised.		SVP (Operations)		In progress
<i>July 2021 Council Meeting</i>							
14/07/21	4	Matters Arising (Private & Confidential)	Petition to Rescind a Fellowship Fellowships & Honorary Degrees Committee to address the request to articulate the circumstances under which it would take an award away and report back on its discussion.	Initial discussion by FHDC in November 2021. Extra meeting scheduled in March 2022 for FHDC	College Secretary	See report on July 2022 agenda	Complete
<i>May 2021 Council Meeting</i>							
26/05/21	10	AOB: Climate Risk	Future in-depth discussion of ESC/Climate Change/Climate Risk	ESC discussed in September 2021	College Secretary	Academic Year 2021/2022	In progress – deferred to discussions of strategy
<i>March 2021 Council Meeting</i>							
31/03/21	7.1 (iii)	Financial Outlook and Risks	The Finance Committee to receive a report on the Research Deficit Plan from the Vice-President (Research), which it would then report to Council	Update through Research Sustainability workstream of the Strategy Refresh programme	VP Finance/ Chair FC/VP Research		In progress
<i>January 2021 Council meeting</i>							

Meeting	Minute	Topic	Decision for Action	Notes	Owner	Original deadline	Progress
30.01.20	6.3	OfS – Access & Participation	Briefing on the nature of the requirements for reporting purposes to be scheduled for Council members	Schedule a briefing	College Secretary	January 2021	In progress – OfS is amending its timelines and requirements

Joanna Brown
Governance Manager
July 2022

King's College Council	
Meeting date	13 July 2022
Paper reference	KCC-22-07-13-07.1
Status	Final
Access	RESERVED



Charter and Statutes – Special Resolution

Action required

- ☒ For approval
☐ For discussion
☐ To note

Motion: Council is asked to **approve by Special Resolution** to petition Her Majesty:

- (i) for an Amendment Supplemental Charter in the form attached at Annex 1b to this paper to amend and replace the College's existing Supplemental Charter of 2009 subject to any amendments required by Her Majesty; and
- (ii) for amendments to the Statutes in the form attached at Annex 2b to this paper, and to request that Her Majesty approve the revision of the Statutes as noted subject to any amendments required by Her Majesty.

Paper Explanation for Members

Why is this paper being presented?	For approval as the second stage of approval of a special resolution. This is the second presentation of the amended Charter and Statutes for approval, following notice given on 12 May 2022 in accordance with the special resolution requirements.
What are the key points/issues?	The Amended Supplementary Charter and the revised Statutes require the approval of the Privy Council. The amendments proposed have been approved by Council at meetings held over the last two years. The initial proposal was to gain "university title" along with many other colleges of the University of London. Additional amendments were added, including the one substantive change to the Statutes to reconfigure the membership to allow a second student to serve on Council. All Government department approvals are now in place in order that the proposals can be put forward to the Privy Council.
What is required from members?	Approval

Paper History

Action Taken	By	Date of Meeting
Summary of amendments and process and notice of this first approval request	Council	31 March 2022
First stage approval	Council	12 May 2022

Paper Submitted by:

Irene Birrell, College Secretary

Charter and Statutes – Special Resolution

Motion: Council is asked to **approve by Special Resolution** to petition Her Majesty:

- (i) for an Amendment Supplemental Charter in the form attached at Annex 1 to this paper to amend and replace the College's existing Supplemental Charter of 2009 subject to any amendments required by Her Majesty; and
- (ii) for amendments to the Statutes in the form attached at Annex 2 to this paper, and to request that Her Majesty approve the revision of the Statutes as noted subject to any amendments required by Her Majesty.

Attached:

Annex 1a - Summary of proposed amendments to the Charter

Annex 1b - Proposed Amendment Supplementary Charter

Annex 1c - Redline version of the proposed Amendment Supplementary Charter

Annex 2a - Summary of proposed amendments to the Statute

Annex 2b – Proposed revised Statutes

Annex 2c - Redline version of the proposed revised Statutes

King's College London

Summary of Proposed Charter Amendments 2022

1. Substitute “University” for “College” in the following articles:

1, 2(1), 2(2), 2(3), 3(1), 3(2), 4 (first sentence), 4(1), 4(3), 5(1), 5(2), 6, 7, 8, 9, 10, 11(1), 12, 16

This change reflects the newly-attained right to university title.

2. Substitute “President and Principal” for “Principal and President” in the following articles:

1, 5(2), 6

This change recognises the change in practice of designating the role of Principal within King's.

3. In Article 1, definition of “Special Resolution”:

Delete

“Special Resolution” means a resolution passed at one meeting of not less than two-thirds of the members of the Council and confirmed at a subsequent such meeting held not less than one calendar month nor more than three calendar months after the former meeting where written notice of each meeting and of the object of the meeting has been given to each member of the Council not less than fourteen clear days before the date fixed for the meeting and the resolution has been passed at each meeting by not less than two-thirds of those present and voting;

Insert

“Special Resolution” means a resolution passed at a meeting of not less than two-thirds of the members of the Council where written notice of the meeting and of the object of the meeting has been given to each member of the Council not less than fourteen clear days before the date fixed for the meeting and the resolution has been passed at the meeting by not less than two-thirds of those present and voting;

This change is proposed in response to a recommendation of the Privy Council office that we remove the two-meeting requirement for approval of special resolutions wherever possible.

4. In Article 1, final paragraph:

Delete

Words importing the masculine gender shall, where necessary, be construed as importing the feminine and words importing the singular number shall, where necessary, be construed as importing the plural and vice-versa.

Insert

Words importing the singular number shall, where necessary, be construed as importing the plural and vice-versa.

Gendered language has been removed throughout the document so the reference to the masculine gender importing the feminine is not needed.

5. In Article 4(3):

Delete “academic” before “distinction”

Removing “academic” gives the university the ability to revoke other awards that are not academic, such as Fellowships or Honorary Fellowships.

6. In Article 5(2):

Substitute the word “Chair” for “Chairman” and the word “Vice-Chairs” for “Vice-Chairmen” throughout.

Removal of gendered language.

7. In Article 6:

(a) Insert “Vice-Chancellor and” before “chief academic and executive officer”

This insertion will permit the President and Principal to describe the role as best suits the circumstance, especially in international locations where different titles are understood differently.

(b) Substitute the word “whose” for “his”

Removal of gendered language.

ELIZABETH THE SECOND

by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith:

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING!

WHEREAS His Majesty King George the Fourth did, on the fourteenth day of August 1829, grant a Charter constituting and founding King's College London:

AND WHEREAS the Corporation of King's College London was incorporated by the said Charter of 1829 and (notwithstanding the annulment of that Charter by the King's College London Act 1882) remained incorporated by virtue of that Act and subsequently by virtue of the King's College London (Transfer) Act 1908:

AND WHEREAS the King's College London Act 1978 received Our Assent on the twentieth day of July 1978 and a Charter granted consequent upon a Petition presented unto Us by Our most dearly beloved Mother, Queen Elizabeth The Queen Mother, Chancellor of Our University of London, Our trusty and well beloved Sir Frank

Hartley, Knight, Commander of Our Most Excellent Order of the British Empire, formerly Vice Chancellor of the University of London, the Delegacy of University of London King's College and the Corporation of King's College London

AND WHEREAS the Council of King's College London has presented to Us in Council a humble Petition submitting that it is desirable that it amend its constitutional provisions to reflect it gaining status as a university, whilst remaining as a member of the University of London federation, by the grant of a further Supplemental Charter:

NOW, THEREFORE, KNOW YE that We having taken the said Petition into Our Royal consideration have of Our especial grace, certain knowledge and mere motion willed and ordained and do by these

Presents, for Us, Our Heirs and Successors, will and ordain that the Charter shall be amended as follows:

Throughout the Charter, replace “College” with “University” wherever it appears in articles 1 through 12 and article 16.

Throughout the Charter, replace “Principal and President” with “President and Principal” wherever they appear in articles 1, 5(2) and 6.

In Article 1

(a) in the definition of a Special Resolution replace “one meeting” with “a meeting”, delete “and confirmed at a subsequent such meeting held not less than one calendar month nor more than three calendar months after the former meeting” and replace “each meeting” with “the meeting”.

(b) delete “the masculine gender shall, where necessary, be construed as importing the feminine and words importing”.

Delete Article 4(3) and replace with 4(3) Revoke any degree, diploma, certificate or other distinction awarded or conferred by the

College.”

In Article 5(2) substitute ‘Chair’ for ‘Chairman’ and ‘Vice-Chairs’ for ‘Vice-Chairmen’ wherever they appear.

In Article 6,

(a) Substitute “who shall be the Vice-Chancellor and chief academic and executive officer” for “who shall be the chief academic and executive officer

(b) substitute “whose” for “his”.

IN WITNESS whereof We have caused these Our Letters to be made Patent.

WITNESS Ourselves at Westminster the day of in the year of Our Reign.

BY WARRANT UNDER THE QUEEN'S SIGN MANUAL

SCHEDULE

ELIZABETH THE SECOND

by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith:

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING!

WHEREAS His Majesty King George the Fourth did, on the fourteenth day of August 1829, grant a Charter constituting and founding King's College London:

AND WHEREAS the Corporation of King's College London was incorporated by the said Charter of 1829 and (notwithstanding the annulment of that Charter by the King's College London Act 1882) remained incorporated by virtue of that Act and subsequently by virtue of the King's College London (Transfer) Act 1908:

AND WHEREAS the King's College London Act 1978 received Our Assent on the twentieth day of July 1978 and a Charter granted consequent upon a Petition presented unto Us by Our most dearly beloved Mother, Queen Elizabeth The Queen Mother, Chancellor of Our University of London, Our trusty and well beloved Sir Frank

Hartley, Knight, Commander of Our Most Excellent Order of the British Empire, formerly Vice Chancellor of the University of London, the Delegacy of University of London King's College and the Corporation of King's College London

AND WHEREAS the Council of King's College London has presented to Us in Council a humble Petition submitting that it is desirable that it amend its constitutional provisions to reflect it gaining status as a university, whilst remaining as a member of the University of London federation, by the grant of a further Supplemental Charter:

NOW, THEREFORE, KNOW YE that We having taken the said Petition into Our Royal consideration have of Our especial grace, certain knowledge and mere motion willed and ordained and do by these

Presents, for Us, Our Heirs and Successors, will and ordain that the Charter shall be amended as follows:

Throughout the Charter, replace “College” with “University” wherever it appears in articles 1 through 12 and article 16.

Throughout the Charter, replace “Principal and President” with “President and Principal” wherever they appear in articles 1, 5(2) and 6.

In Article 1

(a) in the definition of a Special Resolution replace “one meeting” with “a meeting”, delete “and confirmed at a subsequent such meeting held not less than one calendar month nor more than three calendar months after the former meeting” and replace “each meeting” with “the meeting”.

(b) delete “the masculine gender shall, where necessary, be construed as importing the feminine and words importing”.

Delete Article 4(3) and replace with “4(3) Revoke any degree, diploma, certificate or other ~~academic~~ distinction awarded or conferred by the

College.”

In Article 5(2) substitute ‘Chair’ for ‘Chairman’ and ‘Vice-Chairs’ for ‘Vice-Chairmen’ wherever they appear.

In Article 6,

(a) Substitute “who shall be the Vice-Chancellor and chief academic and executive officer” for “who shall be the chief academic and executive officer

(b) substitute “~~his~~whose” with for “~~whose~~his”.

IN WITNESS whereof We have caused these Our Letters to be made Patent.

WITNESS Ourselves at Westminster the day of 20 in the year of Our Reign.

BY WARRANT UNDER THE QUEEN'S SIGN MANUAL

SCHEDULE

King's College London

Summary of Proposed Statute Amendments 2022

1. Substitute “University” for “College” wherever it occurs in the following Articles:

1(i), 7, 7(b), 7(c), 7(d), 7(h), 7(i), 7(j), 7(k), 7(l), 7(m), 7(o), 8(c), 9(d), 9(e), 9(f), 9(g), 11, 11(a), 11(b), 11(c), 11(d), 14 (as renumbered), 16 (as renumbered), 17 (as renumbered)

This reflects the right to university title.

2. Substitute “President and Principal” for “Principal and President” wherever it occurs in the following Articles:

1(i), 7(p), 9(a), 9(b), 11 (including header), 13 (as renumbered), 20 (as renumbered)

This reflects a change in practice over the past several years as to how the Principal is addressed.

3. Article 1(i)

Delete

those appointed by the Council on the recommendation of the Council’s Nominations Committee, in accordance with the Ordinances, who shall number up to 20 members of whom 12 shall be lay members and 8 shall be members of the staff of the College to include the Principal and President.

Insert

those appointed by the Council on the recommendation of the Council’s Governance and Nominations Committee (or any such successor body established by Council) in accordance with the Ordinances, who shall number up to 20 members of whom 12 shall be independent members, 1 shall be a student, and 7 shall be members of the staff of the University to include the President and Principal.

Council conducted an in-depth review of its structure, operations and effectiveness in 2018. Among the changes recommended for membership were that:

- In alignment with peer institutions, there should be two student seats on Council with one being designated for the President of the students’ union and one being appointed by Council. Council’s wish was to add this seat without increasing its overall size and so the decision was taken to reduce the number of staff seats by one. The reference to the ex officio seat for the student union President is unchanged in Article 1(ii). The intent, wherever possible, is that there will be both an undergraduate student and a post-graduate student as members to ensure breadth of student voice and provision for this will be made in the Ordinances.
- Those members of Council who are not staff or students should be designated as “independent” rather than “lay” members as it more accurately reflects the nature of their role.

4. Article 2:

Delete

Other than the Principal and President and the President of the Students' Union who shall serve for the period of their respective offices

Insert

Other than any ex officio members who shall serve for the period of their respective offices

This change also arose out of the 2018 governance review. The intent of the change is to allow Council more flexibility in determining from time to time whether it should appoint ex officio members in addition to the Principal and the President of the students' union, without embedding other roles and titles into the Statute and, again, without increasing Council's size. For example, the staff seats on Council are currently split between elected staff and three senior officers who are appointed. One of those officers is reaching the three-term limit for appointed members but Council would see value in having that individual continue for at least another year given the importance of the role in particular issues at this time. Under the current Statute wording, the individual cannot continue as a member.

5. Article 4:

Substitute "independent" for "lay".

Change in nomenclature for members who are neither staff nor students. See item 3, above.

6. Article 7(e):

Insert "as" before "permitted"

Editorial correction.

7. Article 7(o):

Delete period at end of second line, lower case "provided"

Editorial correction.

8. Article 10:

(a) Substitute "Chair" for "Chairman" and "Vice-Chairs" for "Vice-Chairmen" wherever they occur.

(b) Delete "his" and "he" wherever they occur and rephrase

Gender neutral language.

9. Article 11:

(a) Paragraph (a)

Delete "entrusted to him" and insert "authorised"

Gender neutral language

(b) Paragraph (e)

Delete "he" and insert "the President and Principal"

Gender neutral language

10. Article 12 – new:

Insert

Interim or Acting President and Principal

12. Interim or Acting President and Principal

In the event of an absence or incapacity of the President and Principal or if the office of the President and Principal is vacant, the Chair of Council shall make an acting appointment to be confirmed by Council at the first opportunity

The existing Article 12 wraps together the appointment of other members of the senior executive with the process to be followed in the event that the President and Principal was to be absent or not able to carry out their duties. The two have been separated for clarity and to give more flexibility as to who might be appointed to the interim role. Under the current terms, appointees would be limited to the vice-principals which might not always be appropriate or the best option.

11. Article 13 – Renumbered:

Delete:

The Vice Principals

The Principal and President may, with the approval of the Council, appoint one or more Vice-Principals who shall, subject to these Statutes, assist the President in such matters as the President may from time to time delegate to them. In the event of two or more Vice-Principals being appointed, one of their number shall be appointed by the Principal and President as Acting Principal and President to act for him in the event of his temporary absence. Where the office the Principal and President is vacant or in the event of the incapacity of the Principal and President, the Chairman of the Council shall the acting appointment.

Insert:

The Senior Vice-Presidents/Provosts/Vice-Presidents/Vice-Principals

The President and Principal may, with the approval of the Council appoint one or more Senior Vice-Presidents/Provosts/Vice-Presidents/Vice-Principals who shall, subject to these Statutes, assist the President and Principal in such matters as the President and Principal may from time to time delegate to them.

As noted in item 10, above, the substantive change is to separate the ability of the President and Principal to appoint executive officers from the process to be followed in the event of the President and Principal's absence or incapacity. The paragraph now also reflects the changes to titles/roles that have evolved since 2009.

12. Article 16 – Renumbered

Substitute "the Auditor's" for "his"

Gender neutral language.

13. Article 18 – renumbered

(a) *Delete “by the Auditor’s death or resignation or any other cause”*

Qualifying phrase unnecessary.

(b) *Substitute “the Auditor’s” for “his” and delete “in his place”*

Gender neutral language.

Irene Birrell
College Secretary

THE STATUTES

Membership of the Council

1. The Council shall consist of the following persons:
 - (i) those appointed by the Council, on the recommendation of the Council's Governance & Nominations Committee, in accordance with the Ordinances, who shall number up to 20 members of whom 12 shall be independent members, 1 shall be a student and 7 shall be members of the staff of the University to include the President and Principal.
 - (ii) the President of the King's College London Students' Union ("the Students' Union").
2. Other than any ex officio members who shall serve for the period of their respective offices, members shall be appointed for a period of three years and shall be eligible for re-appointment up to a maximum normally of three terms of three years or nine years in total in any one capacity.

Meetings of the Council

3. The Council shall hold such number of meetings each year as shall be determined by Ordinances.
4. A quorum at a meeting of the Council shall be 11. Of those present, a majority shall be independent members.
5. A written resolution signed by all those entitled to vote at a meeting of the Council is as valid as a resolution actually passed at a Council meeting. For this purpose the written resolution may be set out in more than one document and will be treated as passed on the date of the last signature.

Ordinances and Regulations

6. The Council shall make Ordinances and shall delegate to the appropriate authority as specified by the appropriate Ordinance, the making of Regulations. If there is an inconsistency between the provisions of any Ordinances and the Regulations, the Ordinances shall prevail.

Functions and Powers of the Council

7. The Council shall be responsible for ensuring that the objects of the University are fulfilled. Without prejudice to the generality of the functions and powers exercisable by the Council on behalf of the University, those functions and powers shall include the following:
 - (a) to be responsible for the management and use of all property, revenues and grants;
 - (b) to govern, manage and regulate the finances, accounts, investments, property, business and all affairs whatsoever of the University and for these purposes to appoint bankers and any other officers or agents;
 - (c) to solicit, receive and administer in the interests of the University money or property of any kind;
 - (d) to sanction the receipt or acceptance on its behalf of any money or property by any committee or society or other body created or incorporated to raise funds for the University;
 - (e) in furtherance of the objects, and so far as permitted by charity law, to give guarantees;
 - (f) to subscribe to any charities and to grant donations for any charitable purpose consistent with the Charter;
 - (g) to enter into arrangements with institutions or public bodies or industrial or commercial concerns with a view to the advancement, application and dissemination of knowledge;

- (h) to deposit or to invest moneys and funds of the University as the Council shall from time to time think fit in accordance with all relevant laws and for those purposes shall have the authority to enter into any financial instrument which is ancillary or incidental to the exercise of such powers;
- (i) in furtherance of the objects, and so far as permitted by charity law, to borrow and raise money and give security for loans; and for those purposes the University shall have the authority to enter into any financial instrument which is ancillary or incidental to the exercise of such powers;
- (j) to exploit for the University's benefit a facility or resources of the University, including study, research or knowledge or the practical application of study, research or knowledge belonging to the University, whether alone or with someone else;
- (k) to constitute or dissolve Faculties, Schools, Institutes, Departments, Divisions and Centres of the University;
- (l) to confer on such persons as the Council considers worthy Honorary Degrees, Honorary Fellowships and Fellowships of the University and to revoke the same in accordance with the Ordinances and Regulations;
- (m) to promote and maintain a students' union for the benefit of the students of the University;
- (n) to appoint the Auditor who shall receive such remuneration as may be determined from time to time by the Council;
- (o) from time to time at any meeting of the Council to make, alter or revoke Ordinances and Regulations for the conduct of the business or affairs of the University: provided that notice of an intention to propose any amendments to or revocation of the existing Ordinances and Regulations or the making of any new Ordinances and Regulations shall have been given in the notice calling any such meeting;
- (p) to appoint and dismiss the President and Principal; and
- (q) to appoint and dismiss the person performing the role of Clerk to the Council.

Delegation by the Council

- 8. Subject to Statute 9 below, the Council may delegate its powers under the Charter, the Statutes and Ordinances and Regulations while remaining accountable to:
 - (a) an appropriately qualified member of the Council; or
 - (b) an appropriately qualified committee that contains one or more members of the Council; or
 - (c) an appropriately qualified member of the University's staff.
- 9. The Council may not delegate its powers:
 - (a) to appoint and dismiss the President & Principal and to approve the President and Principal's terms and conditions of appointment;
 - (b) to approve and monitor the strategic plan (along with associated annual business plans and risk management strategies) recommended by the President and Principal;
 - (c) to amend the Charter and the Statutes;
 - (d) to make University Ordinances;
 - (e) to ensure the solvency of the University and safeguard its assets;
 - (f) to adopt the University's Budget and Annual Accounts;
 - (g) to appoint the University's Auditors; and
 - (h) to amend the Council's terms of reference.

Powers of the Chair

- 10. The Chair of the Council who shall be known as the Chair of King's College London, shall be empowered to take action on behalf of the Council in any matter being in the Chair's opinion either urgent or non-contentious and shall report such action to the Council at its next meeting for confirmation.

Powers & Duties of the President and Principal

11. The President and Principal as the Chief Executive of the University shall:
 - (a) have a general responsibility to the Council for ensuring that the objects of the University are fulfilled and for maintaining and promoting the efficiency, discipline and good order of the University and shall have such powers and duties as may be authorized by the Council;
 - (b) subject to the provisions of the Charter and these Statutes, have power to admit as a student of the University anyone having the requisite qualifications, in accordance with Ordinances and Regulations;
 - (c) have power in accordance with Ordinances and Regulations, which shall provide for a right of hearing and of appeal to suspend or terminate the University registration of any student for reasons of academic insufficiency and to exclude any such student from access to any property of the University;
 - (d) have power, in accordance with Regulations, to suspend any employee of the University and to exclude any person from access to any property of the University;
 - (e) have power to delegate any or all of the powers conferred by paragraphs 11(b), (c), (d) and (e) of this Statute to such person or persons as the President and Principal may think fit;
 - (f) make an annual report to the Council.

Interim or Acting President and Principal

12. In the event of an absence or incapacity of the President and Principal, or if the office of the President and Principal is vacant, the Chair of the Council shall make an acting appointment to be confirmed by the Council at the first opportunity.

Senior Executives

13. The President and Principal may, with the approval of the Council, appoint one or more Senior Executives who shall, subject to these Statutes, assist the President and Principal in such matters as the President and Principal may from time to time delegate to them.

The Auditor

14. The Council shall appoint an Auditor of the University who shall be a member of a recognised supervisory body (as defined in Section 1217 of the Companies Act 2006) who is eligible for the appointment under the rules of that body. No person shall be appointed or remain Auditor who is or any one of whose partners is a member of the Council.
15. The Auditor shall hold office for such period as the Council may think fit and shall be eligible for reappointment and shall receive such remuneration as may be determined from time to time by the Council.
16. The Auditor shall have a right of access at all reasonable times to the books, records, accounts and vouchers of the University and shall be entitled to require such information and explanation as may be necessary for the performance of the Auditor's duties.
17. The Auditor shall make a report to the Council as to the accuracy of the Annual Accounts and the financial management of the University at least once in every year.
18. If the office of Auditor shall become vacant before the expiration of the Auditor's period of office, the Council shall forthwith appoint an Auditor for the remainder of that period.

19. The Auditor may resign by notice in writing addressed to the Clerk to the Council.

***Transitional Provision**

20. Statutes 7(p) and 9(a) shall only come into effect upon the Crown renouncing its power to appoint the Principal and President. This transitional provision shall become redundant following its implementation and at which point shall be deleted from the Statutes.

THE STATUTES

Membership of the Council

1. The Council shall consist of the following persons:
 - (i) those appointed by the Council, on the recommendation of the Council's [Governance & Nominations Committee](#), in accordance with the Ordinances, who shall number up to 20 members of whom 12 shall be [lay-independent](#) members, [1 shall be a student](#) and [8-7](#) shall be members of the staff of the [College-University](#) to include the [President and](#) Principal ~~and President~~.
 - (ii) the President of the King's College London Students' Union ("the Students' Union").
2. Other than [any ex officio members](#) ~~the Principal and President and the President of the Students' Union~~ who shall serve for the period of their respective offices, members shall be appointed for a period of three years and shall be eligible for re-appointment up to a maximum normally of three terms of three years or nine years in total in any one capacity.

Meetings of the Council

3. The Council shall hold such number of meetings each year as shall be determined by Ordinances.
4. A quorum at a meeting of the Council shall be 11. Of those present, a majority shall be [lay-independent](#) members.
5. A written resolution signed by all those entitled to vote at a meeting of the Council is as valid as a resolution actually passed at a Council meeting. For this purpose the written resolution may be set out in more than one document and will be treated as passed on the date of the last signature.

Ordinances and Regulations

6. The Council shall make Ordinances and shall delegate to the appropriate authority as specified by the appropriate Ordinance, the making of Regulations. If there is an inconsistency between the provisions of any Ordinances and the Regulations, the Ordinances shall prevail.

Functions and Powers of the Council

7. The Council shall be responsible for ensuring that the objects of the [College-University](#) are fulfilled. Without prejudice to the generality of the functions and powers exercisable by the Council on behalf of the [College-University](#), those functions and powers shall include the following:
 - (a) to be responsible for the management and use of all property, revenues and grants;
 - (b) to govern, manage and regulate the finances, accounts, investments, property, business and all affairs whatsoever of the [College-University](#) and for these purposes to appoint bankers and any other officers or agents;
 - (c) to solicit, receive and administer in the interests of the [College-University](#) money or property of any kind;
 - (d) to sanction the receipt or acceptance on its behalf of any money or property by any committee or society or other body created or incorporated to raise funds for the [College-University](#);
 - (e) in furtherance of the objects, and so far [as](#) permitted by charity law, to give guarantees;
 - (f) to subscribe to any charities and to grant donations for any charitable purpose consistent with the Charter;

- (g) to enter into arrangements with institutions or public bodies or industrial or commercial concerns with a view to the advancement, application and dissemination of knowledge;
- (h) to deposit or to invest moneys and funds of the [College-University](#) as the Council shall from time to time think fit in accordance with all relevant laws and for those purposes shall have the authority to enter into any financial instrument which is ancillary or incidental to the exercise of such powers;
- (i) in furtherance of the objects, and so far as permitted by charity law, to borrow and raise money and give security for loans; and for those purposes the [College-University](#) shall have the authority to enter into any financial instrument which is ancillary or incidental to the exercise of such powers;
- (j) to exploit for the [College's-University's](#) benefit a facility or resources of the [CollegeUniversity](#), including study, research or knowledge or the practical application of study, research or knowledge belonging to the [CollegeUniversity](#), whether alone or with someone else;
- (k) to constitute or dissolve Faculties, Schools, Institutes, Departments, Divisions and Centres of the [CollegeUniversity](#);
- (l) to confer on such persons as the Council considers worthy Honorary Degrees, Honorary Fellowships and Fellowships of the [College-University](#) and to revoke the same in accordance with the Ordinances and Regulations;
- (m) to promote and maintain a students' union for the benefit of the students of the [CollegeUniversity](#);
- (n) to appoint the Auditor who shall receive such remuneration as may be determined from time to time by the Council;
- (o) from time to time at any meeting of the Council to make, alter or revoke Ordinances and Regulations for the conduct of the business or affairs of the [CollegeUniversity](#): ~~Provided-provided~~ that notice of an intention to propose any amendments to or revocation of the existing Ordinances and Regulations or the making of any new Ordinances and Regulations shall have been given in the notice calling any such meeting;
- (p) to appoint and dismiss the [President and](#) Principal ~~and President~~; and
- (q) to appoint and dismiss the person performing the role of Clerk to the Council.

Delegation by the Council

- 8. Subject to Statute 9 below, the Council may delegate its powers under the Charter, the Statutes and Ordinances and Regulations while remaining accountable to:
 - (a) an appropriately qualified member of the Council; or
 - (b) an appropriately qualified committee that contains one or more members of the Council; or
 - (c) an appropriately qualified member of the [College-University's](#) staff.
- 9. The Council may not delegate its powers:
 - (a) to appoint and dismiss the [President &](#) Principal ~~and President~~ and to approve the [President and](#) Principal's ~~and President's~~ terms and conditions of appointment;
 - (b) to approve and monitor the strategic plan (along with associated annual business plans and risk management strategies) recommended by the [President and](#) Principal ~~and President~~;
 - (c) to amend the Charter and the Statutes;
 - (d) to make [College-University](#) Ordinances;
 - (e) to ensure the solvency of the [College-University](#) and safeguard its assets;
 - (f) to adopt the [College's-University's](#) Budget and Annual Accounts;
 - (g) to appoint the [College's-University's](#) Auditors; and
 - (h) to amend the Council's terms of reference.

Powers of the [ChairmanChair](#)

10. The ~~Chairman~~Chair of the Council who shall be known as the ~~Chairman~~Chair of King's College London, shall be empowered to take action on behalf of the Council in any matter being in ~~his~~the Chair's opinion either urgent or non-contentious and ~~he~~ shall report ~~his~~such action to ~~that body~~the Council at its next meeting for confirmation.

Powers & Duties of the President and Principal ~~and President~~

11. The President and Principal ~~and President~~ as the Chief Executive of the College University shall:
- (a) have a general responsibility to the Council for ensuring that the objects of the College University are fulfilled and for maintaining and promoting the efficiency, discipline and good order of the College University and shall have such powers and duties as may be ~~entrusted~~authorized to him by the Council;
 - (b) subject to the provisions of the Charter and these Statutes, have power to admit as a student of the College University anyone having the requisite qualifications, in accordance with Ordinances and Regulations;
 - (c) have power in accordance with Ordinances and Regulations, which shall provide for a right of hearing and of appeal to suspend or terminate the College University registration of any student for reasons of academic insufficiency and to exclude any such student from access to any property of the College University;
 - (d) have power, in accordance with Regulations, to suspend any employee of the College University and to exclude any person from access to any property of the College University;
 - (e) have power to delegate any or all of the powers conferred by paragraphs 11(b), (c), (d) and (e) of this Statute to such person or persons as ~~he~~the President and Principal may think fit;
 - (f) ~~shall~~ make an annual report to the Council.

Interim or Acting President and Principal

12. In the event of an absence or incapacity of the President and Principal, or if the office of the President and Principal is vacant, the Chair of the Council shall make an acting appointment to be confirmed by the Council at the first opportunity.

~~The Vice-Principals~~Senior Executives

13. The President and Principal ~~and President~~ may, with the approval of the Council, appoint one or more Senior Executives ~~Vice-Principals~~ who shall, subject to these Statutes, assist the President and Principal ~~and President~~ in such matters as the President and Principal ~~and President~~ may from time to time delegate to them. ~~In the event of two or more Vice-Principals being so appointed, one of their number shall be appointed by the Principal and President to act for him in the event of his temporary absence. Where the office of the Principal and President is vacant or in the event of the incapacity of the Principal and President, the Chairman of the Council shall make the appointment.~~

The Auditor

14. The Council shall appoint an Auditor of the College University who shall be a member of a recognised supervisory body (as defined in Section 1217 of the Companies Act 2006) who is eligible for the appointment under the rules of that body. No person shall be appointed or remain Auditor who is or any one of whose partners is a member of the Council.
15. The Auditor shall hold office for such period as the Council may think fit and shall be eligible for reappointment, and shall receive such remuneration as may be determined from time to time by the Council.

16. The Auditor shall have a right of access at all reasonable times to the books, records, accounts and vouchers of the [College-University](#) and shall be entitled to require such information and explanation as may be necessary for the performance of ~~his~~ [the Auditor's](#) duties.
17. The Auditor shall make a report to the Council as to the accuracy of the Annual Accounts and the financial management of the [College-University](#) at least once in every year.
18. If the office of Auditor shall become vacant ~~by the Auditor's death or resignation or any other cause~~ before the expiration of ~~his~~ [the Auditor's](#) period of office, the Council shall forthwith appoint an Auditor ~~in his place~~ for the remainder of that period.
19. The Auditor may resign by notice in writing addressed to the Clerk to the Council.

***Transitional Provision**

20. Statutes 7(p) and 9(a) shall only come into effect upon the Crown renouncing its power to appoint the President and Principal. This transitional provision shall become redundant following its implementation and at which point shall be deleted from the Statutes.

Ordinance Amendment Proposals

Action required

- ☒ For approval
☐ For discussion
☐ To note

Motion:

- (i) That the Ordinances be amended:
- (a) to add the following to the composition of the Academic Board: "Three staff members on contracts which include teaching from Professional and Continuing Education (PACE) will be elected by and from the staff members on contracts which include teaching in PACE. One of the three seats will be held by a Head of Department or equivalent from the list of eligible nominees as determined by PACE."
 - (b) to change to the composition of the new Staff and Culture Strategy Committee to add one more independent member.
- (ii) That a mechanism to address the differential between the FTEs of faculties and the capacity for these to change over time and the consequence for membership numbers on the Academic Board be considered in the next governance review in 2023-24.

Paper Explanation for Members

Why is this paper being presented?	<p>A significant number of the staff who transferred to PACE during this last year had, hitherto, been associated with a faculty and had been represented (and eligible to stand) on the Academic Board in the category of academic staff. Now that they are part of PACE, they are no longer associated with a faculty but some still have teaching duties and participation in the professional staff electorate does not fit their profile.</p> <p>It is also proposed that an additional independent member be added to the composition of the new Staff and Culture Strategy Committee to better represent a range of HR expertise on the committee.</p>
What are the key points/issues?	<p>Ensuring that all academic staff are appropriately represented on the Academic Board</p> <p>Ensuring the SCSC have a breadth of professional expertise among its membership</p>
What is required from members?	Council is asked to approve the proposed amendments.

Paper History

Action Taken [noted/recommended/discussed/approved]	By [Committee name]	Date of Meeting
Agreed that the College Secretary should take forward proposals to include elected members from PACE	Governance and Nominations Committee	18 May 2022
Agreed that the College Secretary should take forward proposal to increase the number of independent members on SCSC by one		6 July 2022 (by email)
Agreed to recommend to Academic Board	ABOC	31 May 2022
Agreed to recommend to Council	Academic Board	29 June 2022

Paper Submitted by:

Irene Birrell, College Secretary

Ordinance Amendment Proposals

Executive summary

Academic Board Composition

A significant number (165/74.7 FTE) of the staff who transferred to PACE during this last year had, hitherto, been associated with a faculty and had been represented (and been eligible to stand for election) on the Academic Board in the category of academic staff. Now that they are part of PACE, though they continue to have teaching duties included in their contracts, they are not able to be represented through a faculty and participation in the professional staff electorate does not fit their profile.

Current representation on the Board for staff with teaching in their contracts is based on FTE with those faculties having 300 or more FTEs being assigned five seats (one of whom is an HoD) and those with fewer than 300 FTEs being assigned four seats (one of whom is an HoD). It seems disproportionate to assign four seats for 74.7 FTEs when the next highest grouping ranges between 108 and 230 FTEs. The recommendation is, therefore, for a smaller number for PACE.

The Director of PACE has suggested that a Head of Department or Equivalent position be included for PACE in line with those included for each of the Faculties.

The differentials between the FTEs of the faculties is significant and also has the capacity to change over time. It is suggested that a more refined mechanism for determining the allocation of seats on the Board be considered in the next overarching university governance review in 2023-24. In the meantime, this temporary solution is suggested for PACE membership to be implemented for the coming academic year. If approved by the Council, the Secretariat will conduct a by-election at the earliest opportunity.

The proposed amendments to the Ordinance for the Academic Board is shown in track change are attached at **Annex 1**.

Staff and Culture Strategy Committee

It is proposed that the composition of the new Staff and Culture Strategy Committee be amended as follows:

3.1 The Committee shall comprise:

Appointed Members

- 3.1.1 ~~Three~~ **Four** independent members (at least one to be a member of Council)
- 3.1.2 Four staff (senior academic, junior academic, professional – at least one to be a member of Council if possible, and a Head of Department).
- 3.1.3 Post Graduate Research Student
- 3.1.4 Post-Doctoral Early Career Researcher

Ex Officio Members

- 3.1.5 Chair of the Remuneration Committee of Council (or designate)
- 3.1.6 SVP (Service, People and Planning)
- 3.1.7 President of KCLSU (or designate)
- 3.1.8 Director, Equality, Diversity & Inclusion
- 3.1.9 Director, Human Resources

Ordinance Appendix B

Terms of Reference of Council Standing Committees and Subcommittees

ACADEMIC BOARD

3. Composition

Chair

- 1.1 The President and Principal shall chair the Academic Board.
- 1.2 The Chair shall appoint a Deputy Chair to act in their absence from amongst the members of the Board.

Ex-officio members

- 1.3 The Senior Vice Presidents (Academic, Service, People & Planning and Health & Life Sciences), Vice Presidents (Education, Research, Global Engagement and Communities and National Engagement), Executive Deans, President and Education Vice Presidents of the King's College London Students' Union, the Executive Director of King's Education and the Dean for Doctoral Studies shall be ex-officio members of the Academic Board.

Elected Staff Members

Throughout this document the term "faculty" is as defined in the King's College London Ordinance B3.

- 1.4 Three academic staff members on contracts which include teaching from each faculty (and four in the case of larger faculties) will be elected by and from the academic staff members on contracts which include teaching in that faculty. One Head of Department or equivalent will be elected from each faculty by the whole staff of the faculty. Each faculty will determine its own head of department equivalent list of eligible nominees and the seat may only be filled by an eligible candidate from that list.

- 1.4.1.5 Three staff members on contracts which include teaching from Professional and Continuing Education (PACE) will be elected by and from the staff members on contracts which include teaching in PACE. One of the three seats will be held by a Head of Department or equivalent from the list of eligible nominees as determined by PACE.

- 1.5.1.6 Three members of professional staff, one each from education support, research support and service support will be elected by and from the professional staff.

- 1.6.1.7 One member of the academic staff on research-only contracts will be elected by and from the academic staff on research-only contracts of the health faculties and one of the academic staff on research only contracts will be elected by and from the academic staff on research-only contracts of the arts & sciences faculties.

Elected Student members

- 1.7.1.8 One student shall be elected by and from the students registered within each Faculty, the nine positions to be split equally between undergraduate, postgraduate taught and postgraduate research students.

Council and Committee meeting dates 2023-2024

Action required

- ☐ For approval
☐ For discussion
☒ To note

Paper Explanation for Members

Why is this paper being presented?	To finalise meeting dates for 2023-2024 for Council and its Committees
What are the key points/issues?	The dates follow the same meeting pattern as for 2022-2023
What is required from members?	To note meeting dates for the 2023-2024 academic year and to advise the Secretariat of any known scheduling conflicts.

Paper History

Action Taken [noted/recommended/discussed/approved]	By [Committee name]	Date of Meeting
N/A	N/A	N/A

Paper Submitted by:

Joanna Brown
Governance Manager

Meeting Dates 2023/2024

New Staff & Culture Strategy Committee dates to be added once the Committee is fully set up; RemCom dates also to be added

September 2023	Tue 12 Sept Tue 19 Sept Wed 20 Sept	4-6pm 6-9.30pm 8am-5pm	Estates Strategy Meeting (also hold for joint FC meeting) Council Away Day Dinner Council Away Day
October 2023	Wed 11 Oct Thurs 19 Oct	tbc 4-6pm	Academic Board Operations Committee Governance & Nominations Committee
November 2023	Wed 1 Nov Mon 6 Nov Tue 7 Nov Thu 9 Nov Tue 15 Nov Tue 21 Nov	2-4.30pm 9:45-11:45am 4-6pm 3-5pm 4-6pm 5-7.30pm	Academic Board Estates Strategy Audit, Risk & Compliance Fellowships & Honorary Degrees Finance Committee Council
December 2023	Wed 22 Nov Wed 13 Dec	tbc 2-4.30pm	Academic Board Operations Committee Academic Board Strategic Focus

January 2024	Tue 16 Jan Thu 18 Jan	4-6pm 5-7.30pm	Joint Finance & Estates Strategy Meeting (holder) Council Strategic Focus Meeting
February 2024	Wed 7 Feb Wed 22 Feb Thu 27 Feb	tbc 4-6pm 9:45-11:45am	Academic Board Operations Committee Governance & Nominations Estates Strategy
March 2024	Wed 6 Mar Thu 7 Mar Tue 12 Mar Thu 28 Mar	2-4.30pm 4-6pm 4-6pm 5-7.30pm	Academic Board Finance Audit, Risk & Compliance Council

April 2024	Wed 27 Mar Wed 17 Apr	tbc 2-4.30pm	Academic Board Operations Committee Academic Board Strategic Focus
May 2024	Thu 2 May Thu 9 May	4-6pm 5-7.30pm	Joint Finance & Estates Strategy Meeting (holder) Council Strategic Focus Meeting
June 2024	Tue 4 Jun Wed 5 June Wed 12 June Thurs 13 June Wed 19 June Wed 26 Jun	4-6pm tbc 4-6pm 9:45-11:45am 4-6pm 2-4.30pm	Audit, Risk & Compliance Academic Board Operations Committee Governance & Nominations Estates Strategy Finance Academic Board
July 2024	Wed 10 Jul	5-7.30pm	Council

Finance & Estates Proposals

Action required

- ☒ For approval
☐ For discussion
☐ To note

Paper Explanation for Members

Why is this paper being presented?	Reports of consideration of four matters being brought by the Finance Committee and the Estates Strategy Committee (two of them jointly) are included here for consideration. Although separate approval is needed for each item, their impact on the university's strategy and finances made collective review and consideration appropriate. Excerpts from the relevant committee reports (which are found in full elsewhere in the agenda) are attached in papers 8.1, 8.2, 8.3 and 8.4 along with the background executive summaries for each item and relevant detailed annexes.
What are the key issues?	(i) Draft Budget 2022/2023 (to approve) [REDACTED] [REDACTED] [REDACTED]
What is required from members?	To approve each of the proposals

Paper History

Action Taken	By [Committee name]	Date of Meeting
Draft Budget Recommended for approval	Finance Committee	22 June 2022
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Paper Submitted by:

Principal, Chair of Finance Committee and Chair of Estates Strategy Committee

Finance & Estates Proposals – Draft Budget 2022/23

Motion:

- (i) That Council gives in principle approval of the 2022/23 Revenue Budget at an operating margin of 3.9%, £45m, and allocation of the Strategic and Capital Investment Fund (SCIF), £22m, funded from reserves (see **Annex 1**).
- (ii) That the Executive Team present the total forward developing Strategy Refresh financial plan to the next Finance Committee providing more detail establishing clearly what is discretionary and what is truly investment related so the Council can be clear about the choices it is making. Given inflationary pressures and cost increases a broad range of scenarios will be needed to test affordability, with options and priorities to achieve target margin improvement with as necessary drop off points to meet potential future affordability challenges.

A Executive Summary

1. The budget 2022/23 is a one-year transitional budget reflecting the shift between two years of exceptional but unsustainable financial performance due to the pandemic and a more sustainable position in the context of rising inflation.
2. The budget for 2022/23 generates a 3.9% operating margin, £45m, as an important first step to a future operating margin for financial sustainability (growing from 4-6% to 2025/26). This builds upon a projected margin of 2.75% for 2021/22, appreciating this was overtaken by unplanned growth.
3. 2021/22 has been a challenging year. A second year of unexpected growth for which income generation has been exceptional, but a year in which we have been unable to gear up to support that growth. This is in part due to the controls imposed through covid restricting resource in the prior year with further challenges in market through 2021/22. Whilst the financial results are favorable the impact on the institution and trust with staff has been challenged.
4. For 2022/23 targets are reduced to stabilise student recruitment, however, growth from prior years is still working through, meaning that student numbers remain high. That growth is mainly home students for which fees are fixed, limiting income growth and particularly inflationary cover. Against this, costs are significantly higher. The building of our resourcing through 2021/22 has created a higher monthly cost run rate as we enter 2022/23 but this brings us closer to target resourcing. Inflation has particular impact and is continuing to create future cost risk and uncertainty. The summary financial position is that income will increase by only £50m, and expenditure by £100m. This is a one-year rebalancing exercise to support improved student experience and staff and student wellbeing, and occurs in advance of the conclusion of our Size & Shape update which will report in September.

Medium-term financial strategy and plan

5. Our financial strategy is to increase operating margin to 6% as a minimum by 2025/26 so that we can secure our longer-term investment potential. This will provide the resources, along with cash reserves, for a Strategic and Capital Investment Fund (SCIF) of £400m over the period to 2025/26, of which £135m would be available for new projects. It will also provide a necessary, more sustainable financial position into the longer-term for future investments.
6. Our baseline forward “forecast” is attached with the budget and reflects the position before future student income growth or management action. It does not reflect our emerging plan and in parallel with the finalisation of our strategy to 2026, work is underway on developing and agreeing with Deans and Directorate leads, our refreshed ‘Size & Shape’ to 2029. This will form the basis for our sustainable forward financial plan to be provided to Council in Sept 2022. That plan will be articulated as three year rolling budgets, the intention being to enable a more consistent and more enduring approach to sustainable change and achievement of our goals.

7. Currently, work is taking place in partnership with faculties to determine options around the types and level of management intervention – for example, on fee rates, student mix, space and research efficiency and on the student number growth over the next three to six years that would be appropriate and deliverable in each faculty. Work on the central professional services has also begun and will be informed by the faculty outcomes.
8. This baseline forward “forecast” identifies the financial gap and quantum of change needed to reach target operating margin of 6% by 2025/26. This is indicated as £70m and we recognise this is likely to increase as inflationary pressures continue for which forecast data is being updated regularly. This is the financial challenge for delivery.

B Finance Committee Report:

1. The Finance Committee noted the importance of creating a forward sustainable plan and recognised the challenges of operations over the past year. They have requested a number of useful information items to be brought forward with the developing plan:
 - a. Inflation: scenarios and options for action recognising that inflation will impact both revenue and investment project funding, limiting potentially ambitions and requiring stronger prioritisation.
 - b. Margin: more data and analysis of our costs to enable better decision making for cost reduction should difficult decisions be necessary. Clarity on what is essential and what may be discretionary. Growth has not created the margin intended and some of the investments planned are unlikely to deliver efficiencies within the planning period.
 - c. Affordability: Prioritisation will be necessary and is often difficult. Investment funding is not secure without margin enhancement and contingencies will need to be held. Costs are increasing and with this, risks to achieving ambitions. Investments need to be carefully planned within the context of these risks and uncertainties.
 - d. Long term planning: A longer term view is needed, stretching out to ten years from five to further test future sustainability and secure planning decisions within a longer-term horizon.

This paper has been redacted.

Principal's report

Action required

- ☐ For approval
☐ For discussion
☒ To note

Paper Explanation for Members

Why is this paper being presented?	Report from President & Principal highlighting current issues and events and developments since the last meeting of Council.
What are the key points/issues?	Admissions; TEDI London; Marking, assessment and graduations; London Weighting; Wellbeing, Sanctuary Programme; Senior Leadership
What is required from members?	To note

Paper History

Action Taken [noted/recommended/discussed/approved]	By [Committee name]	Date of Meeting
n/a	n/a	n/a

Paper Submitted by:

President & Principal

Principal's report

Section A - Current topics

1. Admissions

[REDACTED]

2. TEDI London

[REDACTED]

3. Marking, assessment and graduations

On 20 May, the local branch of UCU confirmed that the action short of strike (ASOS) would not include an assessment and marking boycott for assessment period 2 as originally planned. We immediately notified staff and students: (<https://www.kcl.ac.uk/students/important-information-exams-and-assessments>), with bespoke follow-up communications developed locally in those areas of the College that were likely to have been most affected (Arts & Humanities, Social Science & Public Policy and Dickson Poon School of Law). Given that the UCU has a mandate for ASOS until 7 October, we cannot rule out a marking and assessment boycott in the Autumn. However, we have developed a comprehensive strategy to manage such action and to mitigate as much of the impact as possible.

In May we recommenced our graduation ceremonies, celebrating the achievements of our students from the classes of 2020 and 2021. This year we will deliver 52 ceremonies between May and September - in Southwark Cathedral, the Barbican and Royal Festival Hall. Students from the past two years have been invited to join our current 2022 graduands to experience a well-deserved, and much-anticipated, in-person celebration. Sign-ups have been good, including many international students who have flown over for the event. As of late June, we have successfully delivered 18 ceremonies for 5000 students and their 10000 guests, supported by academics and professional services volunteers from throughout the university. The events have operated smoothly, despite the transport strikes, and the feedback from attendees has been positive. The decision to provide academic robing at no cost has also been very well received by students, as an appropriate gesture given the context.

4. London Weighting Allowance Negotiations

Over the last few weeks, the university has been in negotiations with our trade unions (UCU, Unison and Unite). We have proposed that from 1 August 2022, the London Weighting Allowance will increase from £3,500 to £4,000 per year for all non-clinical eligible staff. This increase means that King's will be paying staff the highest LWA amongst the London Russell Group universities. In addition, we have proposed that the allowance increase on an annual basis by the percentage increase agreed through National pay bargaining or 2.5% whichever is the higher amount until August 2025. These changes have been accepted by Unite and Unison, but not by UCU. However, as we believe they are beneficial to all eligible staff, particularly at a time of rising living costs, we are going to apply the changes from 1 August.

In addition, as a thank you for the remarkable resilience and hard work staff have demonstrated over the pandemic all staff will receive a one-off additional payment of £1000 pro rata in July payroll. These have been well received, though some have pointed out that this does not negate the cost-of-living increases ahead.

5. Wellbeing and Staff Support

During the COVID pandemic we introduced two wellbeing days that allowed staff to take a day off without notice. We withdrew these in January 2022 due to operational issues and the return to a more business as usual working approach but their removal caused a lot of upset amongst the staff community. We agreed to undertake an external review of our overall provision to support the wellbeing and mental health of staff including the wellbeing days. Affinity Health spent several months on the exercise, including reviewing survey material, our policies and procedures, and undertaking interviews, to ensure that it was done with an appropriate level of external scrutiny.

Initial indications are that we do have significant support for staff wellbeing (both academic and professional services) but that this is often difficult to find and navigate. It also concluded that our Employee Assistance programme is appreciated but used infrequently while the *togetherall* help for mental health support needs to be better highlighted. Finally, there is concern over the inconsistency of manager decision-making in terms of, for example, flexible working and responsiveness to personal circumstances such as mental health.

The report notes the very strong feelings about the availability of wellbeing days which were introduced as a temporary measure during the Covid-19 pandemic. The report has made it clear that a version of this offer needs to be reinstated. We are looking at how to reintroduce them in September in a manner which recognises that some areas of the university need more certainty about the availability of staff on a daily basis.

6. Sanctuary Programme Donation

King's continues to work closely with Citizens UK on our unique collaborative 'Homes for Ukraine' community sponsorship programme: <https://www.kcl.ac.uk/news/kings-leads-universities-response-to-hosting-ukrainian-refugee-students-and-academics>. Under the leadership of Dr Leonie Ansems de Vries, we are operating the scheme in partnership with the Open University and the Universities of Birmingham, Leicester and Newcastle. We have already placed a small number of Ukrainian students and their families with KCL hosts and are expecting this to expand as the conflict continues. We are currently finalising a £3m donation agreement with XTX Markets which will allow us to support students and academics impacted by the war in Ukraine, including those who are displaced from Ukraine, Russia and Belarus. The three-year programme will run from 1 August 2022 until 31 July 2025 with placements at either King's College London or at one of our partner UK universities. In line with the Donor's strategic focus, 50% of the funds will be ringfenced for STEM subjects, with a preference for Maths and Physics. XTX Markets are long standing supporters of the King's Maths

School and have also made a direct donation to the School to fund additional places for mathematics students from Ukraine.

7. Senior Leadership

SVP/VP:

- **SVP (Academic)** – Prof Rachel Mills, currently Provost at University of Sussex, has been appointed as SVP Academic. She takes up the post on 15 August.
- **SVP (Service, People & Planning)** – following Evelyn’s appointment as VC at Bristol University, we are undertaking a review of the portfolio with external input and will announce future arrangements soon. In the meanwhile, Prof. Deborah Bull, VP (Communities and National Engagement) has chosen to leave King’s ahead of the term of her contract [that was to end in early 2023]. These changes give us an opportunity to streamline this portfolio into those focused on staff and culture [through a VP (People & Talent)] and those focused on external affairs [through a cognate VP]. This streamlining will bring together like functions and also reduce VP/SVP headcount.

Section B - Active Considerations by Management

- Strategy Refresh
- Budget 2022-25
- Size and Shape 2.0
- GTA strategy

Section C – President’s External Visits/Meetings/Visitors

- US visit with Fundraising & Alumni Relations 16 May to 20 May
- Graduation ceremonies May and July.
- Listening exercises with Faculty senior leadership teams and all staff – 25 May, 8 June, 10 June
- KHP Board 7 June
- SC1 launch 7 June
- Russell Group Board meeting 9 June
- Visit to St Thomas’ Campus with prospective donors regarding St Thomas’ Education Centre project 9 June
- Guy’s Open Day 11 June and Strand Open Day 25 June
- Visit to King’s Service Centre in Cornwall 12 to 14 June
- Christine Clerici, President, University of Paris Cité 15 June
- Ian Abbs, Chief Executive, GSTT 16 June
- Potential Ministerial Visit, KCL, 6 June

Section D - Major Media Stories

- This month to mark Refugee Week 2022, we promoted a [feature](#) on our homepage and across our social media channels (generating 121k impressions across two weeks) to highlight the work that King's Sanctuary Programme has been doing since 2015 in response to the global issue of forced displacement. There was also a [programme of events](#) available.
- Our [academics and researchers continue to contribute significantly](#) to the global discussion and debate around the war on Ukraine. Researchers and academics from King's have been interviewed/cited in more than 19,400 media articles (1 Feb - 18 May 2022) and within the UK media, [coverage](#) has included 488+ print pieces (e.g. Daily Telegraph, The Times, Independent, Daily Express, Daily Mail, Guardian, FT), plus nearly 2,000 broadcast appearances (e.g. BBC Radio 4, Sky News, BBC Newsnight, Channel 4 News, BBC News, BBC Question Time). Journalists across the world have interviewed or cited our academics, with coverage appearing in the New York Times, Washington Post, ABC Australia, El Pais, Reuters, DW, France 24, Al Jazeera, AP News, CBS, Radio New Zealand & CNN, among others. King's has become a 'go-to' for journalists, producers and researchers as the conflict has evolved, with many contacts returning many times to the press office with requests on different themes (see appendix).
- Two reports from the Policy Institute – one [analysing perceptions of why young people can't get on the housing ladder](#), and the other [looking at the popularity in London of working from home](#) - gained significant media coverage, including BBC News, Guardian, Washington Post, Sky News and the Daily Telegraph.
- Our health research continues to gain significant media profile including three studies on [long Covid](#), [safely extending screening for cervical cancer](#) and how [medicalising the menopause may be unhelpful for some women](#). Coverage included BBC News, Guardian, the Daily Telegraph, the Times and many international outlets such as NBC News, South China Morning Post, Reuters, La Stampa, La Repubblica and Press Association.
- We also covered news celebrating our [staff and alumni recognised in the Queen's Honours](#), [six researchers who have received UKRI Future Leaders Fellowships](#) and being gifted part of a [silver-winning RHS Chelsea Flower garden](#) to display on our Guy's campus.

King's College Council	
Meeting date	13 July 2022
Paper reference	KCC-22-07-13-09.3
Status	Final



Access & Participation Plan Variation 2023/24

Action required

- ☐ For approval
☐ For discussion
☒ To note

Paper Explanation for Members

Why is this paper being presented?	<p>King's has a five-year Access & Participation Plan (APP) (2020-25) approved by the Office for Students. In the APP we set out how we will close gaps in access, student success and progression. We set targets and an investment level to achieve them. This aligns with our strategic priorities and focus on delivering social mobility and fair access.</p> <p>The OfS has set out new expectations to commence from 2023/24. All universities must submit a 'variation' to their APPs to explain how we will deliver these. There will be no change to overarching targets. The investment plan will be updated to reflect the latest student numbers, fee income and allocation of financial support (bursaries).</p>
What are the key points/issues?	<p>The key priorities the OfS requires the APP variation to address are:</p> <ol style="list-style-type: none"> 1. Partner with schools and other local organisations to raise the attainment of young people. 2. Develop more diverse pathways into and through higher education through more flexible courses. 3. Ensure access leads to participation on high quality courses and secures good graduate outcomes. 4. Improve the quality and volume of evaluation of Access and Participation Plan activity. 5. Make APPs more accessible in a way that prospective students, their parents and other stakeholders can easily understand. <p>King's is well positioned to address these. This paper provides an overview of how we will respond to the variation request, including evaluation and onward governance.</p>
What is required from members?	<p>This is an amendment to a regulatory condition and directly links to our overarching strategic ambitions. Council is asked to review and note this paper as the governing body.</p>

Paper Submitted by:

Michael Bennett, Associate Director of Social Mobility & Widening Participation – michael.j.bennett@kcl.ac.uk

Dr Joanna Marchant, Head of Social Mobility & Education – joanna.marchant@kcl.ac.uk

Social Mobility & Widening Participation Department, Students & Education Directorate

Access and Participation Plan variation 2023/24

This is an amendment to a regulatory condition and directly links to our overarching strategic ambitions. Council is asked to **review** and **note** this paper.

Section 1: Background and Context

All Higher Education Institutions (HEIs) which charge up to the maximum fee cap for Home/EU undergraduates (£9,250) submit a five-year Access and Participation Plan (APP) to the Office for Students (OfS). King's submitted its APP in spring 2019 to cover the period 2020/21-2024/25. We set out our strategy, activity and targets to close gaps in access and success for students who are underrepresented at King's or from disadvantaged backgrounds. The APP was assessed in terms of ambition and risk by the Director of Fair Access and Participation and was approved, entering an annual re-renewal process. HEIs are required to allocate a proportion of forecast higher fee income according to their priorities, challenges and commitments. An APP is a prerequisite of being listed on the OfS register of providers.

The OfS have asked all higher education providers to submit a variation to their APPs for 2023/24. The purpose of this is to address new priorities which the OfS Director of Fair Access & Participation has set.

King's overarching aims and objectives for the five-year period from 2020/21 remain the same. These are included in **Annex 1**.

Section 2: New expectations and outcomes

Office for Students new priorities

Universities must:

1. Partner with schools and other local organisations to raise the attainment of young people.
2. Develop more diverse pathways into and through higher education through more flexible courses.
3. Ensure access leads to participation on high quality courses and secures good graduate outcomes.
4. Improve the quality and volume of evaluation of Access and Participation Plan activity.
5. Make Access and Participation Plans more accessible in a way that prospective students, their parents and other stakeholders can easily understand.

King's is well placed to address these requirements. Our established work on Social Mobility & Widening Participation already incorporates several of these priorities. The 2029 strategy refresh has also already identified expansion and enhancement of social mobility and widening participation work as a priority. This includes development of regional and online work via partnership, an emphasis on raising attainment and further focus on what works (evaluation, impact and establishing value for money).

The remainder of this paper sets out how we will address each priority when submitting the APP variation.

Strategic measures

We will commit to the following activity to meet the OfS requirements:

Raising attainment

Over 2023/24 we will grow and improve existing attainment raising activity, including King's Scholars, Scholars+, K+ Raising Attainment and We Care Mentors. We are committed to generating causal evidence to evaluate the effectiveness of this activity and will re-state this focus.

Alongside this we will set out a plan to work with partners and schools to improve pupil curriculum knowledge and support for teachers. An important part of this is to make existing school partnerships more strategic. This means better aligning mutual priorities and developing new partnership agreements.

Our ambition is to support excellence in teaching to ensure young people from under-represented backgrounds receive high quality learning opportunities. We hope to work with the School of Education, Communication and Society to explore ways to do this, alongside our existing large-scale partnerships.

We will also help raise attainment by working with schools, partners, and King's academics to ensure young people are supported to have good mental health and wellbeing.

To guide this work, we will consider convening an advisory board which makes use of the expertise of Council members, academics, and external representatives.

Develop more diverse and flexible provision

There are conversations taking place across King's about offering alternative education pathways. This includes, for example, laboratory technician training and the education and skills development in place at the King's Service Centre in Cornwall. We will include in the APP variation the details of provision that is ready to be shared. There may be further developments throughout 2022/23 and 2023/24 and we can provide further updates to the OfS as they happen.

Access to higher education that leads to successful participation

In the APP variation we will provide a timeframe for analysis of student progression and outcome data for those who entered King's via contextual admissions. This will include students who received reduced offers. The purpose of this is to better understand whether these students have different outcomes to those who held a standard offer to study at King's. We plan to complete this analysis by autumn 2023.

A range of student support activity and developments in King's education are already highlighted in the APP, including King's Civic Leadership Academy, the Student Mental Health strategy, and dedicated work by Careers & Employability. We will review these and update as needed. For example, we will incorporate a focus on underrepresented students into the periodic programme review process.

Improve evaluation

Within the APP variation we will reiterate the innovation and investment we have shown in evaluation by setting up the What Works team within the Social Mobility & Widening Participation Department. Their work means we have evaluation frameworks for all our activity. We will emphasise our commitment to testing and trialling new approaches, including the use of behavioural insights and randomised controlled trials, and the publishing of results, as well as return on investment to ensure we are spending smartly. The new What Works strategy lays out the ambition to increase knowledge of the most impactful widening participation interventions through generating causal evidence.

Make access and participation plans more accessible

The OfS have provided a summary template which we will use to create a simplified version of our APP.

Section 3: Forecast investment commitments

Table 1: Investment summary (% higher fee income)

	2022/23	2022/23 amended
Total Higher Fee Income	£44,512,295	£47,959,000
Total access investment	£2,651,000 (6.0%)	£2,651,000 (5.5%)
Access (pre-16)	£812,000	£812,000
Access (post-16)	£1,434,000	£1,434,000
Access (adults and the community)	£224,000	£224,000
Access (other)	£181,000	£181,000
Financial support	£8,709,000 (19.6%)	£10,362,000 (21.6%)
Research and evaluation	£474,000 (1.1%)	£474,000 (0.9%)
Total investment	£11,834,000 (26.6%)	£13,487,000 (28.0%)

The APP is assessed each year in terms of credibility, with a level of investment proportionate to the scale of the challenge and scope of the commitments. HEIs submit a minimum or expected expenditure commitment. This covers financial support, access work and research and evaluation of activity in a formal investment plan for approval. The OfS view is that any significant reduction in funding compared to previous years indicates a potentially increased risk. The higher a risk, the more likely HEIs will face enhanced monitoring and formal conditions of approval.

We submitted the original forecast of undergraduate student numbers and higher fee income in the APP investment plan in summer 2019. As a result of COVID-19 we enrolled a higher number of students than forecast. This was due to the overall awarding of higher A level grades in 2020 and 2021, and a commitment to honour offers made. As such fee income is consequently higher than forecast.

Previously we would hold to the percentage commitment for all categories. As a proportion of fee income this would result in an additional £225K to invest in Access provision to meet the new strategy and OfS priorities. However, the financial support (bursaries) forecast is substantially higher (~£1.5M). All students who are eligible receive a bursary and the proportion of eligible students within the cohort has grown significantly. Eligibility is determined by household income level. Due to COVID-19, and the overall economic picture, the number of students declaring a lower household income has subsequently increased.

Due to the increase in financial support allocation, it is therefore proposed that the Access and Research & Evaluation categories are held at the forecast investment level in cash terms. Additional work required to deliver our strategy plan and OfS priorities will be achieved via the existing budget plan. During 2022/23 if further investment is identified to meet our commitments a business case will follow.

During the autumn of 2022 we will review our bursary provision and establish whether the size and shape is fit for purpose. For example, a higher bursary value awarded to students most in need could mean fewer awards in total. This could mean a reduced total investment but with a potentially more impactful programme. Once we have identified options, these will be put to the Senior Leadership Forum and incorporated into our next full APP submission to take effect from 2024/25.

Section 4: Governance and Assurance

The APP is overseen by the Social Mobility & Widening Participation Steering Group. The variation will be reviewed before submission by the group following feedback from the Senior Leadership Forum (July).

The Vice President (Education & Student Success) will convene a new Student Success strategy group which will have senior oversight and report to the Principal and Senior Leadership Forum. The Student Success strategy group will have a cross-reference to the College Education Committee and, where appropriate, Academic Board for matters relating to education and academic policy.

Section 5: Next steps

We will submit the variation of the APP to the OfS by **31 July 2022**.

Throughout 2022/23 we will take forward plans and activity to deliver the amended APP for 2023/24.

Michael Bennett

Associate Director of Social Mobility & Widening Participation

Dr Joanna Marchant

Head of Social Mobility & Education


20 June 2022

Annex 1 – Access and Participation Plan targets by year

Access and Participation Plan 2020/21-2024/25 Targets

Aim	Baseline year	Baseline data	Yearly milestones				
			2020-21	2021-22	2022-23	2023-24	2024-25
Reduce the access gap for students entering King's from POLAR4 LPN (Low Participation Neighbourhood) Quintile 1&2 vs Quintiles 3-5 by 8pp by 2024/25.	2017-18	77.2	76.2	75.2	74.2	72.2	69.2
Eliminate the IMD (Index of Multiple Deprivation) Q5:Q1 access gap by 2024/25.	2017-18	5	4	3	2	1	0
Increase the percentage of students entering King's from Acorn categories 4-5 by 2.5% by 2024/25 (0.5pp each year).	2017-18	28.8	29.8	30.3	30.8	31.3	31.6
Increase percentage proportion of students identifying as black entering King's to match sector average (11%).	2017-18	9.5	9.5	10	10.5	11	11.5
Close gap in continuation rates between young/ mature students (by 1pp each year) by 2024/25.	2017-18	5	5	4	3	2	1
To close the gap in degree attainment (1st and 2:1) between white and BME students by 2024/25.	2018-19	2.2	1.2	0.5	0.2	0.0	0.0
To close the gap in degree attainment (1st and 2:1) between white and Black students by 2024/25.	2017-18	12.1	10.3	8.5	6.7	4.9	3.1

- We have committed to closing gaps in access for students who are underrepresented at King's and who come from the most disadvantaged areas (using a combination of metrics). The POLAR commitment above would be greater than the previous ten years of progress at King's.
- Although we have made progress in representation of Black and Minority Ethnic (BME) students at King's, there is variation between different ethnicities grouped under the 'BME' label. We have therefore committed to increasing the proportion of Black students at King's.
- We have a target to close the (moderate) continuation gap between young/mature students.
- We have a target to completely close the gap in attainment between BME/white students, and to reduce the attainment gap between Black and white students specifically.
- We have more to do there and are committed to our targets and addressing equality of outcomes for our students. Our APP therefore covers the whole lifecycle, from pre-entry, access, enrolment, transition and onward student success.

King's College Council		
Meeting date	13 July 2022	
Paper reference	KCC-22-07-13-10.1	
Status	Final	

KCLSU President's Report – Officers' Impacts

Action required

- ☐ For approval
☐ For discussion
☒ **To note**

Paper Explanation for Members

Why is this paper being presented?	Overview of some of the 2021/22 KCLSU student officer's achievements and impacts for the year.
What are the key points/issues?	Following another challenging and eventful year, KCLSU student officers have achieved many things to celebrate – from an award-winning cultural ball to free graduation gowns - as they contributed to KCL student experience to ensure every King's student is properly represented, feels a sense of belonging to King's, as well as develop opportunism for their lives beyond King's
What is required from members?	To note

Paper Submitted by:

Zahra Syed, President KCLSU



Student Officers Impact Report to Council

kclsu
Our Students' Union

Our Highlights

THE KCLSU CULTURAL BALL

Being the first event of its kind at the university, the Cultural Ball was part of the One World Festival and a celebration of the diverse culture and community at King's. The ball was delivered in partnership with student groups, and provided the opportunity for nearly 700 King's students to meet, socialise, and interact with people from different cultures across the university.

We had a lot of fun planning and hosting this event. We wanted to create a space where students could connect and learn more about the richness and diversity of the student population at King's. As KCLSU officers, seeing how the last two years affected students in terms of connections and development, it was vital to host an event like this and it had a meaningful impact for students that we were able to deliver for them.

Supported by KCLSU Student Officers Hamza Lone, VP Education (Arts & Sciences) and Arslan Zafar, VP Activities & Development, the Cultural Ball was a three-month project with students and staff from across KCLSU working together to make it possible. It was delivered in partnership with student groups across King's in both shaping and hosting the event.

AWARD WINNING

The KCLSU Cultural Ball won the EVENT AWARD at the National Societies & Volunteering Awards (NSVA). The National Societies & Volunteering Awards recognise and celebrate the contributions of student volunteers and student-led societies from UK higher and further education institutions.

It was an honour to have won this recognition, as it highlighted our contribution and impact in making students feel connected and enhanced their sense of belonging to the King's and KCLSU community whilst reinforcing the importance of creating an inclusive environment that celebrates the diversity of King's. The NSVA judges reported that amongst the category's 100 plus nominations, the Cultural Ball stood out for the project team's real care about the event's impact and feedback, especially in terms of student experience.

"The Cultural Ball is a great example of the importance of the work we do at KCLSU in giving students the opportunity to thrive in a multicultural university and in return foster a sense of belonging at King's".

Our Highlights

FREE GRADUATION GOWN HIRE FOR STUDENTS

In recognition of the impact of the UCU (University & College Union) pay dispute with Universities UK (UUK) over pensions and working conditions, we lobbied on behalf of our students as their representatives to ensure that King's agreed to pay the costs of graduation gown hire this year.

Students were impacted by the industrial action and were all too aware that the strikes caused further disruption to lectures, classes and assessments. As a result, such disruptions negatively impacted on their overall experience and the value that they received for the education they had paid for.

KCLSU student officers recognised that students experienced a loss to learning and enjoyment, therefore we were pleased that we could impact an outcome that offered a form of acknowledgement of this loss to students with King's concession to pay for gown hire.



"The KCLSU student officer team worked tirelessly to ensure the university truly understood the impact of the industrial action upon students on their university experience".

Our Achievements

1 KCLSU TIGER TEAM MEETINGS

In light of the increased student numbers joining King's this year, due to the change in entry examination processes e.g. A Levels, we negotiated on behalf of our students and secured an additional £250 that was central to activities such as the cultural ball and wellbeing activities in addition to being a resource to better support students day to day.

This meant that the quality of the student experience was not diminished by the unexpected high numbers, and we listened to students in protecting these values by adding insights and policy.

2 KCLSU ANTI - HARASSMENT PROJECT GROUP

We conducted a project group impact report that captured the work that was achieved this year tackling harassment on campus. The KCLSU President personally worked through lobbying KCLSU during her time as a student, which laid the foundations in furthering anti-harassment work. With specific emphasis on drink spiking, we wrote to Southwark Council, which subsequently launched an investigation into their pubs and bars to ensure safety in pubs. The work of this group has been collated into an Anti-Harassment Progress Report.

3 CHAMPIONING DIVERSITY AND INCLUSION

We worked closely with our black student networks to ensure they are represented at the highest level when discussions were held about the Thomas Guy statue and Robert Clayton statue at Guy's campus and St Thomas' hospital respectively. This forum opened the opportunity for students from the Black Students Network to be on the external interpretation group to collectively represent their student voices. Another positive impact we had in our inclusion endeavours was to successfully hold a meeting between the Islamic Societies and Muslim Student Societies with the president during Islamophobia Awareness month. This initiative was the first of its kind, and highlighted areas at KCLSU that needed a more inclusive approach.

4 ESTABLISHING A STRATEGIC RELATIONSHIP AGREEMENT WITH KING'S

We worked with colleagues across KCLSU and within King's to establish a new robust relationship agreement highlighting key areas of focus for the next 3 years. Covering 7 key strategic priorities to empower student representation, the aspirations of the agreement will ensure that every student at King's has the best possible experience at the heart of a thriving learning community. Positive feedback from students reinforced their interest in wanting the Union to focus on more future careers networks.

King's College Council		
Meeting date	13 July 2022	
Paper reference	KCC-22-07-13-10.2	
Status	Final	

KCL/KCLSU Relationship Agreement

Action required

- ☒ For approval
☐ For discussion
☐ To note

Motion: That the KCL/KCLSU Relationship Agreement be approved subject to the agreement of the KCLSU Board of Trustees.

Paper Explanation for Members

Why is this paper being presented?	The Relationship Agreement (RA) sets out seven priorities that both KCL and KCLSU will work on in partnership over a period of three years. This will be reviewed annually, and progress updates will be provided against these goals. The goals range from enhancing representation/student voice to developing the career opportunities of KCL students. Furthermore, the goals were created in consultation with KCL and KCLSU officers and senior leaders.
What are the key points/issues?	<p>Financial impact: primarily to stay within current financial levels, however, to ensure that resources are reviewed to ensure impacts could be had, and to be discussed in upcoming budgeting conversation, if deemed necessary.</p> <p>People impact: allocation of KCL SED colleagues and time of SVP Education to ensure the monitoring and progress against the goals.</p>
What is required from members?	Approval

Paper History [Delete this section if not relevant]

Action Taken [noted/recommended/discussed/approved]	By [Committee name]	Date of Meeting
Approved	SLF	30 June 2022

Paper Submitted by:

Zahra Syed, President of KCLSU; Adam Fagan, VP Education; Denis Shukur, CEO KCLSU; Darren Wallis, Director of SED; Tony Logan, Deputy CEO

KCL/KCLSU Relationship Agreement

The KCLSU Relationship Agreement has been developed via extended dialogue undertaken in the Relationship Agreement Working Group (RAWG), in which senior representatives from both KCL and KCLSU discussed long-term partnership goals, priorities and strategic commitments that both organisations wish to focus on. This document highlights these commitments.

The document will be signed once approved by Council and by the KCLSU Board of Trustees.

KCL/KCLSU Relationship Agreement

King's College London (KCL) and King's College London Student Union (KCLSU) Relationship Agreement

Statement of Commitment

This Agreement sets out how the KCL and the KCLSU will work in partnership to ensure that every student at KCL has the best possible experience at the heart of a thriving learning community. The Relationship Agreement covers relations between KCL and KCLSU at all levels of both organisations: governance, leadership, management and operations. We will hold ourselves and each other to account for fully engaging and empowering students to shape plans to implement strategy, as well as playing a full part in making the decisions that affect their experience at King's.

Furthermore, this agreement is separate to the legally binding elements of the Code of Conduct and the Memorandum of Understanding.

The College commits to:

- Putting students at the centre of everything it does: empowering students as co-producers.
- Creating a culture of co-creation and involving students and KCLSU representatives in decision-making in a way that best meets their needs and respects their differences.
- Seeking guidance from KCLSU about how to involve students and taking guidance for representative views from KCLSU.
- Helping the KCLSU and students understand the challenges and opportunities faced by the KCL.
- Ensuring early involvement of KCLSU in shaping KCL's strategy and services.
- Recognising KCLSU as the representative body of KCL students.

The Union commits to:

Representing student views, making sure the full range of diverse views is heard.

- Being an advocate and campaigning for students to amplify their voices to KCL.
- Being a critical friend to KCL and supporting KCL to engage with students.
- Engaging with representative bodies and sharing their views with KCL.
- Providing independent support, information and advice to students.
- Providing student-led community building activities and services with and for students.

Together we will:

- Focus our shared attention and agreed list of priorities over the course of this relationship agreement.

- Respect the right of each party to listen to the other's perspective, provide challenge where deemed needed and agree to disagree, whilst maintaining the spirit of partnership.
- Continue to liaise with each other in areas that arise outside of these agreed commitments that impact the student experience.
- Prioritise these commitments within our current resources and identify and define any additional resource requirements.
- Meet once a term to map progress against objectives.

The principles that underpin our relationship are

Respect & understanding: We are clear about what we expect of each other; we make time to actively listen and feedback, and value what each brings to the student experience, to King's, and in service of society. We respect different ways of working and personal presentation including dress, speech and perspective. Where we challenge, we do so constructively and respectfully.

Trust and openness: We are honest with and trust each other; we actively seek to understand each other's context and recognise each other's strengths and limitations. We champion each other's causes and back each other up where we agree and are clear when we cannot. We make early, regular and transparent communications a top priority. We will say what we mean and do what we say.

Accountability: We follow through, fulfil commitments and regularly evaluate to learn and hold ourselves to account; we are clear about priorities, timing and resources. We are all accountable to our students and staff.

Collaboration & independence: We share a common purpose and focus the impact of our relationship on today's and tomorrow's students. We ensure early involvement of one another in shaping and problem solving and facilitate each other to use successful approaches. We are generous and inclusive, whilst ensuring independence as a vital source of strength.

Relationship Agreement Goals and Aims

The RAWG has agreed seven key strategic relation priorities, which are listed below in terms of goals and aims.

1. ***Student Voice and Representation:*** Creating a platform from which KCLSU can provide up to date and relevant information to KCL that is used to enhance the learning experience of students. This will be done via ensuring that:
 - a. An agreed shared vision and approach to student voice and representation at King's is developed.
 - b. To develop an empowered academic community with a powerful student voice to create educational and societal change.
2. ***Student Advice Services:*** Striving to further develop and maintain quality advice services to students at KCL by:

- a. Creating a clearer understanding of student advice services across KCL and KCLSU
- b. Reviewing opportunities to provide more efficient services in the interest of students
- c. Effectively implementing the recommendations of the strategic review of KCLSU Advice Services
- 3. ***Student Wellbeing and Mental Health:*** Ensuring that activities and actions are taken to safeguard the wellbeing of our students via:
 - a. The co-creation of the updated King's Student Mental Health and Wellbeing Strategy
 - b. The co-creation of future innovations and programme, such as ACE (Accelerating Community Enterprise), to incorporate KCLSU and the broader student voice.
 - c. The co-production of collaborative activities in the Student Mental Health and Wellbeing Operational Group.
- 4. ***Postgraduate Experience:*** To increase understanding of postgraduate students and ensuring that their time at KCL and KCLSU is characterised by enhanced engagement, satisfaction and success.
- 5. ***Freedom of Expression:*** To ensure that student debate is open and accessible and compliant within the framework of the law and our institutional values:
 - a. KCL and KCLSU to collaborate over approach and associated policies for managing Freedom of Expression (FoE) on campus in light of changing legislation.
 - b. To implement an event management process/procedure involving external speakers for both KCLSU groups and KCL staff.
- 6. ***Sexual Harassment and Misconduct:*** To foster an inclusive and respectful campus, in which sexual harassment and misconduct have no place via:
 - a. Collaborating over messaging and educating our student community on harassment and its impact
 - b. The launch of a simple and accessible reporting tool for disclosure and as a route to support, and timely and effective responses to such reports
 - c. Reducing instances of harassment and misconduct across KCL and KCLSU spaces (physical and digital) including through training.
 - d. Focusing on culture change through partnership with KCL and KCLSU on the Community Charter and 'preventing and addressing harassment and sexual misconduct' groups
- 7. ***Careers Service:*** Developing the skills of our students and helping them secure a better future by:
 - a. Relationship building between KCLSU and KCL Careers, KCL Alumni and awareness of programmes and activity across the student community
 - b. In relation to employability skills to understand the measurable impact that KCLSU and KCL has and find areas for improvement.

Agreement

This Agreement applies to everyone working in KCL and the KCLSU and to members of the KCL's Council and the KCLSU's Board of Trustees. The Agreement is a live document, that highlights a series of long-term shared priorities and goals that will endeavour to improve both the relationship between KCL and KCLSU and ultimately the experience of students. The goals and aims will be undertaken via project teams that are comprised of KCL and KCLSU staff members and representatives or by pre-established committees. These teams/committees will work towards annualised goals.

During each year a report will be made to the University Executive and the Union Board of Trustees setting out our progress against the shared priorities. Additionally, a delegated group of representatives will meet at agreed points both formally and informally to discuss progress, celebrate success and share learning.

A key meeting is the annual end of year meeting between the College and the Union: a place for all to share and pass strategy and learning forward from one generation of student officers to the next.

This Agreement will be reviewed every three years to ensure that sufficient time is spent on delivering the goals and aims outlined in this agreement.

Professor Shitij Kapur
President & Principal of KCL

Signed on: ____ / ____ / ____

Zahra Syed
President of and Chair of Board of Trustees KCLSU

Signed on: ____ / ____ / ____

KCLSU/KCL Memorandum of Understanding 2022-23

Action required

- ☒ For approval
☐ For discussion
☐ To note

Motion: That the Council approve the 2022-23 Memorandum of Understanding with the KCLSU.

Paper Explanation for Members

Why is this paper being presented?	The Memorandum of Understanding (MoU) between King's College London (KCL) and King's College London Students' Union (KCLSU) is presented for review and agreement by the College Council for 2022/23 academic year.
What are the key points/issues?	<p>Effective date: 1 August 2022</p> <p>The MoU sets out, under a number of heads of terms, agreed policy on issues of common concern between the College and the Union for implementation by staff. It sets out a clear working relationship as laid out in the KCLSU Articles of Association and for the University under the Education Act 1994, including reporting requirements to satisfy compliance with the legislation.</p> <p>No substantial changes have been made since the 2021/22 review, although a new clause (8.5) has been agreed between the KCL Chief Finance Officer and the KCLSU Director of Finance & Resources to reflect the key objective for the agreed funding model to provide a sustainable basis for longer-term provision of KCLSU services to students to meet the needs of members and the expectations of the University.</p> <p>The MoU is subject to annual review by KCLSU and KCL and will be reviewed again in May 2023 for the following academic year. The KCL Business Assurance Team will lead the annual review of compliance with KCLSU against the requirements of the Education Act 1994 in October 2022 for report to KCL's Audit, Risk & Compliance Committee.</p>
What is required from members?	Review and agreement by College Council for the Principal to sign on behalf of KCL.

Paper History

Paper Submitted by:

Irene Birrell, College Secretary

KCLSU/KCL Memo of Understanding 2022-23

Summary of what the MoU 2022/23 covers (with associated page numbers for reference):

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APPENDIX 1 Memorandum of Understanding – general policy of Council in relation to the exercise of powers under the KCL Charter

APPENDIX 2 Education Act 1994 - Code of Practice

APPENDIX 3 Head Terms for Responsibilities for the KCLSU in Relation to Estates Matters

APPENDIX 4 Summary of Schedule of Space Occupied

APPENDIX 5 Health and Safety

APPENDIX 6 Data sharing agreement between King’s College London and King’s College London Students’ Union

APPENDIX 7 Table of escalation

Action required of College Council

1. To review and agree the reviewed MoU on behalf of KCL, for signing by the Principal.
2. To note that the Board of KCLSU will approve the MoU on behalf of the Students Union on 27 July 2022, for signing by the President 2021/22 for the 2022/23 academic year.

King's College London's Memorandum of Understanding with King's College London Students' Union

Effective date: 1st August 2022

Received and Ratified by KCLSU Trustee Board 27th July 2022

Received and Ratified by King's College Council

Next Formal Review May 2023

Signed on behalf of King's College London

Signature:

Name:

Position:....

Date:

Approved by the Council on:.....

Signed on behalf of King's College London Students' Union

Signature:

Name: ZAHRA SYED

Position: KCLSU President 2021/22

Date: 27th July 2022

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APPENDIX 5 Health and Safety

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APPENDIX 7 Table of escalation

King's College London
Memorandum of Understanding
[incorporating financial memorandum]
with KCLSU

1 DEFINITIONS

“KCLSU” – King’s College London Students’ Union (CRN: 5762196);

“Chief Executive” – the Chief Executive of KCLSU appointed by the KCLSU Board of Trustees under section 9 of this MOU;

“the College” – King’s College London founded by Royal Charter granted on 14 August 1829 as amended on 13 May 2009 or its successor;

“MOU” – the Memorandum of Understanding between the College and KCLSU; this document;

“the Council” – the governing body of the College;

“Articles” – the Articles of Association of KCLSU; considered as the KCLSU constitution for the purposes of the Education Act 1994;

“President” – the Officer Trustee elected by the members to be the president of the Students’ Union;

“bye-laws” – the bye-laws made by the Trustees from time to time in accordance with Article 55 of the Articles;

“governing documents” – the Articles and bye-laws of KCLSU;

“Members” - members of the Students’ Union being Students at King’s College London and / or associate members as defined in the Articles and Bye-Laws

“KCLSU Trustee(s)” – the Officer Trustees, the Student Trustees and the Non-Student Trustees each of whom is a director as defined in the Companies Act 2006 including any statutory modification or re-enactment for the time being in force, acting as the Board of KCLSU;

“sub-committees” – the sub-committees of KCLSU founded through the Articles, bye-laws and other documentation established from time to time by the Trustees; these committees receiving delegated powers from the Trustees;

“student activity groups” – clubs, societies, campaigning groups, volunteering groups and projects, representative associations, student media groups and other student groups as recognised within rules laid out in the governing documents of KCLSU and other documentation as decided by the Trustees from time to time;

“Principal” – the President and Principal of KCL.

2 INTRODUCTION

- 2.1 Under the powers granted by the Articles KCLSU is recognised by the College as the sole Students' Union of the College as defined in the Education Act 1994.
- 2.2 KCLSU represents the students of the College. KCLSU exists to advance the education of students of the College as laid out by the objects in the [Articles](#).
- 2.3 Unless other bodies or officers are specifically referred to below, the College acts by and is represented by the Council.
- 2.4 The aim of this MOU is to set out, under a number of heads of agreement, agreed policy on issues of common concern both for KCLSU, its members, its trustees, its administrative staff; and the College so that a clear working relationship between the two is established.
- 2.5 The Council hopes that this MOU will contribute to maintaining the excellent relationship between the Council and KCLSU and between College officers and KCLSU trustees which is in the interests of the College and of its students and that KCLSU will continue to contribute to the College Mission and strive for the degree of excellence in its activities which is an explicit part of the College Strategic Plan.
- 2.6 The Heads of Agreement within this MOU relate to the current situation. Any changes to this document required to reflect the changing needs of the College or KCLSU shall be as a result of full consultation with KCLSU and as finally determined by the Council.
- 2.7 This MOU will be effective from the date of this document until such time a new MOU is agreed.

3 THE STATUS AND RELATIONSHIP BETWEEN KCLSU AND THE COLLEGE

- 3.1 The College is a chartered corporation, i.e. it has the powers of a person of full legal capacity and is subject to common law and statute.
- 3.2 KCLSU is a company limited by guarantee and not having a share capital registered under company number 5762196; as incorporated and defined by the Articles. It is also a registered charity number 1136729.
- 3.3 KCLSU shall conduct and manage its own affairs in accordance with the governing documents as agreed by the Council and the KCLSU Trustees.
- 3.4 The general policy of the Council in relation to the exercise of its powers is detailed in [APPENDIX 1](#) to this MOU. In this Appendix the Council affirms its commitments to the self-government and autonomy of KCLSU under its own governing documents consistent with the law and with the Council's obligations.
- 3.5 In recognition of its responsibilities in particular as a result of the Education Act 1994, Part II, the Council has approved a Code of Practice attached as [APPENDIX 2](#)

to this MOU. This MOU follows from the Code and should be read in conjunction with it.

- 3.6 The Council and KCLSU note that the College is the sole corporate member of KCLSU as defined by and with voting rights as specified in sections 8.1.3 and 22.2 of the KCLSU and College Articles, respectively.

4 MANAGEMENT, ACCOUNTABILITY AND THE LAW

- 4.1 The Principal has the discretion to confer student status on the Officer Trustees as defined in the Articles.
- 4.2 The College Council has appointed the Executive Director of Students and Education or designate to oversee the electoral procedures of KCLSU, and in accordance with the bye-laws a Returning Officer, independent both of KCLSU and the College shall be appointed annually by agreement between the College and KCLSU.
- 4.3 The Council, on recommendation of the KCLSU Trustees, reserves the right to appoint representatives to the KCLSU Finance, Audit and Risk sub-committee and to the Governance, Policy and Compliance sub-committee, or equivalent committees as determined by the KCLSU Trustees.
- 4.4 KCLSU is obliged in all respects to act in accordance with the Charter, Statutes and Regulations of the College and to comply with all College rules, procedures and codes of practice and any government legislation relating to its activities and operations. The KCLSU Trustees agree to ensure KCLSU complies with such rules, procedures, codes of practice and legislation. College officers will provide advice as necessary to facilitate compliance in the best interests of the College.
- 4.5 The KCLSU Chief Executive will immediately inform the Senior Vice-President (Operations) or designate of any legal proceedings taken, threatened or proposed against KCLSU; and of any situation that may give rise to a claim by or against KCLSU. The KCLSU Chief Executive, on behalf of the Trustees, will discuss with the Senior Vice-President (Operations) any intention of KCLSU instigating legal action against another individual or legal entity prior to commencing such action; and whether any such action will proceed in a way that would damage the interests or reputation of the College.
- 4.6 KCLSU will comply with all data protection legislation, including the General Data Protection Regulation and any related College policies and procedures in accordance with APPENDIX 6.

5 ALLOCATION AND MANAGEMENT OF STUDENT AREAS

- 5.1 KCLSU will be provided with certain premises fit for the general furthering of its purpose and objectives, as laid out in the Articles, together with other areas in the College where KCLSU may carry out trading activities. The College is not bound to provide any fitting out of such space.
- 5.2 The College will endeavour to preserve the areas used for student activity. However, the College may, after consultation with KCLSU, having given a reasonable notice period which for the purposes of this agreement will be at least twelve months (unless changed by mutual agreement between the College and

KCLSU) alter, withdraw or limit the use of such areas if it deems it reasonable to do so. In such cases, the College will use its best endeavours to find suitable alternative space within such reasonable notice period. Any requests by KCLSU, its student activity groups and other affiliated bodies, for the allocation or use of additional space in the College, which is not part of an academic department or listed at APPENDIX 4, should be made through the President or KCLSU Chief Executive to the appropriate College officer as the Principal may designate.

- 5.3 The premises are the management responsibility of KCLSU. Detailed responsibilities are defined in APPENDIX 3 to this Memorandum. KCLSU will obtain the permission of the College authorities on any proposed alterations and improvements to the premises in accordance with the Heads of Terms set out in Appendix 3. Such permission will not be unreasonably withheld.
- 5.4 KCLSU will comply with statutory requirements regarding improvements and developments of space and with the Financial Regulations of KCLSU and the College. Where the College and KCLSU jointly occupy buildings, the costs associated with such improvement and development works will be apportioned between the College and KCLSU on a mutually agreed basis, such as proportion of space occupied.
- 5.5 KCLSU and its student activity groups will be permitted use of other areas in the College by agreement and subject to availability for social, recreational, educational, cultural and sporting activities, such areas remaining the management responsibility of the College. Student activity groups will complete the necessary forms, will adhere to KCLSU procedures for approving the booking of rooms and College procedures set out in the College's Room Booking with External Speakers Policy.
- 5.6 Where KCLSU is allowing use of its premises, or facilitating the use of university premises to Student Activity Groups, events that the general public will attend or external hire to outside organisations, the requirements of the [College's Code of Practice](#) for meetings held on College premises, this MOU and other relevant College policies and procedures will be met by KCLSU. In addition, KCLSU is responsible for implementing the rules governing posters, notices, temporary signs and the distribution of literature on KCLSU premises and where student activity groups are using other College spaces.
- 5.7 The use of KCLSU facilities/external venue hire by members of the public may raise issues of liability for KCLSU and for the College. Therefore, access to and use of KCLSU facilities/venues by members of the public should be considered carefully before permission for such access or use is granted. The KCLSU Trustees will ensure appropriate insurance cover prior to allowing such use and the Chief Executive and their designated staff will ensure such procedures are enacted.
- 5.8 KCLSU will comply with the terms of any relevant licenses held by the College when making use of licensed College spaces for student functions. Those areas, which are identified for use primarily or solely as areas for student functions, may be let by KCLSU to its student activity groups and outside organisations on the understanding that they abide by College policies, procedures and codes of practice. The College will from time to time review and determine those areas of

the College that are occupied and managed by KCLSU to enable KCLSU to fulfil its objectives as laid out in this Memorandum of Understanding and KCLSU Articles.

6 RULES GOVERNING THE USE OF SPACE

- 6.1 KCLSU and its student activity groups shall be subject to controls on their use of space similar to those imposed on the College's faculties, schools and departments. In particular it is the responsibility of KCLSU to ensure that the premises allocated to it by the College are maintained in a safe and compliant state and operated in accordance with good practice. KCLSU will ensure that all student activity events that involve external speakers, will comply with [King's](#) and [KCLSU](#) External Speakers Policies and that suitable and sufficient risk assessments are carried out to ensure safe running of the events. KCLSU will ensure that King's staff are informed as and when required.
- 6.2 Whilst the Council's Estates Strategy Committee has the ultimate right to approve the proposed change of use of the College space, the College recognises that it is for KCLSU to determine its own priorities in the use made by it of the space allocated for its use provided that, in the Estates Strategy Committee's view, such use relates to activities that may be properly carried out by KCLSU and are in accordance with the College's interests and reputation. These may include the provision of various services to its members on a commercial or partially commercial basis either directly or (subject to proper arrangements to protect the College's position) through agreements with suitable commercial undertakings except that KCLSU will not permit third parties to occupy space or facilities without the written permission of the College. Permission of the Senior Vice-President (Operations) (or their appointee) shall also be required for any use of College accommodation for extra-Collegiate purposes.
- 6.3 Under no circumstances will KCLSU enter into an agreement to dispose of any interest in College premises (by lease, license or any form of agreement, written or verbal). The College will act as landlord in all such cases.
- 6.4 The allocation and use of space, and any changes to these, shall be subject to the College's rules and procedures, including the College's Regulations on the Use of College Buildings. Applications must be submitted via the Directorate of Estates and Facilities to the Estates Strategy Committee, or such sub-group as the Estates Strategy Committee may designate, for formal approval. No change in the allocation or use of space may be made until such approval has been given.
- 6.5 No negotiations or enquiries of any sort may be entered into by KCLSU with any local authority planning department or any health authority without the prior approval of the Director of Estates and Facilities or their designated nominee to whom any Notice received from such Authority must be passed immediately. The KCLSU Chief Executive will e-mail the Director or their designated representative regarding their intent, and to make a request for approval, prior to the submission of any minor planning applications. The Director of Estates and Facilities will reply within ten working days, failing which the Chief Executive will seek permission from the designated College officer, as decided by the Principal, to make the planning authority application.
- 6.6 As provided in the College's Regulations, the College may use accommodation allocated to KCLSU for examination purposes after due notice, and may use such

accommodation for other College functions after consultation between the Senior Vice-President (Operations) (or their designate) and the President of KCLSU where suitable accommodation is not available elsewhere in the College. If such use of allocated space will result in loss of income for KCLSU, the College and KCLSU agree to negotiate an appropriate level of reimbursement.

- 6.7 The allocation, use and modification of space shall be subject to inspection and approval by College officers, as appropriate, including:

6.7.1 **Director of Estates and Facilities** or designate:

- (a) Must authorise all physical alterations to space, other than simple redecoration, in accordance with College Project Management Procedures.
- (b) Must be notified of any change in the allocation and/or use of space so that this can be recorded on the College's database.
- (c) Will exercise control over the repair and maintenance of the fabric of buildings and building services.
- (d) Must be notified of any changes relating to access, control and the security of persons, equipment and buildings.

6.7.2 **Director of Health and Safety Services**

For compliance with fire and health and safety regulations [APPENDIX 5]

6.7.3 **Senior Vice-President (Operations)**

For compliance with legislation and with the terms of this MOU.

The following College Officers should also be consulted about the allocation, use and modification of space as appropriate.

6.7.4 **The Director of Estates and Facilities**

For consideration of sports, leisure, catering and residences issues and for compliance with health and safety legislation. The Director should be notified of changes in direct service provision which may impact upon corporate provision such as new catering outlets for consideration of potential interaction with the College's Catering and Conference operations.

6.7.5 **The Director of Finance**

In connection with insurance requirements, value for money studies and financial advice.

In areas under the management control of the College which are used for student activity, KCLSU shall not permit any alterations to the internal structure or décor, other than the temporary displacement of furniture. No games machines, video

games or like equipment may be installed in these areas without the permission of the Director of Estates and Facilities or such other officer as the Principal may designate.

- 6.8 KCLSU shall be responsible for notice boards at designated locations across the College's campuses. KCLSU will take steps to ensure that all notices posted on these notice boards include an English translation if written in any foreign language (such translation to be in the same size typeface as the foreign words) and do not include racist, sexist or otherwise offensive language or images. In addition, KCLSU is responsible for ensuring that posters, notices, temporary signs and literature distributed in KCLSU premises, or produced by KCLSU sanctioned clubs and societies comply with the above rules.

Campuses	
Strand Campus – Main College Corridor	3 Large Boards
Strand Campus – South East Wing & Undercroft Bush House buildings	13 Boards
Strand Campus – Chesham Building	1 Board
Guy's Campus – Old Guys House East Wing and West Wing	10 Boards
Guy's Campus – New Hunts House	2 Boards
Guy's Campus – Henrietta Raphael	2 Boards
St Thomas' Campus	3 Boards
Denmark Hill Campus – Penthouse	4 Boards
Denmark Hill Campus – Weston Education Centre	1 Board
Waterloo Campus	2 Boards
Maughan Library	2 Boards

Halls of Residence	
Stamford Street	2 Boards
Great Dover Street	1 Board
Wolfson House	1 Board
KCH	1 Board

7 IT/TELEPHONE NETWORK

KCLSU agrees to respect and abide by King's policies and procedures regarding the use of IT and telephone network.

8 FINANCE

- 8.1 The Council is required under the Education Act 1994 to take such steps as are reasonably practicable to ensure that KCLSU is accountable for its finances and that the financial affairs of KCLSU are properly conducted, as well as ensuring that arrangements exist for the approval of the KCLSU block grant and the monitoring of its expenditure by the Council.
- 8.2 In addition, the Principal has a key role in the financial affairs of the College as a whole, including KCLSU. As the Accountable Officer under the College's conditions of registration with the Office for Students (OfS) the Principal is responsible and accountable to the OfS and ultimately to Parliament for ensuring that the uses to

which the College puts public funds are consistent with the purposes for which the funds were given, as well as responsibility to ensure that expenditure is consistent with charity law. KCLSU recognises and accepts the role of the Principal in this respect.

- 8.3 The Council will award an annual grant to KCLSU in the context of its approval of the College's annual budget. The College will review the KCLSU block grant annually in its Planning Round, in consultation with the KCLSU Trustees. Based on this scrutiny in the context of the College's annual block grant, the College will allocate funds to KCLSU by means of a grant. The annual grant will be indexed according to the same inflation assumptions used by the College for its own planning purposes. Additional needs, should they be required, will be subject to separate negotiation. For the avoidance of doubt, KCLSU will no longer pay a space charge. An occupancy charge will be recorded in the Annual Accounts based on KCL's annual space cost calculation, but this will be a non-cash item.
- 8.4 It is noted that for the 2020/21 grant application and funding cycle, and due to the Covid-19 pandemic effect on potential student numbers, that King's and KCLSU agreed for the 2020 MoU to change the calculation for the grant from an agreed amount per student to an inflation based calculation. It is anticipated that for future funding cycles King's and KCLSU will either return to an agreed amount per student, or retain the calculation using inflationary assumptions for the grant application. The decision on the calculation method will be subject to discussion between the KCLSU CEO, the Sabbatical Officers and the King's Senior Vice President – Operations.
- 8.5 The block grant approach has continued to be the basis for funding for KCLSU, by agreement, for 2021/22 and 2022/23. In addition to the base grant agreed, the College provided additional support to KCLSU during the Covid pandemic, to protect the Students' Union's financial position and enhance its support for students.

Alongside the development of the Relationship Agreement, KCL will review the basis of the block grant. If agreed by all parties, KCL would then return to a per capita funding scheme and, in line with KCL's own future forward planning, provide a longer term planning horizon, anticipated to be 3 years. The key objective for the funding model to be agreed is to provide a sustainable basis for KCLSU to continue to provide ongoing services to students, as well as to support the student experience, as required by KCL and as expected by the student community.

- 8.6 As trustees of public money, it is the responsibility of the Council and the KCLSU Trustees to ensure that the funds made available to KCLSU are properly discharged. KCLSU is accountable to the Charity Commissioner for ensuring that the accounting and reporting requirements of the Charities Act 2010 and succeeding legislation are met and will report to Council on that basis. Financial reports of KCLSU should be published annually and made available to the members and the Council. The reports should list donations to external organisations. The procedure for KCLSU's internal allocation of its resources should be written, fair and accessible to the College and the members.
- 8.7 The KCLSU Trustees, on advice from the KCLSU Finance, Audit & Risk sub-committee, will approve the KCLSU annual budgets. The College's Audit, Risk and Compliance Sub-committee will report to the College Chief Financial Officer and VP

Finance (CFO) on any fraudulent or irregular procedures in the management of public funds, or those resulting from KCLSU trading activities.

- 8.8 It is the responsibility of the KCLSU Trustees to ensure that adequate insurance cover is maintained for all aspects of the business. The exception to this is insurance cover for buildings which is the responsibility of the College.
- 8.9 Before entering into any borrowing agreements, lease agreements, guarantees or indemnities that may incur contingent liabilities, KCLSU will first obtain the written approval of the College's CFO.
- 8.10 Any improper action by KCLSU or any organisation under the control of KCLSU which results in costs to the College, in particular as a result of 'an official KCLSU occupation', will result in the full costs incurred by the College being recovered from the Union by the College by the withholding or reduction of grant as determined by the Principal.

9 TRADING ACTIVITIES

- 9.1 KCLSU may operate legitimate trading activities in the College consistent with its purpose and objects within its governing documents. Should it wish to majorly alter the nature of a current trading outlet or introduce a new one it must notify the Senior Vice-President (Operations), or such other officer as the Principal may designate, who will need to determine the space which can be allocated and the terms under which that allocation is made. They will also need to satisfy themselves that the proposed trading activity integrates with the College's own plans for trading outlets.
- 9.2 Should King's wish to majorly alter the nature of a current trading outlet or introduce a new one it shall inform the Chief Executive of KCLSU of the planned changes.
- 9.3 Trading activities where the College and KCLSU hold a joint interest shall be discussed through the relevant operational meetings and where appropriate operational agreements created. This may also include the alignment of respective security and other relevant service arrangements.
- 9.4 The College and KCLSU will endeavour to maintain complementary facilities where both operate discrete catering operations that compete for the same trade.
- 9.5 KCLSU may use any profits received from its trading activities or rental charged to its franchises to fund the pursuit of its Objects as laid out in the Articles.
- 9.6 No premises license application will be made, or license entered into, without the prior approval of the Director of Estates and Facilities, or other College Officer as designated by the Principal. KCLSU will ensure that relevant license law is adhered to in relating to both premises and personal license within the entertainments and license trade activities undertaken by KCLSU.
- 9.7 KCLSU will keep the Director of Estates and Facilities, or other College Officer as designated by the Principal, informed of any planned temporary or permanent

proposals that majorly vary the terms and conditions of any premises license held by KCLSU.

9.8 KCLSU will be responsible for tax registration, compliance and payment of all taxes including VAT and Corporation Tax as a result of student activity.

9.9 King's and KCLSU shall always endeavour to keep open communications wherever possible, and engage with the student officers to ensure that student experience remains a chief consideration for the development of new spaces and opportunities.

10 STAFF MATTERS

10.1 The KCLSU Trustees shall appoint a Chief Executive of KCLSU, who shall be responsible for ensuring, through appropriate line management procedures, that KCLSU Staff conduct their duties in line with the governing documents of KCLSU and the policies decided by the KCLSU Trustees. KCLSU Staff shall be under the direct management control of the Chief Executive, who is in turn directly and solely accountable to the KCLSU Trustees.

10.2 KCLSU permanent employees shall be treated as College Staff for the purposes of access to internal College staff training and development courses, staff discounts and use of College/Guys and St Thomas' (GSTT) childcare facilities. Changes to any processes will be discussed during termly HR Partnership meetings.

11 COMPLAINTS AGAINST KCLSU UNDER THE EDUCATION ACT

11.1 The governing documents of KCLSU provide for a [complaints procedure](#) for use by students not satisfied in their dealings with KCLSU. Complainants not satisfied having utilised in full the procedures internal to KCLSU, have a right to refer the matter to the College for consideration under the [College's Student Complaints Procedure](#), details of which are published in the Student Guide to the Regulations distributed to all students at enrolment and available on the College's website.

12 DISCIPLINE

12.1 The governing documents of KCLSU provide for a [disciplinary procedure](#) in relation to incidents of misconduct. In finalising a decision on whether a complaint remains within the KCLSU process, or is superseded by the College's misconduct process, KCLSU will take account of the outcome sought by the aggrieved student. Serious offences will be reported by KCLSU to the Executive Director of Students and Education before KCLSU action is considered or taken. Any College decision to proceed under the College Misconduct Regulations will normally take precedence

and KCLSU proceedings will cease unless KCLSU and the College agree otherwise in writing.

13 MEDIA

- 13.1 All material published by KCLSU, including by student media groups, is independent of the College and no responsibility will be accepted by the College for it.
- 13.2 Material which is unlawful must not be published. KCLSU is required to ensure this is so. KCLSU (including student media groups) shall also operate in accordance with the NUJ Code of Conduct.
- 13.3 Any trading activity carried out by student media groups or any other KCLSU media activities will be subject to the same constraints as other KCLSU trading activities.
- 13.4 KCLSU and the College will share press statements in advance where this is appropriate and when the topic affects both organisations.
- 13.5 KCLSU, including activity groups, will consult with the College in advance if filming will take place on campus, either at an event or any other activity. Both external Press and Student Media outlets will comply with the [King's Filming Policy](#).

14 USE OF THE COLLEGE CREST AND THE "KING'S COLLEGE LONDON" TRADEMARK

- 14.1 The university crest, university logo and the 'King's College London' title are the property of the College and KCLSU shall have the non-exclusive right to reproduce them without charge for social and commercial purposes, provided that the style of use complies with the conditions that are laid down by the College to protect its property and interests, including those imposed upon it by the College of Arms. Any new use of the university crest, university logo and the 'King's College London' title, including their use on internet pages, in registered web domain names and in digital media should be referred to the Senior Vice-Principal (Operations) for approval. Referrals may be delegated to the Head of Corporate Design (contact brand@kcl.ac.uk) and be satisfied that the proposed use by KCLSU integrates with the College's own use of the crest, logo and title.
- 14.2 KCLSU remains responsible for the protection of its own trademark and intellectual property. Where the KCLSU logo and brand is used by College departments for cross-collaboration and joint communications work, the KCLSU brand guidelines should be followed by King's. The KCLSU brand guidelines are available on request from media@kclsu.org.

15 HEALTH AND SAFETY

Summary

To ensure Kings College London Students' Union (KCLSU) and King's College London (King's) fulfil their obligations under the Management of Health and Safety at Work Regulations 1999 and subsequent relevant legislation, both are committed to working together to ensure, through their respective safety management systems, that they will manage their activities to meet statutory requirements. King's will provide advice as necessary to help facilitate compliance.

- 15.1 KCLSU will comply with the requirements of the Health and Safety at Work legislation and will have a Health and Safety Policy and a written method statement for implementing its Policy.
- 15.2 The KCLSU Trustees are responsible for health and safety matters in KCLSU and will have the same delegated responsibilities in this respect as those defined in the [College Health and Safety Policy](#) document for a Head of Department and as detailed in APPENDIX 5, Memorandum of Understanding between the College and KCLSU on the Health and Safety issues.
- 15.3 The Chief Executive, or their nominated deputy, for reasons of continuity will be the Departmental Safety Officer for KCLSU, advising the Trustees and/or delegated sub-committee as appropriate.
- 15.4 KCLSU Health and Safety matters will be delegated to the KCLSU Finance, Audit and Risk Sub-Committee. Its remit will involve receiving reports on Health and Safety matters from the KCLSU Health and Safety Committee, advising the KCLSU Trustees on such matters as affect the safety of students and others on KCLSU premises, in other facilities managed by the KCLSU, and at student functions and events elsewhere, and ensuring the safety of equipment owned by KCLSU and its student activity groups wherever located.

The KCLSU Health and Safety Committee will make regular reports to the KCLSU Trustees and will submit an annual report to the College Health and Safety Management Group. KCLSU Director of Finance & Resources will represent KCLSU on the College Health and Safety Management Group.

- 15.5 Health and Safety matters affecting students at all campuses will be reported to the relevant faculty/directorate and Students and Education Directorate as well as to the relevant King's Health & Safety officers. Students' concerns over Health and Safety matters reported to KCLSU will be forwarded to the appropriate College officer through the KCLSU CEO or designate.

16 COMMUNICATION WITH THE COLLEGE

- 16.1 The main channel of communication between the College and KCLSU will be via the KCLSU President and the Principal who will meet regularly. KCLSU Trustees and sabbatical officers in general, however, may liaise directly with members of the administration on relevant issues. The Principal and other relevant College Staff and Officers will meet with sabbatical officers, senior KCLSU Staff and Trustees from time to time or as necessary.
- 16.2 These and other current channels of communication between KCLSU Trustees, the KCLSU Chief Executive, Deputy Chief Executive, the KCLSU sabbatical officers and members of the College Administration shall be maintained but their effectiveness will be kept under review. In addition, more formal reporting procedures shall be maintained to assure the College that KCLSU is carrying out its responsibilities in accordance with this Memorandum of Understanding. KCLSU shall report formally to the College on the following activities:
 - (a) Audited accounts presented annually, after approval by the KCLSU trustees, to the College Director of Finance and to the College Finance Committee for review

- (b) Significant Facilities and Estate management matters to the College Estates Strategy Committee through the Director of Estates and Facilities
 - (c) Health and Safety matters to the College Health and Safety Management Group
 - (d) Election report by the Returning Officer to the College Council
- 16.3 KCLSU shall also publish an Annual Report for submission to its members at an Annual General Meeting and for subsequent submission to the next meeting of the Council. The Report shall contain:
- (a) A statement that KCLSU operates in a fair and democratic manner and that it has properly accounted for its finances.
 - (b) A report on KCLSU finances including procedures for allocations to student activity groups; a report of any charitable collections; a list of the external organisations to which KCLSU has made any donations in the period to which the Report relates and a report of its current affiliations.
 - (c) A report on the conduct and outcome of elections of Officer and Student Trustees, and appointment of Lay Trustees.

17 **SERIOUS INCIDENT REPORTING**

As a registered charity, KCLSU has a responsibility to the Charity Commission to report any “serious incidents”, to the Commission as soon as is reasonably possible after it happens, or immediately after the charity becomes aware of it. Any serious incidents that KCLSU needs to report to the Charity Commission should also be reported to King’s through the Senior Vice-President (Operations).

The Charity Commission definition of a reportable serious incident is: “An adverse event, whether actual or alleged, which results in or risks significant: harm to your charity’s beneficiaries, staff, volunteers or others who come into contact with your charity through its work; loss of your charity’s money or assets; damage to your charity’s property; harm to your charity’s work or reputation”.

18 **REPORTING REQUIREMENTS**

As a general principle, KCL and KCLSU will be cognizant of each other’s reporting requirements by legal and regulatory bodies, including the requirements of the Office of Students. Where information is required by regulatory bodies, King’s and KCLSU will assist each other with the provision of information to meet the reporting requirements.

19 **STATUS OF THIS MEMORANDUM**

- 19.1 The document is intended to clarify the working relationship between the College and KCLSU covering responsibilities of common concern to both parties. The College and KCLSU express their firm intention to abide by its provisions. It reflects the current position and will be reviewed from time to time to reflect the changing needs of KCLSU and the College. Any changes will be reported to the Council.

APPENDIX 1

Memorandum of Understanding

King's College London

The College Council and KCLSU

This Appendix sets out the general policy of the Council in relation to the exercise of its powers under the King's College London Charter [Article 10], Statutes [Statute 7(m)] and Ordinances [Ordinance F3].

1. The Council affirms its commitments to the self-government and autonomy of KCLSU under its own governing documents.
2. The self-government and autonomy referred to in the preceding paragraph must be consistent with the law and with the Council's obligations.
3. The College's Charter and Ordinances and an Act of Parliament [Education Act 1994, s.22 (2) (b)] require that the KCLSU's Articles, being the KCLSU's constitution, are subject to approval by the Council.
4. The Council affirms that it will normally expect to approve KCLSU's Articles, or amendments to the Articles, which have been properly considered and endorsed by KCLSU's Trustees and would refuse to do so only in exceptional circumstances.
5. The exceptional circumstances referred to in the preceding paragraph cannot be defined comprehensively, but could include the following: non-compliance with the requirements of part II of the Education Act 1994; non-compliance with the law on charities; non-compliance with the College's obligations under its conditions of registration with the Office for Students (OfS) or other requirements relating to finances and resources; provisions curtailing the normal democratic procedures within KCLSU or the rights of individual members; provisions incompatible with the Charter and Statutes; or with any codes, rules or regulations approved by the Council already in existence.
6. KCLSU's Trustees are asked to give as much notice as possible to Officers of the College before amendments to the Articles are brought before the Council. This is to ensure any possible problems can be identified and discussions can take place.
7. Where a problem as mentioned in the preceding paragraph has arisen and discussions between the College and KCLSU have not resolved the differences, the proposed change should be brought to the Council together with explanatory statements from the President of the KCLSU and the Principal of the College.
8. If the Council is of the view that further discussions should take place or some changes should be made to the proposals before approving them, it will normally defer the matter to its next meeting rather than formally disapproving them.

9. If agreement cannot be reached in this way or the Council does refuse to approve the proposals, it will normally be the case that the status quo will continue, and the existing Articles or parts thereof will continue in force. Only in exceptional cases, such as where there are no such current provisions or change is required by law, will the Council consider introducing changes itself.
10. If the Council, in accordance with the preceding paragraph, is of the view that changes are required following its refusal to approve the proposal, it will ask the Principal to arrange for discussions to take place with the KCLSU Trustees with a view to reaching agreement so as to avoid a situation where the Council must itself introduce provisions into KCLSU's Articles which have not first been approved by KCLSU in the normal way.
11. Bye-laws and changes to the bye-laws by the KCLSU Trustees are subject to the written (by electronic means or letter) approval of a senior College Officer, designated by the Principal, on behalf of the College Council, whose approval shall not be withheld other than in exceptional circumstances such as those outlined in paragraph 5. Where discussions between the College and KCLSU are unable to resolve a problem relating to proposed bye-laws or changes to bye-laws, the matter shall be referred to the Council to consider and resolve in accordance with paragraphs 7-10 above (substituting 'bye-laws' for 'Articles' as appropriate).
12. The Council hopes that this appendix, while recognising the Council's obligations under the law, will contribute to maintaining the excellent relationship between the Council and KCLSU and between College Officers and KCLSU Trustees which is in the interests of the College and of its students.

APPENDIX 2

EDUCATION ACT – CODE OF PRACTICE

Policy Category:	Governance
Subject:	Compliance with the Education Act 1994, section 22
Approving Authority:	College Council
Responsible Officer:	President & Principal
Responsible Office:	College Secretariat
Related College Policies:	General Policy of the Council in Relation to the Exercise of its Powers under the King's College London Charter (Article 10), Statutes (Statute 7(m)) and Ordinance F3 KCLSU and King's College London Relationship – Statement of Commitment King's College London's Memorandum of Understanding with King's College London Students' Union
Effective Date:	24 January 2019
Supersedes:	November 2013; 28 June 2011
Next Review:	September 2021

I. Purpose & Scope

This Code of Practice covers student organisations within the College which are defined as students' unions for the purposes of the Education Act 1994, namely the King's College London Students' Union (KCLSU). It outlines the responsibilities and expectations of the Council of King's College London (hereafter 'the Council') with respect to the establishment and conduct of the student union in meeting the requirements of the legislation.

Beyond this Code, additional policies and practices have been agreed between the College and the KCLSU which describe in more detail the relationship between the College and the KCLSU and their shared priorities, along with further information about the way in which the organisations work together. The current additional documents are noted and linked above under Related College Procedures and Related College Policies.

II. Policy

1. MEMBERSHIP

All enrolled full-time and part-time students of the College are entitled to be full members of KCLSU.

2. THE RIGHT NOT TO BE A MEMBER

- 2.1 Every student has the right not to be a member of KCLSU.
- 2.2 Students will be informed of their right not to be a member by means of this Code of Practice, which will be brought to the attention of all students annually as part of the enrolment process. Students wishing to exercise their right to opt-out of KCLSU may do so at any time after enrolment by informing KCLSU through a link available on the KCLSU website. Their College enrolment card will indicate non-membership of KCLSU.
- 2.3 A student who exercises the right not to be a member will not be permitted to re-join KCLSU until the beginning of the academic term following withdrawal.
- 2.4 Students pay no fee to be members of KCLSU; consequently, there are no rebates for choosing non-membership.
- 2.5 Students who exercise their right not to be a member of KCLSU will be entitled to make use of any of the services and facilities of KCLSU upon payment of the appropriate fee or charge for the service which shall not be higher than that charged to members of KCLSU and as further detailed in the KCLSU Articles.
- 2.6 Students who exercise their right not to be a member of KCLSU will not be entitled to do the following:
- Participate in the government, administration and management of KCLSU or any of its student activity groups including not being able to vote, hold office or nominate candidates for posts.
 - Represent KCLSU on any College committee
 - Represent KCL or KCLSU in any competitive sport
 - Join KCLSU ratified student activity groups
 - Book/hire the KCLSU's entertainment venues at a reduced fee
 - Be members of the National Union of Students and will forfeit any monetary or other benefits that would result from that membership

3. CONSTITUTION AND PROCEDURES

Constitution and Articles of Association

- 3.1 The conduct of KCLSU and the manner in which the requirements of the Education Act 1994 will be met are detailed in the governing documents of KCLSU as approved by the Council (or in the case of bye laws, by the Returning Officer on behalf of the Council). The Articles of Association, comprising KCLSU's constitution, will be reviewed by KCLSU Board of Trustees and the Council every five years, or more frequently if required by the Council, KCLSU or legal obligation.
- 3.2 Copies of the governing documents will be made available for inspection by any member of the College in hard copy in KCLSU offices, in designated College offices, in designated College Libraries, and online through the KCLSU website.

Elections and governance

- 3.3 Provision in the governing documents, as required by the Education Act, has been made concerning the following:
 - 3.3.1 Elections to prescribed KCLSU positions of office shall be by secret ballot according to the provisions of the KCLSU governing documents, which provide that all full members of KCLSU are entitled to vote. Every full member is entitled to one vote.
 - 3.3.2 The College will agree with KCLSU the appointment of an independent returning officer to ensure that elections are fairly and properly conducted as defined in the Articles.
 - 3.3.3 Reports by the Returning Officer will be made to the Council and to KCLSU.
 - 3.3.4 No student may hold the position of Sabbatical Trustee, as defined in KCLSU's governing documents, for more than two years.

Affiliations

- 3.4 KCLSU will comply with the detailed requirements of the Education Act concerning affiliations to external bodies, in particular giving due notice of any decision to affiliate, reporting on affiliations and reviewing them. Details of external affiliations (including a list of each organization to which the KCLSU was affiliated and the amount paid to the organization by way of subscriptions or similar fees and donations in the past year) shall be published in the KCLSU's Financial Reports. The KCLSU Trustee Board will review all external affiliations during the course of preparing its annual budget and make recommendations concerning continuation or otherwise of each affiliation for consideration at the Annual General Meeting. During the required period of notice for the meeting, a written requisition may be made by not less than 5% of the full members requiring that affiliation to any particular organisation be decided upon by secret ballot in which all members are entitled to vote.

4. FINANCES

- 4.1 Financial Reports of KCLSU will be published annually and made available to members and the Council. The Report will contain a list of external organisations to which donations have been made in the period to which the Report relates and details of those donations. The Report will be available for inspection in hard copy at the KCLSU offices, posted on the KCLSU website and made available at the KCLSU Annual General Meeting.
- 4.2 The procedures for allocating resources fairly to KCLSU student activity groups will be incorporated as regulations approved by the KCLSU Trustees or designated sub-committee and circulated to student activity groups, posted on the KCLSU website, made available at the KCLSU Annual General Meeting and be available for inspection in hard copy at the KCLSU offices.
- 4.3 The regulation of the financial affairs of KCLSU is detailed in the governing documents. Responsibility is vested in the KCLSU Trustees and/or a sub-committee appointed, and/or a financial expert, as defined in the Articles on behalf of the KCLSU Trustees who will propose an agreed budget for consideration annually by the Trustees and, after its consideration, by the Honorary Treasurer on behalf of the Council.
 - 4.3.1 KCLSU will keep proper accounts and accounting records and maintain a sound system of internal financial management and control. KCLSU will plan and conduct its affairs so as to ensure that its total income, is at least sufficient, taking one year with another, to meet its total expenditure and that its financial solvency is maintained.
- 4.4 The activities of KCLSU will be subject to the College Internal Auditors as appropriate. External Auditors appointed by KCLSU after approval by the Audit, Risk and Compliance Committee of the KCLSU Trustee Board will audit the accounts of KCLSU on an annual basis and the audited accounts presented to the KCLSU Trustees. They will be available for inspection by members in the KCLSU office.
- 4.5 KCLSU will not incur expenditure or take any action, which is inconsistent with the law relating to charities. In general, expenditure is proper if it can be said to be consistent with KCLSU's objects in the Articles.
- 4.6 Before entering into any borrowing agreements, lease agreements or guarantees or indemnities that may incur contingent liabilities KCLSU will first obtain the approval of the College's chief financial officer.
- 4.7 It is the responsibility of the KCLSU Trustees to ensure that adequate insurance cover is maintained for all aspects of the business. The exception to this is insurance cover for buildings which is the responsibility of the College.

5. COMPLAINTS PROCEDURE UNDER THE EDUCATION ACT

Complaints by any student in relation to their dealings with KCLSU or in relation to any claim of unfair disadvantage if a student has exercised their right not to be a member of KCLSU will be dealt with in three stages:

- i) By the internal complaints procedure published by KCLSU.
- ii) If the student is still dissatisfied, jointly by a panel nominated by the President and Principal of the College.
- iii) If the student is still dissatisfied, by reference to an independent person appointed by the College Council.

6. FREEDOM OF SPEECH

6.1 The College has approved policies on Freedom of Speech issued in pursuance of the College's duties under the Education Act (No. 2) 1986 to ensure that freedom of speech within the law is secured for members, students and employees of the College and for visiting speakers.

6.2 Details of these documents are on the College website and will be made available by KCLSU to those student activity groups wishing to organise meetings on campus. The conduct of meetings will be governed by these and other College policies and regulations.

6.3 Bookings by student activity groups must be made in accordance with the College's Student Room Booking Policy.

7. REQUIREMENT OF CHARITY & COMPANY LAW

7.1 KCLSU is governed by the law relating to charities, in particular charitable companies limited by guarantee. In particular, whilst it may spend money on political debate, it may not support political or other causes except in line with the Charity Commission's guidance on Students' Unions. This does not prevent student members from collecting and raising funds privately for the support of any lawful cause.

7.2 In consultation with the College, KCLSU will publish information on restrictions imposed on KCLSU's activities by the law relating to charities and limited companies through the KCLSU website and additional channels as appropriate.

8. PUBLICATION OF THIS CODE OF PRACTICE

- 8.1 This Code of Practice, as amended from time to time by the College in consultation with KCLSU, will be published on the College's website and brought to the attention of students through the annual enrolment process.

MOU – KCL and KCLSU

APPENDIX 3

Heads of Terms for Responsibilities for the Students' Union in relation to Estates matters.

Building fabric, equipment and services	Responsibility	Funding
Building maintenance (Long term and day to day)	KCL	KCL
Alterations and improvements to the building fabric and services	KCL	KCLSU or KCL by agreement
Sports grounds and equipment	KCL	KCL
Students' Union equipment	KCLSU	KCLSU
Utilities		
Heat, light, power, water, sewerage	KCL	KCL
Insurance		
Buildings and contents	KCL	KCL
Business Interruption; Public Liability / Employers Liability and all other insurances	KCLSU	KCLSU
Repairs		
Resulting from events such as storm damage and flood etc	KCL	KCL
Resulting from any damage to the building fabric and services caused by students in KCLSU managed premises and in events organised by KCLSU in other premises	KCLSU	KCLSU
Redecorations		
Normal maintenance cycle	KCL	KCL
Extra redecorations outside normal maintenance cycle	KCLSU	KCLSU
Security		
Access Control Systems; Security Patrols	KCL	KCL
Event security	KCLSU	KCLSU
Fire Alarm Systems	KCL	KCL
Cleaning – (including janitorial supplies)		
Strand ; Guys; (KCLSU occupied areas)	KCLSU/KCL	KCLSU/KCL
Waterloo (KCLSU occupied areas)	KCL	KCL
Windows – All Campus and as part of normal cycle	KCL	KCL
Windows - outside normal cycle	KCLSU	KCLSU
Telephones		
Rental of phones on College system	KCL	KCLSU
Calls and other charges	KCLSU	KCLSU
Data Points	KCL	KCLSU
Furniture – (KCLSU occupied areas) replacement, repair, renewals.	KCLSU	KCLSU
Postage / Mail	KCL	KCLSU
Capital Projects		

APPENDIX 4

King's College and King's College Student Union

Summary Schedule of Space Occupied

Campus	Building	Floor	Area (m ²)
Denmark Hill	Student Social Space - <i>with effect from 19 July 2018</i>		238.00
Guy's Campus	Old Guy's House East Wing	Basement	360.00
		Ground Floor	323.80
	Old Guy's House West Wing	Ground Floor	604.30
	Shepherd's House	Ground Floor	21.20
Strand Campus	Bush House - Centre Block	Ground Floor	90.84
	Bush House - South East Wing	Undercroft	476.00
		Ground Floor	439.20
		Seventh Floor	620.60
		Eighth Floor	546.00
	Macadam Building	Basement 3	18.60
	Philosophy Building	Ground Floor	93.60
Waterloo Campus	Franklin Wilkins Building	First Floor	58.50
Total			3,890.64

APPENDIX 5

King's College London

Memorandum of Understanding between King's College London (King's) and (KCLSU) - Health & Safety Issues

1. Introduction

- 1.1 KCLSU, established by the Charter and Statutes of King's College London, operates under governing documents ultimately approved by the Council. The Council also exercises some control over the management of KCLSU finances in accordance with the Education Act 1994 Section 22. KCLSU is a constituent part of the College. As such, KCLSU is responsible to the College for the employment of its staff, the purchase or supply of goods and services, compliance with health and safety legislation and activities organised or supervised by KCLSU or its student activity groups.
- 1.2 Staff employed by KCLSU are responsible to the relevant line managers of KCLSU and through those managers to the CEO of KCLSU and finally to the Trustees and they have no line management connection with the College. KCLSU is responsible to the College for its employees and those affected by its activities under employment law and health and safety legislation.
- 1.3 KCLSU is responsible to the College under the Health and Safety at Work Act 1974, Section 3, for the safety of persons not in its employment, including students, in relation to risks inherent in its activities. Further, the Health and Safety at Work Act, Section 4, imposes duties on persons who control, to any extent, premises used for any trade business or undertaking to ensure their safe use by persons who are not employees.
- 1.4 The Management of Health and Safety at Work Regulations 1992 require that where two or more employers share a workplace (either on a permanent or temporary basis), all involved have to co-operate and co-ordinate their activities to ensure that all their health and safety obligations are met. KCLSU and King's are committed to working together to ensure so far as reasonably practicable, the health, safety and welfare of their respective students and employees and others including patients, visitors and temporary workers.

2. Premises occupied by KCLSU

- 2.1 General responsibility for providing and maintaining College premises made available wholly or partly for use by KCLSU shall be the responsibility of the College as employer and controller of premises made available to non-employees. The College shall undertake such maintenance, servicing and repair of the building structure, fabric, furnishings and fixed plant and services as is reasonable and in accordance with legal obligations.
- 2.2 KCLSU shall make no alteration, addition or undertake repair of premises or services, etc. or materially change the use of any building without the express approval of the College through the Director of Estates and Facilities and Director of Health & Safety Services.

- 2.3 Contractors employed by KCLSU to undertake construction work shall satisfy the College's criteria for competence and comply with plans and method statements approved by the Director of Estates and Facilities, College Safety Officer or their nominated representatives.
- 2.4 KCLSU shall cooperate with health and safety instructions issued by the College from time to time, regulating the use of its premises.
- 2.5 KCLSU shall report to the relevant Director of Estates and Facilities representative defects or damage to buildings and property belonging to the College.
- 2.6 KCLSU shall give reasonable access to members of the College for the purpose of any inspection, testing or maintenance of the building structure, fixtures, furnishings, fixed plant and equipment.
- 2.7 KCLSU shall ensure suitable emergency arrangements, e.g. fire evacuation or first aid is in place. Unless otherwise stipulated, such arrangements shall comply with, and where appropriate, utilise, college arrangements and protocols.

3. Activities organised or supervised by KCLSU including sporting and other recreational activities

- 3.1 KCLSU shall be responsible for providing and ensuring adequate health and safety standards for activities including day-to-day operational business, including entertainment license requirements, recreational, social and sports events organised or supervised by KCLSU or its staff and/or Trustees. KCLSU shall ensure compliance with any relevant statutory health and safety legislation as both an employer and, to some extent, controller of the premises wherein the events are undertaken and to discharge its general duty of care to those involved or affected by those events.
- 3.2 KCLSU shall ensure that any equipment that it provides, or is provided by any constituent student activity group, for the various activities and functions is safely used, stored and maintained. Where that equipment is fixed or connected, whether permanently or temporarily to any College premise, structure or service; its installation and use shall be approved by a nominated representative of the College and comply with any relevant National or KCL Code of Practice.
- 3.3 KCLSU shall have adequate employer and public liability insurance unless cover is provided under the College's general insurance provision.

4. Health and Safety

- 4.1 KCLSU's Trustees or delegated sub-committee are responsible for health and safety matters in KCLSU and will have the same delegated responsibilities in this respect as those defined in the College Health and Safety Policy document for a Head of Department and as detailed in this Memorandum of Understanding between the College and KCLSU on the Health and Safety issues.
- 4.2 The Chief Executive, for reasons of continuity, will be the Departmental Safety Officer for KCLSU advising the Trustees and/or delegated sub-committee as appropriate.

- 4.3 KCLSU shall maintain a relevant sub-committee chaired by a Trustee with delegated powers over Health and Safety matters. Its remit will involve advising the KCLSU Trustees on such matters as affect the safety of students and others on KCLSU premises, in other facilities managed by the KCLSU, at student functions and events elsewhere, and ensuring the safety of equipment owned by KCLSU and its student activity groups wherever located. The sub-committee will make regular reports to the KCLSU Trustees and to the College Health and Safety Management Group. One Officer Trustee, or delegate (usually the KCLSU Director of Finance & Resources), will represent KCLSU on the College Health and Safety Management Group. King's Director of Health and Safety Services will represent the College at KCLSU Health and Safety Committee as and when required.
- 4.4 KCLSU Trustees or delegated sub-committee will appoint an appropriate Trustee or member of KCLSU Staff to liaise with the College on health and safety matters.
- 4.5 KCLSU shall issue safety rules and procedures regulating the use of premises by its members and constituent student activity groups and require that individual student activity group leaders are aware of, and give effect to, health and safety standards or guidelines relating to their activities. These rules shall be subject to approval by the College's Health and Safety Officer.
- 4.6 KCLSU shall report accidents including personal injury involving staff, students or visitors and specified dangerous occurrences to the relevant Campus Safety Office in accordance with the College's incident reporting arrangements.
- 4.7 The College's Health, Safety and Environmental Protection Office shall provide advice and assistance to KCLSU in meeting its legal obligations.

5. Monitoring and Assurance

- 5.1 Different areas of practice will be monitored and audited as specified in either KCLSU or King's applicable associated procedures.
- 5.2 To provide overall assurance of compliance and to give effect to Regulation 11 of the Management of Health and Safety at Work Regulations, this MOU will be monitored by King's Health & Safety Services (H&SS) and KCLSU Health and Safety
- 5.3 Information regarding pre-arranged visits by enforcing authorities and subsequent reports must be communicated to the other organisation where both organisations' activities may be affected.

Appendix 6

Data Sharing Agreement between King's College London and King's College London Students' Union (updated October 2020)

1. Overview

This Agreement between King's College London (KCL) and King's College London Students' Union (KCLSU) sets out the basis upon which Personal Data held by KCL will be shared with KCLSU, Personal Data held by KCLSU will be shared with KCL and the obligations of both parties.

Students agree to a declaration on enrolment at KCL that they have read KCL's student data collection notice, which states that KCL will transfer relevant Personal Data to KCLSU. All students at KCL are automatically entitled to membership of KCLSU and to benefit from KCLSU's services. Consequently, KCL believes that the routine transfer of Personal Data to KCLSU is in students' best interests and is unlikely to cause any prejudice to their rights, freedoms or legitimate interests. As well as receiving data on its members, KCL recognises that KCLSU also needs to receive details of students who have opted out of membership of KCLSU so that KCLSU can determine which students are eligible to benefit from the privileges, services and facilities provided to members.

Students agree on joining a KCLSU club or society that limited membership information may be passed to KCL in order to form part of the student's Higher Education Achievement Report (HEAR). Students will be given the opportunity to opt out of this transfer on an individual club or society basis.

KCL & KCLSU may also share data with each other to support Test & Trace activities on campus and to support those self-isolating in response to the COVID-19 pandemic.

KCLSU is a registered charity and a company limited by guarantee. Compliance with appropriate statutes requires KCLSU to maintain a membership list for use in calling members for Annual General Meetings / Extraordinary General Meetings. Data from this list is also required by the elected Officers of KCLSU and Staff in other departments, especially but not restricted to those supporting students, to enable them to operate effectively. Both KCL and KCLSU are registered as Data Controllers with the Information Commissioner's Office and have Data Protection policies available for reference on their respective websites.
<http://www.kcl.ac.uk/governancezone/GovernanceLegal/Data-Protection-Policy.aspx>
<https://www.kclsu.org/about/kclsu/data/>

For the avoidance of doubt, this Agreement does not constitute a contract between a Data Processor and a Data Controller under Article 28 (3) of the GDPR. Subject to the terms of this Agreement, KCLSU and KCL shall be the Data Controller for all Personal Data transferred to them by the other party under this Agreement. Where used in this Agreement, the terms 'Personal Data', 'Data Processor' and 'Data Controller' shall have the meanings assigned to them in the GDPR and Data protection Act 2018.

Any question of interpretation or dispute relating to this Agreement shall be referred, in the first instance, to the Data Protection Officer at KCL (on behalf of KCL) and the Director of Digital and Communications (on behalf of KCLSU) who shall seek in good faith to resolve the question of interpretation or dispute. Should they fail to do so within a reasonable period, the matter may be referred by either party to the Director of Students and Education (on behalf of KCL) and the Chief Executive of the KCLSU to consider and resolve.

2. How Students' Personal Information will be used by KCLSU

Personal Data transferred from KCL to the KCLSU shall be used by the KCLSU for the following purposes:

- Verification of student's identity
- Administration of elections
- Administration of clubs' and societies' memberships
- Administration of ticket sales
- To allow email, SMS and MMS communication between KCLSU and its members
- To allow email, SMS and MMS communication between its clubs' & societies' members where no email addresses / phone numbers are visible to the sender (sender: President, Student officers or other official of the club/societies)
- To ensure KCLSU is adhering to all its contractual and legal obligations.
- To ensure equal provision of KCLSU services and products to all KCL students.
- To support COVID-19 Test and Trace activities on campus

Additional purposes may be added to this list from time to time by agreement between the Data Protection Officer at KCL and the Director of Digital and Communications. As indicated in Section 1, a limited set of data on students' club and society membership will be transferred from the KCLSU to KCL for the purpose of updating students' HEAR.

3. Restrictions on the Use of Information

Personal Data provided by KCL to KCLSU shall not, without the express consent of the individual concerned, be used for the purpose of marketing services provided by organisations or individuals other than KCLSU.

KCLSU may in the course of normal operations provide Personal Data to a third party in order that they may provide services to KCLSU as a Data Processor. KCLSU, as the Data Controller, shall be responsible for ensuring that the requirements of the GDPR are met, including ensuring that a suitable contract is in place with the Data Processor and that the Data Processor provides a level of data security sufficient to ensure compliance with the GDPR and relevant UK data legislation.

Anonymised statistics derived from the transferred data may be compiled by KCLSU staff and may be sent to principal funders and partners inside KCL as well as third parties from whom funding is being sought to support student activities.

KCLSU may release information when required to do so by law or when required for compliance with any legal obligation (other than one imposed by contract) or a court order. Personal Data may also be used by KCLSU for contacting students or their dependents in an emergency. It may also be used to support Test and Trace activities on campus in response to COVID19 pandemic and to provide support to those self-isolating.

4. Data to be Transferred to KCLSU

The following Personal Data shall be routinely transferred from KCL to the KCLSU:

- Full name
- Chosen name (if different)
- Date of birth
- Gender
- Nationality
- International student? (YES/NO) (based on fee status)
- Postal address
- KID (King's ID)
- Opt out of KCLSU membership (YES/NO)
- Student number
- University email address
- Opt out of email contact (YES/NO)
- Course name
- Course code
- Course faculty and/or department as appropriate
- Campus (on the acceptance that this is course related and not timetable related)
- Course end date • Course level (e.g. UG or PG)

- Mode of attendance (e.g. FT or PT, any other mode such as distance learning which may apply)
- Widening Participation status
- Ethnicity
- Disability

To support Test and Trace on campus in response to the COVID-19 pandemic and provide support for those self-isolating the following may also be transferred. This information may not be used for any other purposes.

- Full name
- K Number
- Phone number
- Programme of study (where available)
- COVID-19 status
- Self-isolation status
- Date at which self-isolation began
- KCLSU Space(s) visited
- Table number (where available)
- Date & time for visit to KCLSU space

Additions & deletions Additions or deletions from this list may be made from time to time by agreement between the Data Protection Officer at KCL and the Director of Digital and Communications at KCLSU.

5. Data to be Transferred to KCL

The following Personal Data shall be routinely transferred from KCLSU to KCL:

- KID (King's ID)
- Full name
- K Number
- Organisation name (of club or society)
- Grouping name (typically membership type such as Treasurer or President)
- Effective date
- Expiry date

To support Test and Trace on campus in response to the COVID-19 pandemic and provide support for those self-isolating the following may also be transferred. This information may not be used for any other purposes.

- Full name
- K Number
- Phone number
- Programme of study (where available)
- COVID-19 status
- Self-isolation status
- Date at which self-isolation began
- KCLSU Space(s) visited
- Table number (where available)
- Date & time for visit to KCLSU space

Additions & deletions

Additions or deletions from this list may be made from time to time by agreement between the Data Protection Officer at KCL and the KCLSU Director of Digital and Communications.

Where a student has requested to opt out of data being shared with KCL, KCLSU shall ensure that this data is not transferred.

The Personal Data listed in sections 4 and 5 will be updated via secure mechanisms and at frequencies to be agreed between KCLSU IT and KCL IT departments. It is understood that

as technology and best practice guidelines evolve, the methods of data transfer may change without any variation to the underlying data or intended usage. Where one party is provided with updated data, or is notified that a student's Personal Data has changed, the other party shall implement such updates and changes promptly and without undue delay.

6. Security

KCL and KCLSU shall ensure that its staff, agents and contractors:

- implement appropriate technical and organisational measures to protect the Personal Data transferred under this Agreement against unauthorised or unlawful processing and against accidental loss, destruction, damage, alteration or disclosure. These measures shall be appropriate to the harm which might result from any unauthorised or unlawful processing, accidental loss, destruction or damage to the Personal Data and having regard to the nature of the Personal Data which is to be protected;
- take reasonable steps to ensure the reliability of staff, agents and contractors who may have access to the Personal Data transferred under this Agreement;
- not transfer Personal Data outside the European Economic Area (EEA) without adequate safeguards
- comply with the provisions of the GDPR and Data Protection Act 2018 in all other respects with regard to Personal Data transferred under this Agreement.

7. Student Opt Out Rights

KCL shall notify KCLSU of students who have opted out of membership with KCLSU in accordance with the College's Education Act 1994 Code of Practice. Where a student has opted out of membership with KCLSU, KCLSU shall ensure that Personal Data transferred under this Agreement is only processed for the purposes of determining the student's eligibility for the privileges, services and facilities pertaining to membership of KCLSU (including whether the student should pay a fee for using the services of KCLSU), and for no other purposes.

8. Rights of individuals

KCLSU and KCL shall be responsible for responding to subject access and other requests that fall under the GDPR and Data Protection Act 2018 with respect to Personal Data transferred to each party under this Agreement.

9. CCTV Footage

KCL and KCLSU may provide each other with copies of CCTV footage on an occasional and ad hoc basis where this is necessary for maintaining a safe environment in the premises provided by KCL to KCLSU or for ensuring compliance with either party's regulations and policies (including use in disciplinary proceedings).

KCL and KCLSU may also establish arrangements for the joint monitoring of CCTV systems belonging to either party to facilitate a safe environment on the College's campuses and to ensure compliance with each party's regulations and policies. Where one party is granted access to a CCTV system belonging to the other party, the party granted access shall ensure that its monitoring activities comply with its own CCTV Policies and the requirements of the GDPR and Data Protection Act 2018.

10. Retention of Information

KCL and KCLSU shall not retain Personal Data transferred under this Agreement for any longer than is necessary and in keeping with respective privacy policies and retention schedules.

11. Indemnity

Each party shall indemnify the other and keep the other indemnified against all direct, indirect and consequential losses or claims, demands, actions, proceedings, damages, costs or other liabilities without limitation and legal and other fees arising out of the failure by the indemnifying party to perform its obligations under this Agreement.

12. Jurisdiction

This Agreement shall be governed by and construed in accordance with English Law. The English Courts shall have exclusive jurisdiction to settle any dispute arising out of, or in connection with, this Agreement in the event that the parties are unable to settle the dispute amicably according to the process set out in Section 1. If a court holds any provision of this Agreement to be illegal, invalid or Updated October 2020 6 unenforceable, the remaining provisions will remain in full force and effect and the parties will amend the Agreement to give effect to the stricken clause to the maximum extent possible.

APPENDIX 7

Table of Escalation

The below table indicates escalation contacts at King's for KCLSU activity.

Area of Escalation	King's Contact
Finance	Vice President (Finance)
Governance	College Secretary
Estates	Director of Estates & Facilities
People	College Secretary
Elections	College Secretary
IT	Director of Estates & Facilities
Data	Data Protection Officer
Health and Safety	Director of Estates & Facilities
Risk	Director of Business Assurance
Media	Director of Corporate Communications
Complaints	Associate Director, Student Conduct & Appeals
Trading Activities	Vice President (Finance)/Senior Vice President (Operations)

Report of the Audit, Risk and Compliance Committee

Contents	Meeting at which considered	Consent agenda	Council action
1. Annual Report of Fundraising Operations (Annex 1)	07 June 2022	No	Approve
2. Annual Report of the Fundraising Ethical Review Group (Annex 2)	07 June 2022	No	Approve
3. Audit, Risk & Compliance Committee Effectiveness	07 June 2022	No	Note
4. External Audit Tender Update	07 June 2022	No	Note
5. Cyber Security Update Report	07 June 2022	No	Note
6. Annual Internal Audit Plan 2022-23	07 June 2022	Yes	Note
7. External Audit Plan for 2021-22 Financial Statements	07 June 2022	Yes	Note
8. Internal Audit update	07 June 2022	Yes	Note
9. Compliance Report	07 June 2022	Yes	Note
10. Risk presentations and discussions: Fundraising risks (Annex 3) Reputation management (Annex 4)	07 June 2022	Yes	Note

For approval

1. Annual Report of Fundraising Operations

Recommended: That the Council approve the annual report of the Associate Director of Fundraising Operations

This report was presented by the Associate Director of Fundraising Operations and was considered by the ARCC on behalf of the Council, whose members are the charity trustees of King's. The report is detailed, since it needs to set out all of the operations for members to review. In summary, however, it was reported as a very normal year with no compliance issues to deal with. The department is still trying to move its Client Relationship Management (CRM) tool from Blackbaud (*Raisers' Edge*) to the in-house solution of Microsoft Dynamics. This will provide a more cost-effective option and give more assurance over safety following a data breach by Blackbaud in 2020. The College is still considering its options regarding pursuing Blackbaud for compensation arising from that data breach incident. It was noted that there had been 45 complaints and 111 pieces of feedback offered during the year. Members commented that the numbers alone did not allow them to contextualise the situation or to make a judgement about whether this performance was acceptable or not and requested that future reports should include benchmarks to industry norms and previous years' College performance. To help members calibrate the report in the meeting, the Associate Director of Fundraising Operations noted that the Health Trust Charities within the King's Health Partnership received more complaints last year than the College did. If any member of Council would like more detail about any of the items in the attached report which are summarised, please contact the Secretariat.

Annual Report of Fundraising Operations – See Annex 1.

2. Annual Report of the Fundraising Ethical Review Group

Recommended: That the Council approve the annual report of the Fundraising Ethical Review Group

The Head of Prospect Research reported that 15 potential donations had been referred to FERG during the year. Four referrals related to existing donors, where the College was checking for new risks, and the rest were large corporate entities. Of these 15 cases, 12 were cleared for further cultivation and three were rejected. The rejected projects had an estimated total value of £1.3m. The two were rejected because of the potential donors' links to either the adult entertainment or gambling industries and the third was because of the donor's slow progress in moving away from fossil fuels to a greener business model. The Head of Prospect Research also highlighted that the approach taken by FERG to risk management was summarised in the report submitted to the ARCC. It was noted that FERG decisions are very contextual and risk mitigation is considered as early as possible, and the risks are weighed against potential benefits. A revised policy for philanthropic donations is to be presented to the University Executive on 07 July 2022 and it is hoped that this will enable more principles-based discussions to take place around potential donations to the College.

Annual Report of Fundraising Ethical Review Group – See Annex 2.

For note

3. Audit, Risk & Compliance Committee Effectiveness

The Business Assurance team has conducted a review of the ARCC's compliance to the guidelines set down for Audit Committees by the Committee of University Chairs (CUC). This review concluded that the ARCC largely complies with the CUC guidance and there were only a small number of minor recommendations for improvement. A peer-to-peer review of the Committee will be established in the next 12 months, and the ARCC will, with the help of the Principal, look to appoint a suitable current or recently retired Vice-Chancellor or Chair of Audit Committee from another university to support this review. A full-scale governance review will be undertaken in the 2023-24 academic year, and it might be possible to add deep-dive reviews of individual committees to that exercise.

Members of the Committee decided that they would like to consider the Education strategy and student experience, the People & Culture strategy, Operational Risk Management, and the international aspects of the College's business as specific risk topics for discussion over the next twelve months.

4. External Audit Tender Update

The current contract for External Audit services with KPMG is due to end in July 2023. The tender project is being overseen by the Office of the Chairman and College Secretariat, with significant subject matter input from the Finance Directorate. It is the Council's responsibility to appoint the external auditor. There will be a requirement for an evaluation panel to convene to assess the tender bids, and to recommend an appropriate auditor to the College Council for their approval. The Chair, Waseem Malik and Julianne Daglish will represent the ARCC on this panel.

5. Cyber Security update

Members received a report from the CIO, noting that the College was in a much stronger position with regard to Cyber Security. Much better performance data was now available, and the past year had been the first one with no P1 incidents. There is a clear roadmap for the work ahead, although it was acknowledged that, in this area, any organisation will always be working against a moving target. The Principal thanked the ARCC for its intervention in urging action in this area, which had helped prioritise investment effectively to improve the College's overall position. He noted that this is one example of "closing the loop" within a 12-month period. The ARCC sub-group for Cyber Security will meet with the CIO and his senior team over the summer for a deeper consideration of the current Cyber landscape at King's and to ensure that resources continue to be applied adequately and are appropriately directed and governed.

6. Annual Internal Audit Plan 2022-23

The annual internal audit plan for the 2022-23 academic year was presented by the Deputy College Secretary & Chief Compliance Officer. The plan laid out the high-level themes for coming year, which had been selected on the basis of a risk assessment and against the profile of the College's system of key internal controls. The plan allows for around 100 days contingency, which will be used for special investigations and for any urgent review identified by management or the ARCC. The ARCC approved the Internal Audit Plan for 2022-23.

7. External Audit Plan for 2021-22 Financial Statements

The External Audit Plan was presented by KPMG. The External Auditors consider the significant audit risks for the College to be fairly stable from the preceding year, with the risk around revenue recognition being slightly reduced due to the way in which tuition fees are now handled and a reduction in the risk around going concern as a result of the emergence from the pandemic period. The materiality level for the College has increased slightly (to £18.5m), which is a function of the increase in revenue to the organisation. The expected timetable for the audit was laid out, with interim fieldwork being undertaken in July, ready for more extensive fieldwork being done between September and October. The independence of the auditors was confirmed.

8. Internal Audit update

The two areas of audit activity since the last ARCC meeting which were identified as requiring the most significant improvement were Timetabling and the management processes supporting the recruitment and payment of Graduate Teaching Assistants (GTAs). In terms of the Timetabling audit, it was noted that academics were able to pick the slots in which they taught, and it was very difficult to be equitable and meet student demand when there was an oversubscription of the most popular slots. It was suggested that improved socialisation of the Disclosure of Interests policy might help alleviate some of this problem. Questions were raised about the root cause of the issues in Timetabling, and it was noted that this was partly due to systems issues and partly due to problems in execution. Management assured members that addressing issues with Timetabling was one of their key priorities over the next 12 months and that, by concentrating resources into this area, a way would be found to improve the system which is currently built on the needs of staff rather than students. With regard to GTA administration, it was noted that the attempt to bring all GTAs onto the same framework had failed because the College's systems for recruiting and paying its staff were configured largely for monthly paid staff and the GTA assignment was fundamentally different to that as they are hourly-paid occasional workers. It has been an aspiration of the framework to provide GTAs with the same type of contracts as permanent staff and the attempt to make the manner in which GTAs are contracted fit the systems had led to GTAs not being able to understand the requirements of their assignment and unable to track payments against hours worked. There were a number of pinch points in the process, most notably around the issuing of contracts. The audit work had informed a new approach, which was designed so that the GTAs would still receive the key benefits that were anticipated in the original framework, but the contract would be more understandable and processes supporting their pay were more robust.

It was also reported that the Principal's Senior Team (PST) had started to receive reports between ARCC meetings from the Deputy College Secretary & Chief Compliance Officer on management's progress in implementing audit recommendations. Members were delighted to learn that individual members of the PST were now identified as being the sponsor responsible for closing audit recommendations with the auditors and concluded that this would be an invaluable management support for the proper execution of Internal Audit points.

9. Compliance Report

Ratings of "high" risk have been identified for three compliance areas. These are student visa management, Health and Safety and export controls. For visas, this was largely because regulations had been changed recently, mitigations put in place by UKVI for the pandemic period were now removed, and there was sector intelligence to suggest that the regulator was no longer accepting the proxy measures for "engagement" which the College had previously engineered into its monitoring processes. Health and Safety was rated as a high risk because of the HSE investigation which is still taking place with respect to the case of occupational asthma in the College and it is

still possible that the College would be prosecuted. Export controls were identified as being high risk because it is a new requirement following some regulatory change and the quantum of the College's exposure to it is still to be fully established, but it has a potential to require a lot of management time to address retrospective issues. Members were assured that there were management plans to address the issues and that the risk ratings were expected to fall over time.

10. Risk presentations and discussions

The ARCC members received presentations on the management of the risks to efficient and effective fundraising, from the Executive Director of Fundraising and Supporter Development and managing the College's reputation and its attendant risks, from the Director of Strategic Communications.

The minutes of these two discussions can be found in the Annexes to this report.

Management of risks to fundraising (minute) – See **Annex 3**.

Managing the risks to reputation (minute) – See **Annex 4**.

Annual Report of Fundraising Operations

Executive Summary

This compliance report on the fundraising activity of the university during the 2021/22 year is provided for members of the Audit, Risk and Compliance Committee as an essential step in ensuring that members of the Council as trustees of the university as a charity are familiar with the fundraising operation of the College.

The *Guide to Trustee Duties (CC20)* published by the Charity Commission clarifies that it is a Charity's trustees who are responsible for its fundraising. Whilst management of day-to-day activities can be delegated; trustees cannot delegate their ultimate responsibility. The Charity Commission notes that systems and processes should allow trustees to hold the appropriate officers to account for how fundraising is carried out, to have access to information and advice in the proper level of detail and to be assured that the Charity's fundraising is compliant with the broader law and best practice.

This report is part of keeping Council Members informed about the College's fundraising operation at an appropriate level.

Members of the Audit, Risk and Compliance Committee are requested to consider the Fundraising report from the Associate Director of Supporter Operations and recommend it for approval by Council. Members of ARCC are also asked to note any considerations they believe should be highlighted to Council Members in their capacity as charity trustees.

Overview

Fundraising & Supporter Development (F&SD) fundraise on behalf of Guy's & St Thomas' Foundation (GSTF), Maudsley Charity (MC), the King's Health Partnership (KHP) and King's College London (KCL). F&SD hold independent partnership relationships with each organisation, and our compliance requirements for each are as follows:

King's College London – F&SD fundraise for KCL through our Alumni programmes and are Data Controllers of the KCL Alumni and Supporter data.

Guy's & St Thomas' Foundation - F&SD have a contractual arrangement for fundraising services with GSTF. F&SD, act as Data Processor and provide regulatory compliance reporting to the trustees of the Foundation.

Maudsley Charity – negotiations are ongoing to finalise a partnership arrangement for fundraising services. We operate to a temporary Data Processing Agreement and act as a Data Processor providing regulatory compliance reporting to the trustees of the Charity.

King's Health Partnership - is not a legal entity, and therefore they do not own or control any data. We fundraise for KHP initiatives or priorities, and the income is funnelled through KCL or the appropriate NHS Foundation Trust affiliate charity.

As Data Processor for GSTF and MC, we maintain separate Records of Processing Activity and compliance risk registers for our stakeholders.

King's College London

Fundraising Compliance Report

Group Name:	Fundraising and Supporter Development, Strategic Data Group
Group Lead:	Jennifer Wills – Associate Director of Supporter Operations
Reporting Period:	May 2021 – April 2022

1. Governance Structure

Fundraising and Supporter Development (FSD) fundraise on behalf of King's College London, King's Health Partners, Guy's and St Thomas' Foundation and Maudsley Charity. The department has dedicated resources for ensuring we comply with the latest Data Protection, Fundraising Regulator, Charities Commission, HMRC (Gift Aid), PCI- DSS and BACs regulations.

Our Strategic Data and Compliance Group meet fortnightly to discuss new regulations, upcoming and ongoing issues and training needs for the team. Minutes of the meetings are recorded, and decisions are escalated to the Fundraising Leadership Team where necessary.

In addition, we also have in place the following documents supporting our work:

- Record of Processing Activities (ROPA), which details all our suppliers, data processing activities (including where data is held) and retention schedules
- Live Compliance Action plan logs any policies, procedures, regulation changes we need to keep on top of and any timetables for review.
- Risk Register

All of the above can be made available on request.

2. Complaints, Feedback, and sign-ups to the Fundraising Preference Service

A breakdown of the complaints between 1 May 2021 and 30 April 2022 is as follows:

- 45 complaints
 - 20 (44%) related to negative press around the commemoration of Prince Philip
 - 19 (42%) related to an incorrect email sent via MailChimp (see section 9 for details)
- 111 pieces of feedback - including feedback on the Quad appeal, Giving Day, KCL's Ukraine response, and general alumni services and benefits.

There were no sign-ups to the Fundraising Preference Service during this period.

A full report can be made available on request.

3. Policies and procedures

The following policies and procedures have been reviewed and updated:

- Treating Donors fairly (Vulnerable People's Policy) – training rolled out to the whole of FSD
- Supplier guidelines (working with third parties) – updated and rolled out to the team

- Financial Due Diligence
- Gift Acceptance Policy (awaiting approval from University Executive in July)
- Consent guidelines were developed, and training rolled out
- Staff harassment policy

4. Suppliers and new contracts

The following contracts involving Data Processing have been reviewed in the past 12 months:

- **Telebank**
Telebank is our response handling agency for our mass appeals. We completed a full tender process with the support of Procurement, and it was agreed to continue with their services for another 12 months with the opportunity to extend to another 12.
- **Thank View**
Thank View is a stewardship platform that allows us to send thank you videos to our donors. We reviewed this contract adding in additional Standard Contractual clauses to cover processing in the US
- **Wealth-X**
They are used to research high-net-worth individuals to gain greater insight into their business interests, wealth, philanthropy, and connections. This product reduces the research time and resources for the team to aid in identifying new potential prospects.
- **BWF**
A consultancy is used to support the growth of the new prospect analytics programmes, identifying short, medium, and long-term priorities and staff training. The contract does not involve data processing but includes access to some aggregated personal data. An NDA is in place. The company is based in the US.
- **Vanilla Soft**
They are a contractor previously used (pre-pandemic) for our call campaigns. The contract was reviewed and updated, and some additional standard contractual clauses were put in place as they are based in the US.

5. Data Protection Impact Assessments (DPIA)

Only two DPIAs have been completed in the last 12 months:

- **Contacting alumni with unconfirmed consent**
We are still working to the 2018 DPIA, which allows us to contact alumni by email who have not explicitly given their consent for us to email them. We carry out this activity because we have a legitimate interest in contacting alumni, and they have a reasonable expectation of hearing from KCL about alumni news, benefits, and services. Alumni can opt-out from hearing from us at any time, and no communications would ever include fundraising asks. We have had no negative feedback on this approach since this DPIA has been in place.
- **Raiser's Edge Replacement - CRM Project**
A DPIA to cover the transformation and migration of all data held in The Raiser's Edge database to Microsoft Dynamics is in place. This DPIA will be periodically reviewed at key project milestones.

6. PCI DSS Compliance

We have obtained the relevant Attestation of Compliance (AoC) certificates from our suppliers and adapted our processes to be compliant. FSD continue to work with the central Income Processing team and PCI Board to ensure ongoing compliance. Card donations are processed through a non-networked iPad, and we are investigating the possibility of taking donations over the phone using a non-networked mobile.

PCI Compliance Training is delivered to all staff involved with card payment processing.

In addition to this, we will be working on an MOU with our charity partners to ensure they do not implement any new payment platforms ahead of checking their PCI Compliance status.

7. International Giving

We have two separate legal entities for international giving in the US and Hong Kong, where we direct our donors to make their donations, and in turn, they grant King's College London the money. This allows our donors to benefit from tax efficiencies. We have good relationships with these bodies and monitor any compliance-related issues that may come up with working with them. The bodies are both run by Alumni volunteers. Updates in the past 12 months for the two bodies are as follows:

1. Friends of King's College London Foundation (US Friends)

There have been significant developments in working with the US Friends this year in response to a large donation received (\$4.5million). Developments include:

- new Director's and Officer's Insurance is in place to cover the liability of our volunteer board members
- We have reviewed the pledge and donation agreement templates to ensure they are fit for purpose
- Proactive recruitment of new Board members is underway to refresh the membership in line with the new US Friends Terms of Reference
- We are in conversations with finance about currency risk mitigation when dealing with large transactions

2. King's College London Hong Kong Foundation – change in HK law

In order to comply with new "Anti-Money Laundering and Terrorist Financing Regulations" Chapter 615 of the Hong Kong Laws, additional Due Diligence Information forms were completed by all Directors of the Foundation with no further action required.

8. Staff Compliance Training

The following training has been delivered:

- **Data Protection training for new starters**
The training was reinvigorated and is now run monthly for all new starters. This training complements the mandatory Data Protection and Information Security modules all staff must complete online.
- **Major Gifts Email Consent** - training held for all KCL and KHP Major Gift fundraisers to educate staff on compliantly contacting prospects and donors in line with GDPR, PECR and our existing DPIA around contacting Alumni without explicit consent (see section 6).
- **PCI DSS Compliance** – training carried out annually for all staff handling card payment processing
- **Treating Donors Fairly: People in Vulnerable Circumstances** – training delivered to all of FSD

In addition to this, key messages are rolled out to all FSD teams via our FSD Data Protection and Compliance Champions through six weekly meetings.

9. Data Breaches

MailChimp Incident, March 2022

This year, we had one major incident (not a breach) related to our MailChimp platform used for emailing our alumni audience. An email message went out to 170,000 people when it should have gone to a segment of around 45,000. The recipients included some deceased contacts and some who had directly requested not to be contacted. No data was breached, but it was a breach of the Privacy and Electronic Communications Regulations (PECR). Follow-up actions have included implementing a more robust system for clearing down data from the platform and ensuring a plan to check for human error.

Data breaches:

Four data breaches occurred in this reporting period. Three of these breaches related to individuals, and one involved sharing email addresses unnecessarily with a partner company helping run an event. All incidents have been logged with KCL's Information Compliance team. More details can be provided if required.

Update on Blackbaud Data Breach, July 2020

Conversations are ongoing between Legal Counsel, IT Procurement, FSD and Blackbaud over a compensation claim for the data breach in 2020.

10. Freedom of Information Requests (FOIs)

Over this reporting period, we have responded to 16 FOIs.

- 5 have been in response to the Russian invasion of Ukraine
- 2 have been about donations from Chinese organisations or individuals
- 4 around donations received from large corporations.

Details can be provided on request.

10. Risk Register

We keep a detailed compliance risk register for FSD. This can be made available on request.

The primary risk identified is around the Raiser's Edge Replacement project, which will see FSD move to Microsoft Dynamics and (for KCL only data) join the existing instance of Dynamics in place at the College. Dynamics will represent a significant step forward in data security and reduce the number of data transfers to external products such as Mailchimp, which was the source of a data incident this year. Unfortunately, the project is experiencing some delays, which means we have had to extend our contract with Blackbaud for another year to continue using Raiser's Edge.

11. Upcoming Compliance Projects

UK Data Protection Reform Bill

The new Bill mentioned in the Queen's speech at the state opening of Parliament on 10 May will have specific implications for charities and university fundraising operations. The Bill aims to increase organisations' competitiveness and efficiencies and give them more control and flexibility around data protection management. These changes, if agreed, could mean a fundamental shift in how we capture and rely on email consent for fundraising messaging, potentially increasing our ability to communicate with our audiences more widely. The draft Bill will be published in the summer. FSD will keep a close eye on developments and respond as appropriate.

Charities Act 2022

There have been several changes to the Charities Act, and the government has set out a three-tiered implementation plan over the next year, starting in Autumn 2022. It is unlikely that the changes will make a material difference to the current way we operate, but FSD will be assessing in detail the changes and making the adjustment to our compliance frameworks as appropriate.

Annual Report of the Fundraising Ethical Review Group

Executive summary

This report is divided into two parts. The first part deals with the decisions which have been taken by FERG during the year. The second part deals more directly with the way that risk is managed by the Group.

The first part of the paper is the annual summary of gift acceptance decisions made between February 2021 and February 2022. The paper aims to give ARCC and Council the ability to assess the impact and robustness of the decisions made in committee meetings and by Fundraising & Supporter Development independently.

This paper is for the attention of FERG and the organisations for which we fundraise, known collectively as the 'Fundraising Partners' (King's College London, Guy's & St Thomas' Charity, King's Health Partners and Maudsley Charity)

The Fundraising Partners work under an overarching Policy for the Acceptance of Donations. The differing nature of risks for individual partners in regard to specific sources of funds (other than tobacco) is acknowledged through underlying processes and work is being done to align with each partners' investment policies where it is appropriate. For example, gambling is identified as a high-risk industry for the hospital partners but less so for King's. Therefore, a decision not to pursue funds associated with gambling, highlighted in this report, did not lead to an overarching 'red line' in the policy.

The second part of the paper is an update on the main donations acceptance issues which have gained press attention in 2021/22 and how King's has responded.

Members of the Audit, Risk and Compliance Committee are requested to consider this annual report and recommend it to Council for their approval.

Fundraising Ethical Review Group (FERG) Annual Report

Part One: Decision Making Overview

A total of 1,098 potential donations for King's College London, Guy's & St Thomas' Charity, the Maudsley Charity and King's Health Partners have been considered under the Policy for the Acceptance of Donations as of February 2022. Of these, 93 new potential donors*¹ were considered between February 2021 and February 2022.

Of the potential donors considered:

- 46 progressed without referral to the Executive Director or to FERG. For the majority of these, the reasons they were able to proceed fell into the following categories:
 - Gift Acceptance research was conducted and no risks were identified against the Policy for the Acceptance of Donations
 - They were an existing donor with no new risks identified. Some had been previously approved by FERG.
 - Risks identified were the actions of an individual employee at a company and were not considered a risk for the acceptance of a donation from the company directly.
- 25 prospects were escalated due to risks highlighted by gift acceptance research or because asks were above the £1m threshold for escalation. Of these, 15 were referred to FERG and 10 were cleared to proceed to cultivation by the Executive Director. As above, four of those cleared were existing donors with no new risks identified. The remainder were large corporate entities.
- 22 prospects are currently being researched.

Of those escalated to FERG:

- 12 prospects were cleared for cultivation
- 3 prospects were rejected

Four of the 12 cleared by FERG have gone on to pledge a total of £6.14 million across the Fundraising Partners, and the remaining eight prospects have the potential to give a further £1.5 million in philanthropic income.

The three prospects rejected by FERG equated to £1.3 million in potential funding and were rejected due to the following reasons:

- FERG rejected an approach to a charitable foundation linked to a fossil fuels company due to a lack of progress on moving towards a greener business model. FERG agreed this could be reviewed in 18 months to see if the company has built on its initial ESG pledges and made progress.

¹ New potential donors are defined as prospects who have been met at least once; the stage at which gift acceptance is mandatory to undertake within F&SD. This data does not include any gift acceptance undertaken on prospects who have not yet been met, or prospects who have been through the gift acceptance process before the defined time period.

- FERG rejected an approach to a charitable foundation due to a link between the source of funds and two risk industries - gambling and the adult entertainment industry – and due to the response of King’s academic community.
- FERG rejected another foundation due to links to the same gambling business as above.

Since its formation in 2011, 84 potential donors have been reviewed by FERG, not including those that have returned more than once, with seven thematic discussions also taking place on tax, tobacco, sharia law, fossil fuels, the defence industry, the gambling industry and ESG measures.

The breakdown of gift acceptance decisions by fundraising partner in 2021-22 is as follows:

Gift Acceptance Decision	Partner				Total
	Guy's & St Thomas' Foundation	King's College London	King's Health Partners	Maudsley Charity	
Proceed	16	24	5	1	46
Referred to Executive Director	4	5		1	10
Referred to FERG	4	8			12
Rejected after referral	1	2			3
Research underway	14	5	2	1	22
Total	39	44	7	3	93

For a full breakdown of the decisions made since the last report, please see the supporting document (which has been circulated with this report).

FERG’s 2021-22 Activity

FERG has not had further spotlight discussions since the last meeting but has focused on reviewing the Policy for the Acceptance of Donations. This has included a review of all partner investment policies to understand overlaps and any misaligned areas, as well as discussions on the broader policy principles. FERG members have not amended the core principles, but individual Fundraising Partners may further review areas they consider as high risk. Any changes at partner level would be implemented by Fundraising & Supporter Development and FERG but would not be written into the overarching policy.

The committee has also implemented a decision-making matrix to improve the consistency of reviewing potential donors and to inform discussions at committee meetings. This has received positive feedback from members

Committee Membership 2021-22

Since the last report, FERG has welcomed four new members to the committee – highlighted below with an asterisk:

King's College London	
Professor Clive Page (Chair February 2020-February 2023)	Director, Institute of Pulmonary Pharmacology, King's College London
Professor Evelyn Welch	Senior Vice President (Service, People & Planning), King's College London
Sir Jon Coles	Council Member, King's College London
Dr Gareth Owen	Reader in Mental Health, Ethics & Law
Professor Jonathan (Tim) Newton	Research Ethics Committee, King's College London
Tim Ditchfield	Chaplain, King's College London
Dr Jillian Craigie	Senior Lecturer, Medical Law & Ethics
Zahra Syed (member for 2021-22) *	President, King's College London Student Union
South London & Maudsley	
Dr Bruce Clark*	Clinical Director for CAMHS
Ms Rebecca Gray	Chief Executive, Maudsley Charity
Guy's & St Thomas'	
Ms Catherine Cullen	Director of Communications and Engagement (Job Share)
Ms Gayle Willis	Director of Communications and Engagement (Job Share)
Professor Paul Dargan	Professor of Clinical Toxicology, Guy's & St Thomas' Hospital NHS Foundation Trust.
Mr Martin Shaw	Chief Financial Officer, Guy's & St Thomas's NHS Foundation Trust
King's College Hospital	
Dr Rachel Burman*	Consultant in Palliative Care and Honorary Senior Lecturer
Mr Arthur Vaughan*	Deputy Chief Financial Officer, King's College Hospital NHS Foundation Trust
Non-Voting Members	
Jennie Younger	Executive Director, Fundraising & Supporter Development
Alan Goldsman	Director of Strategy & Operations, Fundraising & Supporter Development (Secretariat)
Joanna Carr	Head of Prospect Research, Fundraising & Supporter Development (Secretariat)

Where a personal conflict of interest has been identified with a potential donation for discussion, the affected member has stepped out of the meeting for the duration. For discussions of Sackler funding, the Chair was taken by Tim Newton to acknowledge Clive Page's position as a recipient of funding from the Dr Mortimer & Theresa Sackler Foundation.

As part of the policy review, FERG is considering how to further embed diversity and inclusion into its decision making. FERG will be working with Fundraising & Supporter Development to implement

recommendations coming from an equality analysis of the policy, including measures to ensure diversity in recruitment of new members and training for all members on cultural competency.

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Proposed Changes to the Freedom of Speech Bill – foreign donations and income received by English universities.

In January 2022 the UK government proposed an amendment to the Freedom of Speech Bill in relation to Higher Education to include a clause aimed at introducing ‘transparency and public reporting of foreign donations to universities, in order to promote freedom of speech and academic freedom and increase public confidence in universities.’¹³ According to the Council for Advancement and Support of Education (CASE), increasing the transparency of funding received from (and therefore any potential influence or advantage gained by) political ‘red list’ nations including Russia, Belarus, and China, is the main driver of this proposed change. The amendment is expected to be tabled later in the summer and is likely to go through. Commercial partnerships, Research & Development, and other foreign revenues such as philanthropy will be included in the scope of the amendment, with a proposed threshold value of £100,000.

CASE has been seeking input from UK member institutions on this proposed amendment to the Bill. In addition, King’s has responded to a Russell Group survey on the impact this might have on philanthropy and will be engaging closely with CASE to develop a response.

¹² [Statement on Ukraine crisis and its implications for charities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statements/2022/01/20/uk-government-proposes-amendment-to-freedom-of-speech-bill)

¹³ [higherEd rm rep 0112.fm \(parliament.uk\)](https://highereducationresearchandpolicy.parliament.uk/publications/112)

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King's College Council		
Meeting date	13 July 2022	
Paper reference	KCC-22-07-13-11.2	
Status	Final	

Report of the Fellowships & Honorary Degrees Committee (FHDC)

Contents	Meeting at which considered	Consent agenda	Council action
1. Revisions to Guidelines for the Award of Honorary Degrees, Honorary Fellowships and Fellowships of King's College London	30 March 2022	No	Approve
2. Process for Rescinding of Honours	30 March 2022	No	Approve
3. Court of Benefactors	30 March 2022	Yes	Note

For Approval

1. Revisions to Guidelines for the Award of Honorary Degrees, Honorary Fellowships and Fellowships of King's College Council

Motion: That Council approve the revised Guidelines, attached as **Annex 1**.

Background: The Fellowships & Honorary Degrees Committee has conducted a comprehensive review of the guidelines, processes and criteria by which we select and honour outstanding individuals. In particular the Committee looked at the following:

- consider how to enhance the processes for selecting honorary degree candidates and strengthen that category
- through enhanced processes, engage the Executive Deans more in identifying potential candidates and in developing relationships with recipients
- distinguish more clearly among the three awards of Honorary Degree, Honorary Fellowship and Fellowship

With respect to honorary degrees, the Committee was keen to have these foregrounded as our most prestigious award. The Committee agreed that the number of honorary degrees should be limited, that they should be conferred on individuals of international or national prominence, and, over time, represent the full breadth of academic activity at King's.

The Committee also noted that, under our current nomination processes, the list of candidates received in any given year was ad hoc and the quality of the nominations was highly variable. It was felt that engaging Executive Deans and their faculty colleagues more closely in the nomination process would lead to more fully developed nominations and a greater range of candidates.

The current means by which we confer honorary degrees does not encourage a sense among recipients that upon conferral they become part of the King's community. All degrees are conferred at one, standalone ceremony followed by a dinner. There are no processes for, or any expectation that, recipients might engage otherwise and the connection is therefore often tenuous at best.

To address these issues, key amendments to the guidelines include the following:

- Limit the number of honorary degrees conferred in any one year to about five
- Develop a process for soliciting and developing nominations that would include the Executive Deans and the University Executive
- Establish a panel for first scrutiny of nominations to be managed by the Principal
- Confer honorary degrees at appropriate graduation ceremonies rather than in a stand-alone ceremony
- Engage Executive Deans and academic leaders to 'host' honorees

A further proposal is to limit the types of honorary degrees we award to four: Doctor of Laws (LLD), Doctor of Arts & Letters (DLitt), Doctor of Science (DSc), Doctor of Divinity (DD). Over the years, King's has awarded up to 12 different types of honorary degree many of which are not common elsewhere or easily recognised as honorary degrees outside King's. The four suggested are in common use in academia in the UK and internationally and would not be mistaken for earned degrees.

With respect to Fellowships, language has been added to distinguish these as being focused on service to King's or a relationship with King's that has, or would, bring benefit to the College. The most substantive suggestion, however, is that we merge the Fellows and Honorary Fellows categories into Fellow of King's College London award while recognising that there would be different criteria for the award depending on whether a recipient had an existing direct relationship with King's or not. The title of 'Honorary Fellow' is in many ways an artifact of a time when King's was not able to confer its own earned or honorary degrees but rather had them conferred through the University of London.

2. Process for Rescinding Honours

Motion: That Council approved the proposed process for rescinding honours, attached as **Annex 2**.

Background: Last year Council asked the Committee to develop a process to assist with cases in which the College is asked to consider removing an honour. A proposal is attached for consideration.

For Note

3. Court of Benefactors

While reviewing the guidelines and criteria for the award of honorary degrees and fellowships, the Committee discussed issues related to the appropriate means by which to recognise significant donors to the College. The creation of a Court of Benefactors (working title) was one solution suggested. Discussions of this are ongoing with the Fundraising & Supporter Development team and a proposal will likely come to the Council for discussion in the Autumn term.

Irene Birrell
College Secretary

Revised Criteria and Processes for Awards

The awarding of an honorary degree or Fellowship of King's College London is an important event in the life of the College. These awards are conferred on those whose achievements are of such excellence that they provide, through example, inspiration and aspiration to our graduates. They recognise service or contributions that are or have been transformative.

These are our highest honours recognising distinct groups and types of accomplishment over a wide range of fields of endeavour.

Honorary Degrees

An honorary degree is the highest honour that King's bestows and is reserved for exceptional and eminent individuals who are recognised nationally or internationally for their achievements and whose actions reflect and reinforce King's values and aspirations. While a prior association with King's strengthens a claim, it is not a requirement; recipients of a King's honorary doctorate become alumni of the College.

The number of awards is limited normally to five in any one year.

Honorary degrees are conferred at graduation ceremonies and normally will not be awarded *in absentia*.

King's awards the following honorary degrees:

- Doctor of Laws (LLD)
- Doctor of Arts & Letters (DLitt)
- Doctor of Science (DSc)
- Doctor of Divinity (DD).

Fellowship of King's College (FKC)

The Fellowship of King's College is awarded to individuals who have or have had a transformative impact on the College through the quality of their work or activities. They may be individuals who have a direct relationship with King's (e.g., alumni, governors, staff, academic or community partners) or they may be individuals who do not have a current relationship with King's but who have engaged with King's, or whose activities and accomplishments align with our activities, aspirations and values and with whom a continued relationship would be welcome.

In either case, it is expected that the individual's accomplishments will have gone above and beyond the expectations of their regular role. For those who do have an existing relationship with King's, while long service may be an element of the award it will not be the primary criterion for the award. For those nominees not currently engaged with King's, the application process will give attention and consideration to the degree and depth of any prior association and the implications of the award for future association.

Fellows are acknowledged at graduation ceremonies and recipients are invited to attend.

Processes

1. Any member of the College may nominate or second a Fellow.
2. Honorary degree nominations should be associated with a Faculty or senior directorate and should be supported by the relevant Executive Dean/Vice Principal/SVP in addition to the nominators.
3. All nominations will be provided to the Fellowships & Honorary Degrees Committee, however, in considering the nominations, the FHDC will receive advice from a subcommittee established by the President & Principal.
4. Fellowships and Honorary Degrees are normally mutually exclusive. It would be unusual, though not impossible, for an individual to hold both an Honorary Degree and an FKC.
5. The FHDC may determine that an award other than that for which a candidate has been nominated is more appropriate.
6. Recommended nominees must be approved by Council.
7. No more than five honorary degrees will normally be conferred in a given year.
8. Honorary degree recipients must attend a graduation ceremony in order to receive the honour.
9. Up to ten Fellows may be awarded in a given year. The title is considered effective with written acceptance of the honour.
10. Fellows will be recognised at graduation ceremonies and may attend a ceremony if they wish.
11. When an honorary degree candidate has been offered and accepted an honorary degree, they will be invited to engage with the College as appropriate. This would ideally coincide with their visit to the College to have the degree conferred and take the form, for example, of a meeting with faculty and students in the relevant department(s), giving a graduate seminar or a public lecture, etc. It will be the responsibility of the Executive Dean/relevant senior leader to engage with the recipients to make these arrangements and to foster any further engagement which they and the candidate might agree.
12. Nominations remain confidential and candidates should not be informed that they have been nominated.
13. Only the names of those who have been offered and have accepted an award will be announced. The timing of the announcement will be determined once the award has been approved by Council.
14. Honours are not normally awarded posthumously. In exceptional circumstances the Committee may recommend posthumous awards under the following conditions:
 - The candidate has had a close or significant relationship with the College;
 - The nomination was submitted prior to the candidate's death; and
 - The candidate's family is willing to accept the proposed award on the candidate's behalf.
15. Removal of an honour – Council may determine that an honour should be rescinded on the recommendation of FHDC and in accordance with the Council's protocol.

Guidance on the Application of Awards - Current

The following points of guidance on the application of awards were approved at the meeting of the Committee in November 2011 and are provided again this year to assist the Committee's decision making.

The criteria for the conferral of the Fellowship, Honorary Fellowship and Honorary Degree of the College are set in the College's Ordinances:

C3.2 Honorary Degrees

Honorary Degrees of King's College London shall be awarded in recognition of an individual's conspicuous merit as demonstrated by their outstanding distinction. The number of Honorary Degrees awarded by the College in any one calendar year shall not normally exceed ten.

C3.3 Fellowship

The Fellowship of King's College London (FKC) shall be awarded to those who are, or who have been, a member of staff, a member of the Council or a student of the College in recognition of their exceptional achievement and/or service rendered to the College. The number of Fellowships awarded by the College in any one calendar year shall not normally exceed ten.

C3.4 Honorary Fellowship

The Honorary Fellowship of King's College London (FKC) shall be awarded to those who are not, and have not been, a member of staff, a member of Council, or a student of the College in recognition of their exceptional achievement usually in fields outside academic life. The number of Honorary Fellowships awarded by the College in any one calendar year shall not normally exceed ten.

C3.5 Relationship between awards

The awards of the Honorary Degree of King's College London and the Fellowship or Honorary Fellowship of King's College London are not mutually exclusive, although instances where both awards are made to the same individual are expected to be rare.

The most explicit rule set in these Ordinances is that the Fellowship and the Honorary Fellowship are mutually exclusive and are determined by the nature of the nominee's relationship to the College. The Fellowship is available to those who have or have had a close connection to King's through being a student, staff member or member of the College Council, while the Honorary Fellowship is only open to individuals who fall outside these categories. Otherwise, the Ordinances deliberately give the Committee considerable freedom to determine the most appropriate category of award for an individual. In so doing, the Committee is not bound by the choice of the nominator and can bestow an award in a different category which it believes would be more suitable.

In making its decisions, the Committee shall consider the following points:

- The College's position is that the Fellowship/Honorary Fellowship and the Honorary Degree are equally important and meritorious honorary awards. However, they are different in nature. The Fellowship/Honorary Fellowship is deeply rooted in the history of the College and well regarded within King's. The Honorary Degree is a more recent creation (the College began conferring honorary degrees of the University of London in 2007, and its own honorary degrees in 2008), but is likely to be better understood and recognised internationally.

- The Fellowship is more likely to be appropriate than the Honorary Degree in the case of individuals who are under consideration because of their current or previous connection to King's. Ordinance C3.5 indicates as much by suggesting that while the Honorary Degree and the Fellowship are not mutually exclusive, instances of an individual being eligible for both are expected to be rare. The Fellowship is clearly the appropriate award where an individual's service to College is the primary point under consideration. Only in the most exceptional circumstances should the Committee recommend an individual for an Honorary Degree when the Fellowship could be awarded instead, or when the Fellowship has already been awarded.
- With regard to the Honorary Fellowship and the Honorary Degree, the Committee should consider the wider international recognition of the Honorary Degree and the fact that this award has been conferred in the past on individuals with a truly outstanding record of academic or intellectual achievement. The Committee's former terms of reference (predating the Ordinances) indicated that the Honorary Degree was an appropriate award for heads of state, reflecting the international standing of the award.
- While the College's Ordinances do not set an absolute limit on the number of awards that can be conferred per year, to avoid devaluing the awards, they provide clear guidance that more than ten awards in each category per year should be treated as exceptional. Consequently, the Committee should usually defer deserving nominations to the following year rather than exceed the indicative quota set in the Ordinances.

November 2011

Rescinding of Honours Protocol

A. Principles & Criteria

1. Removing an honour from an eminent individual or from someone who has been of significant service to the College is a grave decision that must be taken sensitively, with care and with due consideration of fairness toward and respect for the privacy of the individual concerned.
2. In support of the tenets of freedom of expression, which are fundamental at a university, ideological difference with members of the university community or with the university's stakeholders is not in and of itself grounds for review or revocation.
3. Reviews will only be conducted on receipt of substantial new information which, for good reason, was not available previously.
4. Reviews will not normally be undertaken posthumously.
5. The following will be considered in determining (a) whether there is a case to answer and (b) what action, if any should be taken.
 - 5.1 There are findings of serious misconduct, criminal activity or adverse findings in civil proceedings or disciplinary proceedings by regulatory authorities
 - 5.2 Information that calls into question the original rationale for conferring the award.
 - 5.3 There is evidence that the individual has acted in a way that poses a fundamental contradiction of the values of the university
 - 5.4 There is risk that the reputation of the university is damaged from continued association with the individual concerned and whether the reputational risk is greater in maintaining the award than revoking it.

B. Process

1. Requests for review or revocation of an award must be submitted to the College Secretary.
2. The Principal will assign the request to a member of the College or to a specially-convened panel for consideration and/or investigation. The choice of investigator or membership of any panel will be determined by the nature of the case and the issues alleged.
3. Reports of investigators/panels will be provided to the Fellowship & Honorary Degrees Committee.
4. If the investigator/panel has determined that there is a case to answer, the Fellowships & Honorary Degrees Committee will consider the case.
5. The FHDC will report its findings and any recommendations to Council for consideration.
6. Before moving to a decision to remove an award, Council will provide the individual concerned an opportunity to respond to concerns raised.
7. Council's decision with respect to any review is final.

Report of the Finance Committee (FC)

Contents	Meeting at which considered	Consent agenda	Council action
1. Draft Budget 2022/23	22 June 2022	No	Approve at Item 8 on the Council agenda
2. [REDACTED]	22 June 2022	No	Approve at Item 8 on the Council agenda
3. [REDACTED]	22 June 2022	No	Approve at Item 8 on the Council agenda
4. [REDACTED]	22 June 2022	No	Approve at Item 8 on the Council agenda
5. Financial Statement Reporting Pack and Forecast Debt	22 June 2022	Yes	Note
6. Principal's Report and Strategy Refresh Report	22 June 2022	Yes	Note
7. Financial Statement Accounting Issues 2021/22	22 June 2022	Yes	Note
8. Chief Finance Officer Report	22 June 2022	Yes	Note

For Approval

1. Draft Budget 2022/23

Motion:

- (i) That Council gives in principal approval of the 2022/23 Revenue Budget at an operating margin of 3.9%, £45m, and allocation of the Strategic and Capital Investment Fund (SCIF), £22m, funded from reserves (see Annex 1).
- (ii) That the Executive Team present the total forward developing Strategy Refresh financial plan to the next Finance Committee providing more detail establishing clearly what is discretionary and what is truly investment related so the council can be clear about the choices it is making. Given inflationary pressures and cost increases a broad range of scenarios will be needed to test affordability, with options and priorities to achieve target margin improvement with as necessary drop off points to meet potential future affordability challenges.

The Budget had been designed by the Executive to deliver the first steps towards the financial framework for Strategy Refresh at just under 4% operating margin and will be presented to Council by the CFO (*Please see Item 8 "Finance & Estates Proposals" for the approval motion and the Draft Budget*).

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[REDACTED]

[REDACTED]

4. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

For Note

5. Principal's Report and Strategy Refresh Report

The Committee discussed the Principal's Report including the following key topics: industrial action and pension matter; admissions; Covid return to normal; Ukraine sanctuary programme; delegation visit to India. The Principal then reported on the direction of travel in the strategy refresh. Members were particularly interested in the emerging model for online offering, both in its use and in the business model currently operating with Pearsons that was embarked upon at an early stage for online education prior to the pandemic and mass migration to online study.

6. Financial Statement Reporting Pack and Forecast Debt

This report provided the first of a new set of in-year financial statement format finance reports and forecasts which will in future be provided to senior management on a quarterly basis alongside the monthly internal management reporting already provided. Also presented were forecasts for the university's 31 July 2022 debt covenant and USS debt monitoring metric compliance with discussion of the financial management challenges associated with each. The CFO and Chief Accountant would discuss this reporting pack with Committee Members Isabel Neuman and Nicky Richards outside of the meeting and circulate any resulting commentary.

7. Financial Statement Accounting Issues 2021-22

The Committee noted key accounting issues and policy changes affecting the preparation of the 2021/22 group financial statements together with considerations of going concern risk and updated responses to recommendations from KPMG.

New material issues were: the cost of negotiated exit from Pearson Education Contract; the cost of backdated London Weighting increase; and potential material estate property deals.

Material issues for 2021/22 were: USS Pension provision; Champion Hill; and provision for global mobility costs.

No changes in accounting policies were proposed.

8. Chief Finance Officer (CFO) Report

The Committee noted a report from the CFO which provided a general summary of activities:

- (i) Pensions
- (ii) Developing Financial sustainability
- (iii) Items for report/approval
- (iv) Current financial position 2021/22 – April 2022 Month 9 summary
- (v) Research Overheads
- (vi) Treasury Management Policy Statement for 2022/23
- (vii) Ethical Investment Policy update
- (viii) Staff payments and write offs
- (ix) Operational updates

Michael D-Souza, Treasurer and Chair of Finance Committee

June 2022

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Report of the Academic Board

Contents	Meeting at which considered	Consent agenda	Council action
1. Student Terms & Conditions	29 June 2022	Yes	Note
2. The Strategy Refresh	29 June 2022	Yes	Note
3. Update on King's People & Culture Strategy	29 June 2022	Yes	Note
4. Celebrating Cultural Competency	29 June 2022	Yes	Note
5. Academic Board Sub-Committee reports	29 June 2022	Yes	Note
6. Other items approved or noted	29 June 2022	Yes	Note

For note

1. Student Terms & Conditions

Academic Board approved the following Terms & Conditions sets:

- a. General Student Terms and Conditions 2023/24
- b. King's Online Terms and Conditions for 2023/24
- c. King's Pre-sessional Students Terms and Conditions for 2023/24
- d. King's International Foundation Terms and Conditions for 2023/24
- e. King's Open Enrolment Short Courses Terms and Conditions
- f. King's Language Centre Language Modules (Credit-Bearing) and Non-Assessed Courses Terms and Conditions for 2022/23
- g. King's Language Centre Evening and Saturday and Summer Language Courses Terms and Conditions for 2022/23
- h. King's Language Centre Corporate & Tailor-Made Tuition Terms and Conditions for 2022/23

The various Terms and Conditions sets that apply across the university are reviewed and approved by Academic Board ahead of the new academic year, ready for the new admissions/application cycles. On the recommendation of internal legal counsel, all the terms and conditions have undergone external legal review.

2. Strategic Discussion: The Strategy Refresh

Academic Board discussed the first draft of Strategy 2026, following initial feedback received from Council and University Executive. It noted that Strategy 2026 did not replace Vision 2029, but rather set out the steps to 2029 taking account of the quite changed circumstances in which the university was operating. Further, it noted that this draft was not final and was intended as an aide to enable groups to discuss what the goals and objectives should be. Academic Board members gave feedback including the following:

- How to balance staff wellbeing with expansion.
- A preference for local budget decision-making over the existing "command and control" model.
- Prioritising projects to focus on a smaller manageable number.

- Surprise at careers not being explicitly mentioned in Strategy 2026, but noting it is fundamental to Vision 2029 with the first-year undergraduate study focused on employability.
- Clarity on what is meant by “the student voice”
- Is the size to be strategic or something to react to?
- A request for further development of the improvement of online technology
- Members would welcome sight of the timeline in the implementation plan.
- Students were keen that the principles of value for money included in consultations should remain in the Strategy 2026 and were reassured that those elements were embedded.
- A need to be clear about the online markets that would be entered.
- We should focus on ways to do things better, rather than on expanding to improve.

3. **Update on King’s People & Culture Strategy**

Academic Board received an update on the ‘People & Culture’ work that is being developed as part of the strategy refresh of Vision 2029. The update report covered Strategy refresh, staff well-being, bullying & harassment, Equality, Diversity & Inclusion Oversight & Governance.

It was reported that of the two Committees agreed to be established with responsibility in the area of people and culture, the Council Committee had been established and was being populated, but the executive committee would not be established until the Autumn Term following the appointment of the new senior leadership team members with responsibility in the area.

4. **Celebrating Cultural Competency**

Academic Board celebrated the enormous success of the cross-College Cultural Competency Programme and discussed its development and opportunities for embedding it further into the curriculum. Cultural Competency is the ability to view the world through the lens of others, in all their diversity. It is shaping King’s institutional values and culture and enable our people to fulfil ED&I commitments. One King’s is all about cultural competency, it sets King’s with a distinct cultural understanding and the programme is a fantastic example of what King’s can achieve together. It enables us to have difficult conversations.

The programme is cutting-edge, cross-College and co-created. It is delivered by the Cultural Competency Unit in Arts & Humanities and is co-sponsored by FoLSM and Arts & Humanities, with co-directors from each Faculty. It augments the individual curriculum studied by each student providing a lens that reflects their study in the bigger curriculum context.

Members were advised to go to the next kick starter to see it in action if they had any pre-conceived concerns. All students who had taken it had reported that it was beneficial and enormously empowering. KCLSU reported that it completed the conversation about cultural competency and would go a long way to ensuring King’s alumni understand this in their role in society.

Members suggested that future developments could include a substantial element within a common half first year and an Institute.

5. **Academic Board sub-Committee reports**

Reports approved and noted:

Academic Board Operations Committee

- (i) PACE Membership on the Academic Board **(approved recommendation to Council)**
The Board approved the motion to recommend the addition of elected members from PACE in the composition of the Academic Board.
- (ii) Disposition of Proposed agenda items
The Board discussed the decision of ABOC concerning the following agenda item duly requested by members:

That the College Ordinances be amended at paragraph 2.7 as follows:

“2.7 Setting regulations for academic misconduct, including the approval of any suspension or dismissal, regulating proposed redundancies, and student discipline.” (*Additions in bold.*)

An alternative phrasing could be:

“2.7 Establishing a committee of elected members of the Academic Board that oversees, and must consent to, the dismissal or disciplinary of any academic member of staff for conduct, capability, qualification, redundancy, or any other reason.”

ABOC had considered the item against the procedures approved by Academic Board and had agreed that concerns about staff policies and their implementation which underlay the request for Academic Board oversight should be referred to the Staff and Culture Strategy Committee and also that the governance structures and mechanisms in the area should be reviewed in the next substantive university Governance review to be held in 2023-34. In the interim, the Principal agreed that Academic Board would receive a comprehensive report at its next meeting containing data about staff dismissals and redundancies to demonstrate whether there was, indeed, an issues to be addressed.

- (iii) College International Committee Terms of Reference (**approved**)
- (iv) ABOC membership
- (v) Academic Board minutes style
- (vi) Academic Board agenda plan

College Education Committee:

(i) TEF Update

The OfS has decided to run a version of the TEF next year and the precise details were awaited following a consultation. It was anticipated that it would cover only undergraduate study and that a fourth outcome category would be added, “absence of excellence requires improvement”, which would impact an institution’s ability to charge fees. The TEF would be undertaken at institutional level rather than subject level as in previous years. Areas of risk for King’s to monitor were the NSS results concerning feedback and the student voice.

(ii) Flex, King’s First Year and the Credit Framework (**approved**)

The Board approved proposals concerning the development of the Flexible Curriculum and the King’s First Year element of that. The Flexible Curriculum is a major part of Curriculum 2029, which sets out the plans to introduce a transformative approach to our curriculum that enables student success by supporting their transition in, through and out of King’s. It provides greater flexibility to learn beyond one discipline through employment, service, experience and global mobility. The proposals included a first Gateway to King’s module which would constitute the first 15-credits of Flex King’s First Year. The pilot for this first module would be offered from September 2022, aiming to recruit 750 students from a shortlist of participating programmes across five faculties.

Members were keen to ensure that the pilot be concluded before any decision about making the first year compulsory be taken.

- (iii) Programme Enhancement Process 2022/23 (**approved**)
- (iv) Policy and Working Group for Module & Teaching Evaluations – update (**approved**)
- (v) The Inns of Court College of Advocacy Academic Regulations for 2022/23 (**approved**)
- (vi) Academic Appeals Period 2 & 3 Examinations: Impact of War in Ukraine (**approved**)

- (vii) Misconduct Policy & Procedures **(approved)**
- (viii) Fitness to Study **(approved)**
- (ix) Applicant Complaints Policy (Student Admissions) **(approved)**
- (x) Fee Status Policy (Student Admissions) **(approved)**
- (xi) Student Deaths: Procedure, data and context
- (xii) Postgraduate External Examiners Overview Report 2020/2021
- (xiii) Programme Enhancement Plans 2020/21 – overview report
- (xiv) PGT Assessment Boards Annual Report 2020/21 **(approved)**
- (xv) Royal Academy of Dramatic Arts (RADA) Academic Regulations 2022/23 **(approved)**

Academic Standards Subcommittee

- (i) Academic Regulations (this item was taken by circulation after the meeting as it had been missed in the meeting)

Academic Board approved delegation of authority to give final approval of the academic regulations 2022/2023 to the College Education Committee.

College Research Committee:

- (i) REF Results and Preparation
- (ii) King's Research Strategy Refresh
- (iii) Update from Libraries and Collections
- (iv) King's Inspired Science

College International Committee:

- (i) Review of the CIC Terms of Reference
- (ii) Circle U
- (iii) Staff Global Mobility

College Service Committee:

- (i) Progress on Sanctuary Programme
- (ii) King's Volunteering Launch

College London Committee:

- (i) Chair's report
- (ii) Entrepreneurship Institute: London update
- (iii) One King's Impact Challenges: Update
- (iv) King's London Highlights

6. Other items approved or noted

- (i) Principal's report on key current matters
- (ii) KCLSU President's report
- (iii) The Dean's report
- (iv) Election of Associates of King's College (AKC) **(approved)**
- (v) Report from Council

Report of the Remuneration Committee

Contents	Meeting at which considered	Consent agenda	Council action
1. Policy for Remuneration of Senior Post Holders - Editorial Revisions – Annex 1	1 July 2022	Yes	Approve
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
4. Committee Work Plan	1 July 2022	Yes	Note

For Approval

1. Policy for Remuneration of Senior Post Holders – Editorial Revisions

Motion: That Council approve the editorial amendments to the Remuneration Policy for Senior Post Holders

Background: The Policy for Remuneration of Senior Post Holders establishes the framework for and provides guidance on remuneration of members of the senior executive. It is due for a regular three-year review that will be carried out in the early autumn, however, there are a number of editorial changes needed currently to align with changes to the structure of the senior team.

For Note

- [REDACTED]
- [REDACTED]

4. Committee Work Plan

The Committee agreed a work plan for the coming year which would include reports from the Director of Human Resources with respect to pay and conditions generally across the College, the annual report on gender pay gap, performance assessments of the Principal and the senior team (including regular updates on progress towards goals and objectives), reports on senior team remuneration and consideration of any proposed changes, a review of the Committee's terms of reference against the responsibilities of the new Staff & Culture Strategy Committee, review of the Policy on Remuneration of Senior Post Holders, and succession planning.

Irene Birrell
College Secretary

1 .0 Introduction and Scope

King's College London Council ("the Council") has approved the following Remuneration Policy ("Policy") which will be applied by its Remuneration Committee ("the Committee") in order to determine the pay and conditions of all Senior Post Holders of King's College London ("King's" or "the university"). Senior Post Holder is defined in the Committee's Terms of Reference ("TOR") but will include for these purposes the President and Principal, Senior Vice Presidents/Principals ("SVPs") and Vice Presidents/Vice Principals ("VPs") and any other senior staff that meet the definition. A copy of the TOR is available on the [university website](#) or can be obtained from the College Secretary.

This Policy is intended to cover all Senior Post Holders but recognises there are different types of Senior Posts with very different responsibilities as well as external market conditions. Any difference in the approach taken is clarified where relevant.

The Policy is intended to help the Committee make decisions around remuneration. It does not have contractual status and may be reviewed and amended or withdrawn by the Council, on the recommendation of the Committee at the Council's discretion.

As at the commencement of the financial year 2018/19, King's has adopted the Higher Education Senior Staff Remuneration Code ("the Code") developed by the Committee of University Chairs (CUC)) and this Policy has been drafted in accordance with the Code as well as relevant guidance released by the Office for Students ("OfS"). In the event that the university does not apply the guidelines as outlined in the Code or as set out by the OfS, the reasons for this will be explained fully as part of an Annual Remuneration Report to the Council.

2 .0 Remuneration Principles

King's is a world-class institution that aspires to the very highest standards of education and research. The university is a member of the Russell Group and is one of the world's leading research-intensive universities with a global reputation for excellence. Its remuneration policy should reflect this.

The Committee is responsible for the development and implementation of the Policy at a senior level. It is guided by the following principles:

Senior Post remuneration and the associated policy at King's should:

- Facilitate the recruitment, motivation and retention of the highest quality of academic and professional service leaders in order to deliver the university's strategy;
- Enable exceptional performance to be recognised;
- Ensure that individuals are paid fairly in a way that reflects their accountabilities, job size and scope, performance, and overall contribution to King's;
- Ensure that there is internal relativity in respect of the size and scope of jobs within the Senior Post Holder group and across the university;
- Represent good value for money for King's and be publicly defensible;
- Enable the Committee to recruit from appropriate global talent pools where necessary; and
- Be cognisant of the wider organisational, economic, political and social context within which decisions are made.

3 .0 Summary of Remuneration Policy Elements and their Purpose

Base Salary: Provides a core reward for the role which is market related. For academic staff, this would reflect their academic discipline and for professional service staff, their function. Base salary recognises the market value of the role and an individual's skills, contribution, leadership and experience. Base salaries may be reviewed on an annual basis or following a significant change in role or responsibility. Base salary is positioned with reference to an agreed peer group as outlined in 4.3 below. It is paid in cash and is pensionable.

London Weighting Allowance: The prevailing pensionable London Weighting Allowance also paid to other employees is paid to this group

Office Responsibility Allowance: This is used in addition to base salary where necessary to reflect the additional dimensions and leadership accountabilities. This allowance is temporary in nature and will only be paid to an individual while they are in a Senior Post for which it has been established. It is pensionable and would form part of the calculation for any bonus payment if applicable and is deployed to recognise the leadership dimensions of the role. It is designed to be flexible to ensure that an individual's pay is consistent with others forming part of the senior leader cohort while in that role.

Fixed Pay: Base salary plus London Weighting Allowance plus Office Responsibility Allowance (where applicable)

Pension and Other Benefits: Senior Post holders are eligible to participate in the Universities Superannuation Scheme (USS) and other benefit plans on the same basis as other King's employees. These ensure both that total remuneration is competitive in the markets in which the university operates and that individuals are supported in the event of defined life events (including retirement).

Variable pay: This Policy allows for the use of variable pay where there is clarity on objectives and measurement that allows the Committee to measure performance and determine outcomes in a clear and transparent way. The Committee does not currently intend to operate variable pay but this will be kept under review. In the event that variable pay is to be adopted in any year, the Committee will ensure that clear and measurable performance objectives are developed and agreed at the beginning of the year.

President & Principal pay: There is recognition that, especially (though not exclusively) for the President & Principal, King's may need to recruit from a global talent pool for a future President & Principal. The policy recognises that different pay models operate across universities in countries from which King's may seek to recruit. While the core market benchmark is the UK, secondary reference groups are also drawn specifically for the President & Principal in this Policy which the Committee should consider along with the UK benchmarks as appropriate when attracting talent internationally.

4 .0 How the Remuneration Committee Sets Pay

In setting pay and other aspects of the Policy, the Committee considers the external competitive market, the organisational context, the not-for-profit nature of the College, and the value, complexity and contribution of the individual role, recognising that these factors will not be applied equally for all roles.

The Committee considers relativities within and across the senior post holder population as well as the context of wider pay and conditions across the university, including, for the President & Principal, having regard to the pay ratio between that role and median pay at the university.

The Committee will consider trends in the sector and any updated regulations or official guidance.

4.1 Pay Framework

The Committee operates a pay framework to ensure that fixed pay is positioned appropriately across roles and by reference to the relevant external market. To aid transparency and decision making we have identified three groups of Senior Post Holders.

Group 1 - President & Principal, SVP Health & Life Sciences, and SVP ~~Academic Arts & Sciences and SVP Operations~~. These roles will normally receive a market-related base salary. The roles may include a base salary and an Office Responsibility Allowance if the appointee is an academic and it is anticipated that the person would revert to an academic role after their term of office. These roles are usually for a fixed term (5 years with a possible extension of a further 3 years).

Group 2 - currently, ~~VP London~~, VP Education, VP Research and, VP ~~Service & External Engagement International and VP Service~~. These roles are usually for a fixed term (5 years with a possible extension of a further 3 years) and as such will receive a base salary plus an Office Responsibility Allowance with a clearly defined range.

Group 3 - currently, ~~SVP Quality & Innovation, SVP Operations and~~ VP Finance. These roles receive base pay based on individual pay ranges drawn from relevant market information. These roles are usually for a fixed term (5 years with a possible extension of a further 3 years).

4.2 Performance Objectives

All Senior Posts will have specified and documented measurable performance objectives which are collective in nature and reflect the key objectives of the university. Each person will also have specified and documented individual objectives reflecting key initiatives for which they are responsible. The Committee will set the collective objectives for this group and also the individual objectives for the President & Principal. The individual objectives and key performance indicators for the other Senior Post holders will be formulated by the President & Principal and provided to the Committee for information (the Principal will be accountable to the Committee for the successful formulation of Senior Post KPIs as part of his/her performance measurement). The objectives for other Senior Post holders, both collective and individual, will form the basis of the annual performance review for each individual and will be used to inform any decisions on pay. Decisions on pay for the President & Principal are formulated and approved by the Committee. Decisions on pay for other Senior Post Holders are formulated by the President & Principal and approved by the Committee on his/her recommendation.

4.3 Market Comparators

The Committee considers pay from an internal and external perspective, recognising that the markets for specified academic and professional service roles are different and therefore external data is distinct for these two groups and roles.

Groups 1 & 2

The Committee believes that the Higher Education sector is the most appropriate market reference point for the President & Principal and the other specified Academic Roles. This reflects the talent market for these roles from the perspective of both attraction and retention.

Following a comprehensive review of market data undertaken by the Committee during 2018, the Russell Group was identified as the most appropriate primary pay benchmarking peer group for all university Academic Senior Posts and the President & Principal.

In addition, when considering the remuneration of the President & Principal, King's have a supplementary group as follows:

- A subset of Russell Group universities deemed to be key peers based on those closest to the university in terms of income, student numbers and other measures such as research, quality of teaching and overall university ranking. The current list of comparators is attached hereto as Annex 1.

When recruiting for President & Principal, King's have identified a supplementary group as follows:

- International universities that are deemed (and agreed by the Committee) to be potential competitors of the university in the market for talent at VC level, and for whom reliable data is available. These peers are sourced from countries where academic models and talent markets are felt to be most relevant, namely Australia, Canada, Hong Kong, Singapore, New Zealand and the "land grant" universities in the USA. The current list of comparators is also contained in Annex 1.

These supplementary groups will be reviewed periodically by the Committee.

Group 3 Roles

The Committee typically utilises both a UK general industry (i.e. private sector) market reference and specific university sector peers, reflecting to the extent possible the comparable size and complexity of the university (including consideration of university income and employee numbers).

All market references set out above are intended to reflect the responsibility and skills required to maintain the reputation of a world-class institution such as King's and the leadership strengths required to guide the university through the many current challenges facing the UK Higher Education sector.

King's peer groups and market comparators are kept under review.

5.0 Elements of the Remuneration Package

Outlined below is the approach taken for each element of Senior Post remuneration.

Benchmark ranges

For the President & Principal, a market range exists based on the refined group of Russell Universities. In addition, dependent on the point of origin of a future recruit, a secondary reference may be used based on an appropriate international set. Positioning within the range will depend on current pay, experience and other factors as part of the recruitment deal. Further benchmarking may be drawn upon taking into account whether an Office Responsibility Allowance would be applicable.

For the other Senior Posts in Group 1 and 2 King's operates pay ranges (minimum, maximum and mid-point) for fixed pay within which the positioning of a role/individual can be assessed. These are as follows:

- Group 1 Roles: Ranges set by role.
- Group 2 Roles: Guideline range reviewed annually. Should the current base pay of an appointee already exceed the range, then King's reserves the right to appoint on the current salary in addition to the minimum Office Responsibility Allowance.

Ranges are strongly aligned to external benchmarking. It is expected that, normally, fixed pay will sit within this determined range. Where appropriate and on the recommendation of the President & Principal with supporting rationale, fixed pay can be above or below the range.

Group 3 roles will be individually benchmarked against both university and appropriate external comparators.

In considering positioning, the President & Principal and the Committee will also take into account the complexity of the role; its impact; level of autonomy and decision making; and the knowledge and skills required for its fulfilment, as well as the experience and contribution of the individual in the role.

The Office Responsibility Allowance will be removed and not consolidated into fixed pay at the point when an individual is no longer a Senior Post Holder.

5.1 Variable Pay (Bonus)

At present, the university does not operate a formal variable pay programme but this will be kept under review. Any variable pay applied will be aligned with the following principles:

- Variable pay must be subject to pre-determined performance criteria, strongly aligned with both personal and university performance.
- Any individual element will be linked to the achievement of robust objectives with specified Key Performance Indicators.
- No variable pay payments can be made to Senior Post Holders without the prior agreement of the Committee at the commencement of the performance period.
- Variable pay will normally not exceed 20% of the base pay for the Senior Post Holder concerned.

The President & Principal will make a recommendation to the Committee informed by documented performance against pre-determined objectives. The Committee will have overall discretion on the payment of the bonus which will be non-contractual and non-pensionable.

Any provision for a variable pay element for the President & Principal will be set in order to deliver appropriate levels of total remuneration to attract and retain critical talent.

5.2 Benefits

The university offers accommodation for the President & Principal on the university campus for the better performance of the duties of the office. As well as being a private residence, a number of rooms within the official accommodation may be regularly used to host university events involving staff, students, alumni and supporters.

~~Other benefits provided to Senior Post Holders are intended to provide market aligned cost-effective benefits that are appropriate to the role. King's offers the following non-pensionable benefits to Senior Post Holders:~~

- ~~• Shared equity scheme for hires who need to relocate – King's can offer to co-purchase property with the individual subject to certain conditions, in order to allow them to acquire more easily appropriately sized living accommodation in proximity to the university; and~~
- Other relocation support (where applicable and in accordance with approved university relocation policy).

King's offers relocation support (where applicable and in accordance with approved university relocation policy).

For further details on these benefits, please refer to King's Finance Regulations (a copy can be obtained from the [university's website](#) or from the College Secretary).

Other benefits and allowances may be offered if considered appropriate by the Committee and within the context of the benefits package offered more widely across the university.

5.3 Pension

Senior Post Holders are eligible for membership of the Universities Superannuation Scheme with the employer contribution being determined by the rules of the scheme.

At present, the university does not provide pay in lieu of pension to individuals who are above their Lifetime Allowance, but this approach will be kept under review.

5.4 Other Allowances

The university does not provide any other allowances to Senior Post staff, albeit individuals may be in receipt of allowances as a result of their wider (e.g. clinical, board) responsibilities.

The university does not reimburse individuals for any allowances subsequently withdrawn by other bodies following promotion to a Senior Post, including but not limited to Clinical Excellence Awards.

5.5 Expenses

The Expenses Policy is operated by the Finance department and a copy can be obtained from the university's website or from the College Secretary.

The Committee shall receive written assurance annually from the Director of Finance that the Expenses Policy has been operated efficiently and appropriately for the Senior Post Holders.

6.0 General Terms

6.1 Remuneration Committee Discretion

The Committee will apply discretion, where necessary and by exception, to ensure that there are no unintended consequences from the operation of the Policy, that poor performance is not rewarded and that there are consequences where this is the case. The Committee has a robust set of principles that it applies to ensure that (variable and fixed) pay outcomes are aligned with the performance of the university, and with wider stakeholder interests, and that:

- Outcomes reflect the underlying performance of the university, team or individual;
- Individuals are not rewarded where their actions or behaviours do not align with King's Principles in Action;
- Consideration is given to the wider university context; and
- Any other factor at the Committee's absolute discretion.

Any material exercises of discretion by the Committee will be fully disclosed and explained in the Annual Remuneration Report.

6.2 Recruitment Arrangements for Senior Post Holders

In instances of recruitment, the Committee will determine an appropriate range of the remuneration

package (in consultation with the President & Principal for positions directly reporting to him/her) before the post is offered. When a preferred candidate for a post, other than that of President & Principal, is identified, the President & Principal is authorised to negotiate a contract within the agreed range. Remuneration that will be outside the upper point of the agreed range will require the approval of the Committee.

The Committee will endeavour to ensure that the university pays no more than is necessary to attract and retain candidates of the appropriate calibre and experience needed for the role and should consider the benchmark range in this context.

King's does not normally offer "sign on" awards or any "buy-out" of an existing package for any potential new recruits. Any relocation benefit or participation in the shared equity scheme may be considered by the Committee and a copy of these policies is available from the College Secretary.

6.3 Recruitment Arrangements for the President & Principal

In instances of recruitment of a future President & Principal, the Committee will determine an appropriate range of the remuneration package before the post is offered, drawing from the benchmark groups outlined above. When a preferred candidate is identified, the Chair of Council will, in discussion with the Chair of the Remuneration Committee, be authorised to negotiate a contract within these ranges and an appropriate amount of variable pay as set within this policy.

6.4 Service Contracts and Termination Arrangements for Senior Post Holders

When the university is entering into employment contracts with Senior Post Holders, the Committee will ensure that any severance terms therein are fair, reasonable and justifiable and do not expose the university to significant potential liabilities, including notice periods which are currently specified as three months.

In the event of termination for reasons other than resignation or dismissal with cause, Senior Post Holders' contractual entitlements will be honoured, but the Committee should be assured that poor performance is not rewarded and that costs are minimised. The Committee will seek legal advice and will consider any other available guidance from external bodies as it deems necessary.

6.5 Remuneration Policy for Members of the Council or its Standing Committees

Membership of the Council or its committees is an unpaid role. Members will be reimbursed for reasonable expenses incurred in the course of carrying out their responsibilities in accordance with the university's policy on expenses.

6.6 External Appointments

Senior Post Holders may, (with the consent of the Chair of the Council for President & Principal, and the President & Principal for other Senior Post Holders), serve as Committee members, Trustees, or Non-Executive Directors of an external body, where this is considered important for self-development and/or in the interests of representing the university. Any such external membership must be reported to the Committee with assurance that there are no conflicts of interest or issues with confidentiality and that the membership will not unduly detract from their university role. A Senior Post Holder must disclose all income retained from any external bodies and this income should not be excessive.

6.7 Equality and Diversity

The approach to Senior Post Holders' remuneration is considered in the context of the university's wider strategic aims for diversity and inclusion (ensuring that there are no biases pertaining to gender or other protected characteristics within the pay structure) and any concerns shall be addressed by the Committee and relevant actions outlined.

6.8 Employment Conditions elsewhere in the Organisation

The Committee shall be provided annually by the HR Director and/or College Secretary with a summary report on the pay and conditions applying generally across the organisation, including any significant changes that are proposed to employment conditions. This should include the base pay review budget and any changes to the National Living Wage and the National Minimum Wage.

Under normal circumstances it would not be expected that Senior Post Holder pay would increase at a faster rate than the average of all university staff. However, the Committee is permitted to approve a higher rate of increase, such as recognising exceptional performance by an individual or growth in contribution or to address market inequities (for further details, please see Annex 2).

The ratio of the earnings of the President & Principal to the median earnings of the university's whole workforce will be kept under review from year to year. For the purposes of this calculation, the multiple is based on the methodology as required by either the OfS or the Code.

6.9 Wider Stakeholder Views

The Committee at their sole discretion may seek the views of staff and employees of the university on specific issues it deems relevant.

Annex 1 - Current supplementary peer groups (President & Principal only) as at Summer 2018

Russell Group Subset

- University of Bristol
- University of Cambridge
- University College London
- Edinburgh University
- Imperial College London
- University of Glasgow
- University of Manchester
- University of Warwick

International Peer Group. These represent a set of external references that is not intended to be a perfect peer group. For specific recruitment needs, a more specific benchmark may be required based on the country of origin (or where the incumbent is working).

Australia - Group of Eight

- Australian National University
- University of Adelaide
- University of Melbourne
- Monash University
- University of New South Wales
- University of Queensland
- University of Sydney
- University of Western Australia

Hong Kong - Main Universities

- Chinese University of Hong Kong
- University of Hong Kong

Canada - Sample of Province Universities who are part of the U15

- University of Alberta
- University of British Columbia
- University of Toronto
- University of Western Ontario

New Zealand - Sample of larger universities

- University of Auckland
- University of Otago

Singapore - Main Universities

- Nanyang Technological University
- National University of Singapore

United States - Sample of Land Grant Universities

- Arizona State University
- Michigan State University
- New York University
- University of California
- University of Illinois at Urbana-Champaign
- University of Massachusetts Amherst
- University of Virginia
- University of Washington
- University of Wisconsin Madison