

College Council Minutes – Approved

Date	27 November 2018, 17.00
Location	IoPPN, Denmark Hill Campus
Present	Lord Geidt (Chair); Baroness Morgan of Huyton (Vice-Chair); Professor Edward Byrne (President and Principal); The Hon Sir David Foskett; Mr Paul Goswell; Professor Brian Holden Reid; Mr Michael D’Souza; Dr Angela Dean; Ms Ros King; Mr Ahad Mahmood; Sir Nigel Sheinwald; Mr Andrew Summers; Dr Ian Tebbett, Ms Nhuoc Lan Tu; Professor Evelyn Welch and Professor the Baroness Alison Wolf.
Apologies	The Right Reverend and Right Hon. Dame Sarah Mullally
In attendance	<p>Standing attendees: Professor Jonathan Grant, Vice President & Vice-Principal (Service) Professor ‘Funmi Olonisakin, Vice President & Vice-Principal (International) Professor Nicola Phillips, Vice President & Vice-Principal (Education) Mr Steve Large, Vice President (Finance) Mr Robin McIver, Deputy Vice-Principal (Strategy, Planning & Analytics)</p> <p>Secretariat: Ms Irene Birrell, College Secretary Ms Joanna Brown, Governance Manager Mr Paul Mould, Director of Business Assurance</p>

1 **Welcome, apologies and notices**

The Chairman and Dr Ian Tebbett were delayed in getting to the meeting and so the Vice-Chair took the Chair until his arrival and welcomed visitors to the meeting. Apologies had been received from The Right Reverend and Right Hon. Dame Sarah Mullally.

2 **Approval of agenda**

Council approved the agenda.

3 **Unanimous Consent Agenda (including Minutes of the Previous Meeting)** [KCC-18-11-27-03]

Decision

That the reports on the Unanimous Consent Agenda, including the minutes of the 26 September 2018 meeting and the Actions Log, be taken as read and noted or approved.

4 **Matters Arising from the Minutes**

There were no matters arising.

5 **Report of the Chair**

None

6 **Report of the President & Principal**

Items for Consideration

a) **Summary Report on Key Issues** [KCC-18-11-27-06a]

The report of the Principal outlined key current issues. The Principal provided the following comments on his report:

- Pay: The professorial banding scheme had been agreed.
- Pensions: Following the Council endorsement of the Joint Expert Panel recommendations, this issue was now with the regulator. It was a hugely complicated issue and it was likely that the next year would see protracted negotiations.
- Government Funding Review: It was likely that the domestic funding bid would be reduced and that it would set out a series of caveats. For King’s, the £30m turnaround figure still seemed judicious, as long as the set budget projection could be achieved.

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- Cleaners and Security staff: The decision to bring cleaners and security staff in-house at the end of the current contracts has been lauded by the university community.
 - Freedom of Expression Advisory Group: Following the KCL and KCLSU joint statement in May, much more effective and robust processes were in place. The new process had been tested the previous week with two high risk events taking place in one evening. There had been compliments from attendees on how the evening had been handled. Co-decision making with the students had been successful to date, and incredibly useful in that both students and management were learning each-other's concerns through the joined up process. The KCLSU President reported that historically there had been some tension with the way that the university handled events and that there had not been a lot of feedback from students as yet, though there was some sense of improvement.
 - Research Grant Performance: The research awards received in 2017/18 equated to an increase of 23% on 2016/17 and matched the highest level achieved by the university to date.
 - Bush House was now fully open, and a great new facility for the university. The proposed pedestrianisation of the Strand would further improve the Strand Campus.
 - Brexit: A new communication had been sent out to all staff and students regarding the likely consequences of the Prime Minister's recent proposal, and regular updates would continue.
 - Student enrolment and residences: There had been a growing number of no-shows, particularly in terms of international student enrolment, and this had led to a larger than expected number of vacancies in residences. The reasons were unknown and were being explored, although it seemed that the market-place environment was a contributing factor. Clearly, the university would need to improve its forecasting but it was important not to overreact and end up with not enough beds.
 - International students: While there are many justifications for the higher fees set for international students, the university's commitment to improving access for those from lower economic backgrounds needed to be applied to international students as well. There was need to improve scholarship programmes across the board.

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Lord Geidt arrived and took the Chair for the remaining items on the agenda.

b) Size and Shape Consultation Outcomes [KCC-18-11-27-06b]

The Deputy Vice Principal (Strategy, Planning & Analytics) introduced the report, which summarised the outcome of the recent process undertaken to develop a ten-year planning framework through a project called Delivering Vision 2029. The paper reported on feedback received from the King's community and proposed next steps for implementing the central case. The Council was requested to adopt the central case in its current form for immediate use in the 2018-19 Business Planning Round, noting the proposal to make two amendments which would be embedded in the central case by the end of the Planning Round: to strengthen the elements around diversity and widening participation and to introduce a measure for staff satisfaction. Both of these were proposed through the feedback received in the consultation process. Council was asked to note that, naturally, the central case would change over time to reflect changing circumstances and that the Senior Management Team would recommend those changes to Council.

During discussion with Members the following points were raised:

- The consultation had included the KCLSU, had been face-to-face and on-line, and had been overall a positive process with people wanting to be engaged and being positive about the opportunity to participate. There had been some issues with the content and recognition by some faculty that the central case would impact on their disciplines. However, academics had appreciated the honesty of the central case, understood the constraints in the sector and largely accepted that this was a genuine attempt to balance resources and choices.
- The main two areas of feedback were the request to do further work to better reflect the equality mission and to improve the staff experience (as noted above).

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- The Chair of the Finance Committee reported on the size and shape discussion had at the Finance Committee. He commended the work that had been done with the metrics as a strong foundation. It was recognised that growing the university while becoming more efficient would be challenging. The Finance Committee had endorsed what it considered to be the four broad themes: targeted student growth; reducing staff costs as a percentage of income; increased research income; and more efficient space utilisation. However there was a desire to see more on the “how” as opposed to the “what”, particularly in respect of: how the proposed growth plan would be phased; how space would be managed to ensure safe operations consistent with a high-quality student and staff experience; and how the executive would deliver the targeted improvements to student satisfaction and future NSS scores. The Finance Committee expected to receive a more detailed report in the new year.
 - The President and Principal commended the work to date. It was a straightforward rationale with an ambition to be an ever better world class organisation. Simply increasing student numbers would not provide enough resources to do that, which meant that increased productivity both on the professional and academic side was critical to achieve the university’s objectives.
 - A Member asked how the university community would be assured that the 6% surplus target would be realised. The 6% had to be driven by efficiencies as the growth agenda would only cover the inflationary costs. It was made clear that increased productivity did not equal job cuts but was about productivity in a period of growth, with more to be spent in absolute terms but less as a percentage of income. The Principal added that three crucial things were underway: the professional staff reform plan was starting to make progress; proper performance appraisal and management of underperforming academic staff was becoming embedded; and the current cumbersome educational structure was under review with anticipated workload reductions from the planned simplification of the curriculum.
 - Regarding the professional staff reform plan, the Senior Vice President (Operations) explained that the aim was to constrain head count growth and invest in skills and development rather than absolute numbers. Some of the IT developments planned for the next couple of years would assist with the transformation.
 - It was suggested that aiming to increase the staff/student ratio was counter-intuitive in terms of also wanting to improve the student experience and the NSS scores, and a further question was raised on specifically how teaching performance standards were to be improved. This was to be approached from a number of angles, including: more importance to be given to individual interventions; terms and conditions and contracts, including those of graduate teaching assistants, to be reviewed; more use of student evaluation of modules; better support in managing performance; and the broader approach of raising the profile and prestige of teaching in the institution. The education pathway had been critical in driving towards this last culture change.
 - There was a discussion about the impact of an institution’s reputation on fee levels in the current global environment, and it was noted that academic quality had to remain a top priority during growth. Scholarship support would be critical in driving social mobility and success.
 - There was a discussion about maximising the online student provision. The Senior Vice President (Operations) stated that over 1000 FTE students had enrolled on line in a two-year time frame. This would take significant academic commitment and time to sustain as it would be dependent on the number of programs that could be delivered.

Members were largely supportive of the central case. It was asked that the next update on the project be presented in terms of three-year, six-year and ten-year projections, in order to improve understanding as to the impact of environmental changes on the plan and the impact of the plan itself on the university.

Decision

That the Central Case for the Size & Shape project be approved for immediate use in the 2018-19 Business Planning Round.

c) Update on Education Strategy Implementation [KCC-18-11-27-06c]

The Vice President & Vice-Principal (Education) introduced the report for Council discussion. The Education Strategy 2017–22 was developed in 2017 after extensive collaboration across the university with staff and students. The implementation of the Education Strategy would be overseen by the Education Strategy Steering Group. Much of the work would be continued under four themes: curriculum 2029, assessment & feedback, academic support, and learning environments. Each theme would work towards embedding the Education Strategy Principles throughout the College. A full report on curriculum review would be presented to the next Council meeting.

During discussion the following points were raised:

- Consultation would be carried out on every aspect of the implementation.
- 55.6% of programs were running with fewer than ten students and 40% were running with fewer than five students. Over five years there had been an increase of 500 modules. There were consequently questions about workload and productivity, and the need to improve the quality and sustainability of module provision. It was anticipated that addressing the portfolio of programmes and modules would be a two year project.
- It was thought that the driver behind so many modules being added each year had derived from the academic culture of research-layered education, meaning teaching from specific areas of research expertise. What had been lacking was strong decision making about when to stop offering particular modules.
- Assessment and feedback: The changes to the assessment regime in the context of the National Student Survey (NSS) were advancing well and a proposal would be put to the December meeting of the Academic Board to make the first year a transitional year. It was intended that the first year would be robust in setting students up for their academic study and in supporting them in taking more risks. Consultation responses seemed to indicate that there was significant support for this and work was being done to maintain this support. Ninety percent of Russell Group universities already had that kind of model. A strong communication and engagement plan with staff and students was being developed, to be overseen by a steering group.
- It was confirmed that first year marks would not be part of the degree algorithm, but would still be on the student transcript. Students would still need to obtain their credits and would still be graded.
- The Principal and the Senior Vice President (Operations) had experience of the transitional first year from Australia, which had helped King's staff to understand the long-term.
- The Chair of the Audit, Risk and Compliance Committee reported from an Education Strategy discussion at the Committee's last meeting that he had been impressed with the KCLSU's involvement in the Strategy. He noted that student expectations were very high and frequently changing and that the ability to understand that was critical, and that therefore engagement efforts should embrace face-to-face communication as well as a wider communication plan.
- Feedback from staff members of Council included: with a great deal of emphasis placed on student choice, it was important not to be dismissive of courses with less student take-up; it was hoped that there would be a streamlining of the examining system; while it was so difficult to get modules started, there was resistance to closing them to avoid having to go through the process again; it was hard to merge modules.
- The Principal recognised that not all staff would be supportive of the changes, but fully expected that most would be. Students were looking for more intellectual coherence, especially at the undergraduate level, and this involved more than just finding teachers. Compromises would need to be made and this project developed with great flexibility and sensitivity, and with support from Council.

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f) Balanced Scorecard Update [KCC-18-11-27-06f]

The Deputy Vice Principal (Strategy, Planning & Analytics) introduced the report which provided the second biannual update on the university's performance against the agreed metrics. The scorecard remained a work in progress with a small number of metrics and associated targets still to be finalised. It was intended to keep the metrics as stable as possible to enhance analysing by trend. However, the scorecard would need to be amended to fully reflect the ambitions and objectives set out in 'Delivering Vision 2029' and the report also contained details of suggested changes from the Finance Committee to ensure it was sufficiently aligned.

During discussion with Members the following points were raised:

- The scorecard was updated every six months. Strengths included student outcomes and field weighted citations. BME student attainment continued to perform well against the targets but there was room to improve. There was also room to improve in the percentage of female senior academics, and in international student intake where the proportion was stuck in the 20-25% range. Student satisfaction and the operation surplus percentage remained in the negative column and non-continuation rates were creeping up.
- The Balanced Scorecard was both a tool for the management team and for governors. It concentrated on 'sentinel' metrics. The thought that went into determining what needed to be tracked had been a helpful tool for management but it also provided governors with a reasonably accurate representation of performance.
- There were scorecards for faculty levels, and there were only a few measurements that could not be disaggregated at faculty level as the targets were set bottom up.

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- The aspiration to increase global rankings was currently not measured on the scorecard, and it was suggested that it be added. This would be considered, however it was noted that the drivers that constructed global rankings were in the scorecard already. Appearing in the top 50 was crucial for King's, and this position was driven largely by research and medicine.
 - It was noted that there were a number of KPIs that King's felt important but that did not have any impact on global rankings, for example educational quality. Therefore, it could not necessarily be said that some KPIs were more important than others in line with reputational risk. However, it was the global rankings that made a difference in terms of attracting high-fee-paying students, so they continued to need attention.

g) Annual Health & Safety Report 2017-2018 [KCC-18-11-27-06g]

This item had been approved as part of the Unanimous Consent Agenda.

Decision

That the Annual Health & Safety Report 2017-2018 be approved.

7 Reports of the Committees

a) Finance Committee [KCC-18-11-27-07a]

The Chair of the Finance Committee introduced the report and the Vice President (Finance) was present to assist with questions.

(i) Financial Statements 2017-2018

The Chair of the Finance Committee thanked the Vice President (Finance) and his team in producing the accounts. The accounts had been reviewed by KPMG, the Audit, Risk and Compliance Committee (ARCC) and the Finance Committee in some detail.

The Chair of the Finance Committee drew attention to two items: the income statement and the impact of depreciation and the endowment investment gains; and the pension impact and potential risks on the horizon. He reported that the total income last year was £841m, which was up from the previous year, but expenditure had come in at £842m resulting in a deficit of £1.4m. The deficit was disappointing but there had been extenuating circumstances: the increase in depreciation charge of £11.3m from the previous year reflected some of the large investments that had been made, and the 8% increase in pay costs reflecting new hires. He stated that overall a small deficit was acceptable in the short term but would have to be managed for the future. He pointed out that the total comprehensive income of £22m had been based on the 2014 pension valuation and that, had it been based on the rejected 2017 valuation, a deficit of over £100m would have been reported. This underlined the seriousness of the pension issues, which should not be underestimated.

The Vice President (Finance) added that the enhanced pay disclosures required by the Office for Students were likely to raise some press stories but that King's would not be alone in the sector on this, though it was not known where King's was positioned in comparison to other universities.

The Chair of the ARCC noted that KPMG had stated more unadjusted audit differences than in the past. There were presentational rather than control issues and some of them would need to be taken into account for future years. He was able to report that he had no concerns arising from the external audit. ARCC supported the view of the Finance Committee in approving the accounts and the accompanying external auditors' management letter.

Decision

That the Financial Statements for the Year Ended 31 July 2018 be approved.

(ii) Size & Shape Update

The Chair of the Finance Committee had reported on the Size & Shape discussion had at the Finance Committee at item 6b of the agenda, above.

(iii) Context and Assumptions for 2018-2019 Planning Round

The Chair of the Finance Committee stated that the 2018-2019 Planning Round would be challenging. The financial improvement plan of £30m in next three years was needed to help negotiate the financial

headwinds. He noted that £20m had been allowed in the planning to cover issues such as pensions and Brexit. A more sustainable productivity base would need to be progressed in the next planning round. The budget at Annex 2 of the report was trying to deliver £11 million of tactical improvements driven out of the Financial Improvement Group chaired by the Senior Vice President (Quality, Strategy & Innovation). The next Finance Committee meeting would receive a report from the Provosts regarding progress on the plan. The productivity metric would be the hardest to measure. King's currently had the second highest staffing costs in the Russell Group and was aiming, over time, to drive towards London university ratios. The Finance Committee supported the direction of travel contained in the forward financial forecasts.

Items on Consent (all noted)

- (iv) OfS Annual Assurance Return & Financial Commentary
 - (v) Report on College Endowment Funds for the year ended 31 July 2018
 - (vi) Capitalisation of Unexpended Income Accounts as at 1 August 2018
 - (vii) Report on IT Capital Programme
 - (viii) Investment Sub-Committee Report for the year ended 31 July 2018
 - (ix) Update on Pension Matters
 - (x) NSS Report
 - (xi) Other Regular Reports
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b) Audit, Risk & Compliance Committee [KCC-18-11-27-07b]

The Chair of the Audit, Risk & Compliance Committee introduced the reports and the Vice President (Finance) was present to assist with questions.

(i) External Audit Report and Management Letter of Representation

Decision

That the External Auditors' Report for the year ended 31 July 2018 and the accompanying management letter of representation to the external auditors be approved.

(ii) Annual Statement regarding the Prevent Duty

The ARCC had seen the Prevent Duty statement and considered the relevant Business Assurance review report. The ARCC recommended that the statement be signed.

Decision

That the Annual Prevent Statement for the year ended 31 July 2018 be approved.

(iii) Annual Report of the Audit, Risk and Compliance Committee

It is a requirement of the OfS Terms and Conditions of funding that an institution's Audit Committee produce an annual report for the governing body and the accountable officer which must be presented to and reviewed by the governing body before the audited financial statements are signed. Members of the ARCC reviewed their annual report and approved it for submission to the Council.

The annual report highlighted risk. The most significant risk on the corporate risk register was the failure to deliver a high quality student experience, as this was a key risk for the university not achieving its objectives.

Regarding compliance, many more areas were being examined than in the past, many of which were legal compliance matters. Internal audit was investigating a long list of activities around financial management, internal controls, and strategic management. It was reported that it was useful for managers to know that there was Council interest in this.

The general philosophy in the Internal Audit team was audit for improvement rather than audit for policing. There were no major issues requiring major corrective action.

The current OfS interpretation of value for money was the way in which value for money was seen by the students rather than the historic HEFCE focus on efficiencies and how the money was being used. It was noted that the OfS interpretation, which maps the costs of services received by students, could present a problem for research intensive universities. There was an expectation that universities would provide a breakdown of expenditure for the £9k tuition fee.

It was the Chair of the ARCC's last November meeting of his term and the Chair commended the diligence and thoughtfulness in which he presented the Committee's work to Council, and the extraordinarily high quality and reach of this work.

(iv) **Internal Audit and Assurance Work Supporting Academic Quality**

The ARCC could confirm from Internal Audit and Business Assurance work undertaken that processes were in place to support academic quality. There was room for improvement, in areas like assessment and feedback for example, but the ARCC could confirm that management were working to develop action plans and undertake remedial activity and supported the statement of academic assurance, which the Academic Board was recommending to the Council for approval.

Items on Consent (all noted)

- (v) Annual Report of the Director of Business Assurance
- (vi) IT Capital Plan
- (vii) Compliance Report
- (viii) Enterprise Risk Management Update
- (ix) Risk Presentation and Discussion: The Student Experience

c) Report of the Academic Board [KCC-18-11-27-07c]

The Chair of the Academic Board introduced the report. The Academic Board had been operating well in recent months. The Green Paper on the Academic Board Review had been out for consultation with the university community and the White Paper would be discussed at the next meeting of the Academic Board before being presented to Council at its January meeting.

- (i) Annual Provider Review Report
As noted above, the Annual Provider Review Report had been endorsed by the Audit, Risk and Compliance Committee. Governing bodies of universities have a requirement to receive an assurance from its Academic Board that academic governance is effective in maintaining academic quality and standards. The report set out the transitional arrangements to the risk-based approach that the OfS would bring in from next year, and provided a map of key issues. Academic Board recommended that Council approve the Annual Provider Review.

Decision

That the Annual Provider Review be approved.

Items on Consent (all noted)

- (ii) Dental Institute Strategic Plan and change of name
- (iii) Academic Board Review – Green Paper
- (iv) Principal's Report and Briefings
- (v) Report of the College Education Committee
- (vi) Report of the College Assessment and Standards Committee
- (vii) Report of the Programme Development and Approval Committee
- (viii) Report of the College International Committee
- (ix) Report of the KCLSU President
- (x) Report of The Dean

d) Report of the Governance & Nominations Committee [KCC-18-11-27-07d]

The Chair of the Governance & Nominations Committee introduced the report, which requested Council approval of three items. She noted that the Statute revision requested at the second item would allow the change being requested at the first item.

(i) **Framework for the allocation of staff seats on Council**

In July Council had asked that the Governance and Nominations Committee consider how to implement the option for the allocation of the seven staff membership positions on Council that would make a subset of Senior Vice-Presidents ex officio members in addition to the Principal. The Committee discussed this option at its October meeting and agreed to recommend the motion as set out below to Council. A Statute revision that would permit this change is referenced at item (ii).

Decision

That it be approved that:

- (1) The subset of senior vice-presidents that should become ex-officio members of Council at this juncture should extend to the senior professional staff and operations leader and senior academic leaders (currently titled Senior Vice-President (Operations) and Senior Vice-Presidents and Provosts, respectively) only; and
- (2) The revised Statute wording to put this agreement into effect should be sufficiently flexible to allow Council to determine the posts that may be designated ex-officio in future.

(ii) **Notice of Proposed Amendments to the Statute**

The proposed amendment would be required to put a decision to create additional ex officio seats on Council into effect. The draft text has been reviewed by the Privy Council through their informal review process and their advisors made no informal comments. This does not mean that the amendment is or will be approved, only that on its face they see no issue with it. Current process requires that Statute amendments be approved in two separate, consecutive meetings of Council and require a two-thirds majority for approval.

Decision

That the following proposed amendment to paragraph 2 of the Statute be approved:

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 reappointment to a maximum normally of three terms of three years or nine years.

(iii) **Reappointment of a Member of Council**

Decision

That the appointment of the Right Reverend and Right Hon Dame Sarah Mullally, Bishop of London, to Council for a second term effective 1 November 2018 to 31 July 2021, be approved.

Items on Consent (all noted)

- (iv) Breakfast Briefings & Away Day Agenda
- (v) University of London Act – Update
- (vi) Vacancies

e) Report of the Estates Strategy Committee [KCC-18-11-27-07e]

Items on Consent (all noted)

- (i) Report of the Director of Estates and Facilities
 - (ii) Delivering Vision 2029 – Size & Shape Update
 - (iii) UKRPIF Bids
 - (iv) Asset Management Update
 - (v) Terms of Reference – Estates Strategy Committee
 - (vi) Student Residences Update
 - (vii) Block 9 Update & Valuation
 - (viii) Specific Development Projects Update
 - (ix) Estates Operations Update
 - (x) Acquisitions and Disposals
 - (xi) Capital Projects Dashboard
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f) Report of the Fellowships & Honorary Degrees Committee [KCC-18-11-27-07f]

Items on Consent (all approved)

- (i) Nominations for Honorary Degrees
- (ii) Nominations for Honorary Fellowship
- (iii) Nominations for Fellowship

8 Report of the KCLSU President [KCC-18-11-27-08]

The President of the KCLSU presented his report. Updates to the report included: there had been a very successful meeting with the Senior Management Team on collectively agreed projects; the assessment feedback audit had led to a more consistent approach in using communications more effectively to provide feedback to students; the examinations department had consulted the KCLSU on new arrangements for the January academic examinations, and the KCLSU had carried out a snap survey to students that had achieved a very good return. The new arrangements would be trialed in January, and the KCLSU would be using the snap survey tool in future; there had been lots of media attention around the safe space review, which had been approved by the Trustee Board; the recent trip to Auschwitz had been very informative and the KCLSU President recommended that it be carried on as a project for future leaders.

The Vice President & Vice-Principal (Service) provided background on the Auschwitz trip. It was the first time the Holocaust Education Trust had entered the university space. The trip had allowed about 120 people – 3:1 students/staff - a chance to visit Auschwitz and to react to the experience as a cohort. There was a seminar coming up for reflection, and there would be a further trip to Srebrenica; The VP (Service) also considered that this could be a valuable ongoing project, and there was an argument that it was one that the university could fund in future.

Regarding KCLSU communications to the student community, there were new half-termly officer reports to the student community, and there was focus on working with the academic representatives, the student tutoring program and student services signposting to make them all more effective and more visible. There was encouragement from the Council to focus on the quality of communications rather than quantity.

9 Any Other Business

There being no other urgent business, the Chairman requested that non-Council Members and all executive Members of Council apart from the College Secretary leave the room for the remaining reserved item of business.

10 Report of the Remuneration Committee (RESERVED to Non-Executive Members of Council) [KCC-18-11-27-07g]

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- ii [REDACTED]
- iii [REDACTED]
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11 Meetings of Independent Members [RESERVED]

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12 Adjournment
The Chairman declared the meeting adjourned at 19:30pm.

Irene Birrell
College Secretary
November 2018