



King's College London Governance effectiveness review

Final Report
December 2023

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1. Introduction

King's College London (KCL) is an internationally renowned university focussed on delivering exceptional education and world-leading research, dedicated to driving positive and sustainable change in society to realise its vision of making the world a better place.

Working toward the [Vision 2029](#), which coincides with the 200th anniversary of the university, there are five key areas of focus to the strategy:

- Educating the next generation of change-makers
- Challenging ideas and driving change through research
- Giving back to society through meaningful service
- Working with our local communities in London
- Fostering global citizens with an international perspective

In line with expectations from the Office for Students (OfS) and the Committee of University Chairs (CUC) Higher Education Code of Governance, and in accordance with its own Ordinances, King's commissioned an external review of governance effectiveness. The terms of reference were deliberately broad to ensure direct engagement with Council, its committees, but also a wider cross-section of the King's community through a range of focus groups, meetings (including with UCU, Unison, Unite), KCLSU and a wider consultation exercise with KCL staff and students. The majority of the fieldwork (including observations of Council, Academic Board and Council committees) took place in the spring and early summer of 2023, with headline findings shared at the Council away day in September and a series of follow up discussions in October and was overseen by a review steering group chaired by the Chair of GNC.

Whilst the review was focussed on governance it has taken into account the wider policy environment specific to King's and for the higher education sector more generally including a changing and at times volatile policy environment, an increasingly demanding regulatory environment and a challenging and competitive financial environment for universities.

The review takes place 4 years on from the last external effectiveness review, but also comes shortly before KCL will begin the process to select a new Chair of Council, to succeed Lord Geidt (who will have completed the maximum 3 terms of 3 years) in 2025 with the process to select his successor beginning in 2024.

2. Executive Summary

Overall, we find governance at King's College London to be **effective**, but with an **opportunity to continue its trajectory of improvement**, characterised by Council as **moving "from good to great"**. Since the appointment of the Principal, Professor Shitij Kapur, working together with the Chair (Lord Geidt) and following the disruption arising from the covid-19 pandemic there have been a number of positive changes already made to governance at King's. Our report endorses these changes and offers further suggestion for how this improvement can continue to be charted which take into account the increasingly complex higher education policy and regulatory environment.

The report sets out our key findings in 4 themes (section 3). The **first key findings (3.1) set out our key recommendations under the banner of moving "from good to great"**, these 7 changes if taken together provide the platform for a step-change in governance at King's. **Section 3.2 concerns the introduction of a board assurance framework**, making the case for it, an outline of what it should cover and how it might operate in practice. **Section 3.3 considers the composition of Council with a particular focus on staff representation**. This was a significant theme in our engagement with the staff trades unions in particular, but a topic that was raised more widely and we recommend a change which will bring King's more in line with other UK universities. Finally in **section 3.4 we make a number of recommendations which are more routine in nature, focussing on good governance hygiene**.

Taken together, especially the 14 key recommendations in section one "from good to great", we believe these recommendations will ensure that King's keeps pace with changes being made elsewhere in the higher education landscape, to ensure a more agile approach to governance and delivering a step change from good to great. We have paid particular attention to the desire for governance at King's to be more connected with its staff and student community and believe that a number of the changes (relating to membership and communication) will help to achieve this.

We invite Council to consider each recommendation and suggestion in turn to consider which you would like to implement (or not), to set appropriate timelines and to then monitor the progress of the recommendations you wish to pursue. Once Council have agreed on which recommendations to implement, the action plan should be overseen and monitored by the Governance and Nominations committee with periodic updates to Council. We note that a number of recommendations from the previous review have not been implemented (or implemented in full), some for good reason, but would therefore stress the importance of appropriate oversight and adequate resource to ensure progress is made with the findings from this report.

3. Main Findings

3.1 Moving from “good to great”

Although the governance arrangements at King’s were “effective” and demonstrated regulatory compliance, there was a clear appetite from Council to ensure that governance should be the best that it could be. In that spirit we have identified 7 key recommendations which if taken together would provide a step change in the quality of governance at King’s in the spirit of moving from “*good to great*” to enable the institution to succeed and deliver excellence for students, staff and contribute to global society.

3.1.1 Introducing a Key Performance Indicator (KPI) benchmark report
Previously the Council and Executive have discussed agreeing of suite of KPIs which would be monitored by Council and capture the headline performance of the institution. The Principal has worked with the Remuneration Committee to produce a detailed KPI benchmark report, which with some adaptation would form the basis for a suite of KPIs to be shared and monitored with Council.

The suite of KPIs should contain no more than 12-15 in order to be suitably focussed, contain a range of measures which could cover student experience, recruitment, retention, research, financial measures and staff/culture. There should be clear Executive owners/sponsors for each of these KPIs who would be accountable for performance. The performance of the KPIs should be RAG (Red, Amber, Green) rated according to performance and show trajectory over time. We would anticipate that the KPI report would be shared at each Council (possibly as an appendix to the Principal’s report) with discussion focussed on the areas which are red and amber.

Key Recommendation

1. Introduce a benchmark KPI report, no more than 12-15 in total, RAG rated, offering trajectory over time, with a named Executive lead. This should be presented to each meeting of Council.

3.1.2 Council commissioning Academic Board to provide assurance reports

An important feature of higher education governance concerns the relationship and interface between Council (the supreme governing body) and Academic Board (the senior academic body, but responsible to and overseen by Council). In 2018, and as the Office for Students was established, the new regulator placed clear conditions on the governing body of higher education providers it regulates to ensure they oversee and have confidence in the quality of awards and academic standards within the institution. In

many respects this reset the relationship between Council and Academic Board where historically they had little interaction.

Although there are mechanisms to ensure an adequate link between Council and Academic Board (some shared members, an annual quality report, Academic Board minutes received by Council, the Principal's report and other Executive reports which refer to scrutiny and decisions taken by Academic Board) there was an appetite to further enhance this relationship in keeping with the introduction of a Board Assurance Framework (set out in more detail in sections 3.1.5 and 3.2 of the report). Council would identify a small number of topics per year (e.g. the digital experience, student satisfaction, academic partnerships etc.) and would request Academic Board scrutinise the King's approach to that theme and produce a summary report for the attention of Council. Further information to support improved academic assurance can be accessed from the recently published Advance HE guidance on Academic Assurance (<https://www.advance-he.ac.uk/membership/all-member-benefit-projects/Governance-Effectiveness-Projects/Academic-Assurance>).

Key Recommendation

2. Council to actively commission Academic Board to produce assurance reports (within a wider Board Assurance Framework).

3.1.3 Formalising a "student or community story" before each Council

In order to help Council better engage with the experiences of different students and the community more widely, we recommend a student or community story being scheduled for 30 minutes before each Council meeting. The selection of the presenter would be driven by topics of interest for Council, ensure a variety of disciplines are selected over time and levels of study. The presenter would be briefed to speak for around 15 minutes to offer an honest, candid and balanced overview of their experience and focus especially on any themes drawn to their attention in advance and leave around 15 minutes for questions and discussion with Council.

Key Recommendation

3. Formalise a student or community story to be scheduled before each Council meeting.

3.1.4 Dedicated Council communications strategy

To date there has been a disjointed relationship between the Secretariat and the Communications Team. Awareness of and information about Council specifically and governance generally was considered to be relatively weak across King's. This is a consistent challenge across UK higher education, but it was also felt that, given there is a

more engaged staff community at KCL, there should be an opportunity to better communicate the personnel, governance approach and key decisions taken by Council and its committees.

Although the King's governance web pages are detailed and provide a range of useful information about governance, this requires King's staff to go searching for information rather than being served information more proactively. We recommend that in producing a dedicated Council communications strategy, building on the work in progress, the Secretariat working jointly with the Communications Team will identify a more appropriate means to better communicate the key decisions and personnel involved in King's governance, largely through existing communication assets (e.g. staff e-newsletter King's Essentials, short video explainers etc.)

Key Recommendation

4. Produce and implement a dedicated Council communications strategy

3.1.5 Introducing a Board Assurance Framework

Although unusual in higher education, a Board Assurance Framework (BAF) is commonly utilised in other sectors, including in the NHS. As part of the review, we heard from a range of Council members and also members of the Executive that this would be a beneficial way to provide a new means of assurance and a top-level line of sight for Council. We endorse this suggestion and recommend it for implementation, doing so would certainly make King's distinctive in governance terms in higher education and provide better clarity on who is responsible for and at what level.

Section 3.2 of the report provides further detail about what ought to be covered in a Board Assurance Framework, how it might operate in practice.

Key Recommendation

5. Introduce a Board Assurance Framework, overseen by a revamped Chairs' committee.

3.1.6 Revamp the Chairs' committee to focus on agenda planning and ownership of the Board Assurance Framework

Council members fed back that there was not an obvious vehicle for co-ordinating what ought to be on the Council agenda. Separately some members fed back that it would be useful to have a forum for committee chairs to informally touch base between Council meetings and, where appropriate, provide an update on any key decisions or scrutiny

their committees had undertaken. In so doing, this will facilitate Council to focus on the strategy and performance and not on process. Crucially, and this was raised in our interviews, the revamped Chairs' committee would not be a decision-making body. It would play an advisory role in the development of the Council agenda, but the final agenda would be developed by the Chair, Principal and College Secretary.

We would also see a role for the Chairs' committee in overseeing the Board Assurance Framework (further detail in section 3.2), in so far as they would advise on which committees would be best placed to receive the respective assurance reports, ensuring the scheme of delegation is clear in this respect. The key findings would be reported to the Board, but the Chairs' committee would help to advise on which committees should undertake the more detailed scrutiny.

Key Recommendation

6. Revamp the Chairs' committee with a revised terms of reference as a vehicle to advise on the Council agenda, share appropriate updates between committee chairs and oversee how the governance structure implements scrutiny of the Board Assurance Framework. Crucially this would be a non-decision making body so as to avoid any possibility of a two-tier Council.

3.1.7 Enhancing the process for appointment, induction, development of Council members

Given the increasing demands being placed on higher education governance, we recommend that King's is clear with prospective Council members about the requirements and expectations of being on Council. We would suggest that this includes:

- engagement for at least 12 days across the year,
- that there ought to be an expectation to serve on (at least) one committee in addition to the main Council,
- a detailed induction, ongoing engagement and annual training to keep abreast of wider developments and network with governors from other institutions.

We also recommend that an annual process is formalised to reflect on the contribution made by each governor. These annual appraisal meetings may take place with either the Chair, the Deputy Chair or the Chair of GNC (which would be around 7 conversations each). A light touch process should also be introduced to ensure an annual appraisal of the Chair, which may involve a short survey being issued to Council members to provide feedback on their performance, strengths and help identify any possible developments.

Key recommendation

7. Information to prospective Council members is made clearer, setting out an expectation it will involve at least 12 days per year (and would involve membership of at least one committee, in addition to Council, a personalised induction and annual training to keep abreast of wider developments) reflected in advertisements and the appointment letter. There should also be a light touch annual appraisal for all Council members conducted with either the Chair, Vice Chair or Chair of GNC.


3.2 Developing a Board Assurance Framework

The use of Board Assurance Frameworks (BAFs) is emerging practice in universities, but widespread in other publicly funded organisations in the UK (for example NHS Trusts, school Academy Trusts). The purpose of the framework, is to set out for the Board the key areas of activity within its remit, and the sources of assurance from management, internal committees and internal and external audit and other independent sources, that give the Board comfort that these activities are being undertaken in ways that support the achievement of the organisation's strategy. The development of a BAF for King's has been under active consideration since before the start of the Governance Effectiveness Review. We agree that the development of a BAF for King's could make a valuable contribution to governance at Kings as set out in the next paragraph.

The case for the introduction of a BAF at King's is as a way of ensuring that the Council focuses its limited time and resources on matters that impact on the strategy, and feels comfortable that it can rely on assurance from elsewhere within the College to enable it to spend less time than it has historically done on matters of compliance and day to day business as usual. At the same time, the BAF should focus attention on any areas related to the strategy where Council may consider that current levels of assurance are insufficient.

Alongside the Corporate Risk Register, the four pillars to the Strategy 2026 (enabling student success, a thriving King's staff community, sustainable research and innovation excellence, and knowledge with purpose: service and impact) and their three underpinning enablers (a simple, nimble and effective King's, a physical and digital estate with is integrated and accessible, and sustainable finances) need to be considered when identifying the areas which the Council should be taking assurances over. In addition, Council will need to take account of its responsibilities as set out in the Charter and other governance documents, and CUC guidance.

BAFs commonly identify three levels of assurance, and the following table has been taken from a paper prepared in current discussion of the BAF, for presentation to the Audit Risk and Compliance Committee:

Line	Source	Description	Nature of Assurance	Weight
First	Operational functions that directly own and manage services and their associated risk	Operational, service delivery or support functions being responsible for the correct and consistent application of organisational policies and approved methodologies for delivering the agreed strategy.	This comes direct from those responsible for delivering specific objectives or operation; it provides assurance that performance is monitored, risks identified and addressed, and objectives are being achieved. This type of assurance may lack independence and objectivity, but its value is that it comes from those who know the business, culture and day-to-day challenges.	<p style="text-align: center;">Reassurance</p>  <p style="text-align: center;">Assurance</p>
Second	Those providing oversight of management activity separate from those responsible for delivery but not independent from the organisation's management chain	Responsible for providing the tools for the first line to be able to deliver the strategy. These will be corporate functions that oversee control or compliance activity, such as quality assurance, financial control, risk management or security. They are responsible for ensuring a viable environment for delivery is present by providing policies, procedures, frameworks, guidelines and other forms of support.	The information provides valuable management insight into how well work is being carried out in line with set expectations and policy or regulatory considerations. It will be distinct from and more objective than first line assurance.	
Third	Independent and objective assessors of the integrity and effectiveness of the delivery of the strategy in the organisation and related controls	Functions that provide independent and objective assurance regarding the integrity and effectiveness of the delivery mechanisms for the strategy. The key provider of this at King's is the Risk Assurance team within the Business Assurance Department. Other assurances in this line can be drawn from independent external sources, such as research funder visits, regulator reports or external reviews commissioned by the College.	This assurance is provided independently of the first and second lines of defence. Generally provided by an Internal audit function, which stands separate to management, operating to professional and ethical standards in carrying out its work. It is also independent of the management line and associated responsibilities. Independent assurance can also be drawn from other sources external to the institution.	

Discussion of the development of a BAF has to date largely taken place in the Audit, Risk and Compliance Committee. The Council members and officers engaged in the discussion have identified that the BAF will need to be “owned” by Council and all of its committees, and that each Committee will need to take responsibility for assurance within its remit.

This will be done by each committee scrutinising management’s actions and activities to address the key threats to the delivery of the strategy in their own particular areas of expertise. Each sub-committee will, therefore, be required to:

Draw assurance that the key risks identified by management are the appropriate and most relevant ones.

Agree the appropriateness of proposed management actions to mitigate or control the risks.

Scrutinise the evidence provided to them in order to assess the adequacy and effectiveness of the control measures which have been set up to address the threats to strategic aims.

Liaise with other sub-committees to ensure that the whole system of control is assessed and assured over a reasonable period and that oversight of no risk falls between committees.

This will entail each committee undertaking “deep-dive” assessments of the management of risk in their area of expertise, through discussions with members of the executive and the senior staff responsible for these areas during their regular meetings to the relevant

sub-committee. In this way, it will be the relevant expert sub-committee which will evaluate the available evidence on the way in which the College is managing its risk in order to assess whether or not the Council can be assured on it. This will require a change to the terms of reference of each committee (which could be as simple as a standard line inserted into each existing terms of reference)

By moving these conversations from the ARCC to the specialist sub-committees, the assurances can really be tested against the available evidence and management validation.

Oversight of the operation of the BAF should be undertaken by the Chair’s Committee, as the best forum to resolve discussion about the remits of committees for aspects of the framework, and discussion of any emerging areas of concern, prior to reporting to Council. Reporting to Council will take place through the reports of the individual committees, with a summary report being presented annually from the Chairs Committee.

Recommendation:

8. That the College concludes the development of a Board Assurance Framework with a view to establishing a BAF that will support a focus on achieving the College’s strategic objectives, and will be fully owned by Council and its sub-committees.

3.3 Council composition, staff representation and democracy

3.3.1 Staff representation on Council

The appointment of staff members to Council has been a controversial matter at King’s, and this is a subject to which we have given careful consideration. This was a matter we heard a significant range of views on through a consultation exercise and through staff focus groups. We were grateful for the opportunity to meet the Trade Unions so that we could hear first hand about the concerns that had led to the recent dispute.

Composition of English university boards/councils

Origin	Avg # members	Avg # external	Avg # internal	Of these; avg # academic board/senate/ academic/prof services
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Ancients	25.0	4.0	21.0	17.0
Earlies	19.0	11.3	7.7	5.3
Civic “Red Bricks”	21.1	12.5	8.6	6.1
Plate Glass/1960s	21.1	12.5	8.6	5.3
Former Polys	17.8	12.5	5.3	2.8
Cathedral	18.0	13.3	4.7	2.8
Specialist	16.8	12.1	4.7	2.8
Other new	16.9	12.4	4.5	2.5
Total	18.7	12.2	6.5	4.1

Source: Alison Wheaton, UCL Institute of Education (2019)

No two universities take the same approach to the composition of their governing bodies, but all have a mix of independent, student and staff members. **Across the sector the mean number of internal members on a Council is 6.5: KCL has 9 of which 7 are staff** (1x Principal, 3x SVPs, 3x Academic Board members, 2x KCLSU members). Having undertaken detailed benchmark analysis, King’s is unusual (though not quite unique) in having three of its six staff members (in addition to the President and Principal) being members of the senior management team on Council at KCL. From the work we have undertaken, we are confident that the three staff members appointed from Academic Board are committed and contribute to Council. Nonetheless there are clearly significant concerns on the general internal composition on Council, including the over-representation of senior members and how staff more widely can engage and contribute to Council and we wish to propose options which we hope will address this.

To bring King's in line with other English universities and in line with dialogue held between the Executive and Trades Unions representatives, we would recommend removing 2 of the Senior Vice-Presidents as members of Council and replacing them with 2 "ordinary" staff members, one from an academic background and the other from a professional services background. We would recommend that the Senior Vice President (Operations) would continue as a member of Council.

The 2 "ordinary" staff should look to bring perspectives not currently represented on Council at King's and this should be agreed by the Governance and Nominations Committee (GNC). In our view, for the academic member, GNC should seek a postgraduate researcher or a postdoctoral researcher holding a temporary appointment. These categories of staff are under-represented in King's governance overall and absent from the Council, together they make up a sizeable cohort of the King's community and will bring a valuable perspective to the Council scrutiny. For the professional services member, GNC may wish to identify a particular skill set (or range of skills) which would be valuable to Council and complimentary to the existing professional services member who is elected by Academic Board. Once GNC has signed off on the role types they would like, there would be an open call for expressions of interest and an appropriate process held for candidates who meet the criteria as stated by GNC to be selected.

Given the central focus to the academic and student experience, we would recommend that the Senior Vice President (Academic) attends Council as an officer in attendance, which is common elsewhere in the sector and that they remain accountable to Council for areas of delivery that relate to their portfolio. Some concern has been expressed that accountability to Council will be reduced by this change, though this does not appear to be an issue with other universities where senior members of staff other than the Chief Executive are not members of Council. If problems do arise the change can of course be reviewed in due course.

Recommendation

9. The 2 Senior Vice Presidents (Academic) and (Health) who currently serve as members of Council, are replaced by 2 "ordinary" staff (1x academic, 1x professional services) the categories of staff chosen by GNC. Expressions of interest would then be invited across the King's community and eligible candidates subject to a selection process.

3.3.2 Appointment of lay members of Council

The CVs of the current members of Council on the College website are ample evidence of the quality of individuals who serve on Council. This was also strongly reflected in the interviews we undertook, which conveyed a strong sense of individuals with a wealth of experience and ability, and a strong commitment to King's.

Selection and appointment of independent members is shaped by the Governance and Nominations Committee (GNC) and undertaken through a public search process, informed by a brief that is shaped by the needs of the Council for particular skills and experience. This is consistent with practice across the sector, and central to the appointment of the best available candidates and meeting the College's commitments to diversity.

While we note these positive points, there is scope for improvement for the Council to recruit the best talent it can, and in particular to make the best use of it in furthering the College's success. Many universities now treat the appointment of Council members in a similar way to senior staff appointments, acknowledging the importance of Council in the overall performance of the organization. There may be hesitation about how far this parallel can be taken, given that Council members are not paid for the work that they do, but universities like King's are attractive to many individuals who wish to give their time and expertise on a voluntary basis, and the risk of deterring suitable candidates is low. The recommendations below should be seen in that context.

We have set out in our key recommendations (section 3.1.7) that the information for prospective Council members and their subsequent appointment letter should be updated to better reflect the true expectations of the role. At present, the appointment letter largely deals with process and does not spell out what new members can expect from the College, and what the Council's expectations are of them. The accompanying document, drafted by a law firm at the request of members, is focused on the responsibilities of Council members as spelled out in the College's governing documents, charity law and other legislation.

This may be helpful but there is, for example, no reference to the role of Council and individual members in agreeing and monitoring the strategic direction of the College, or to the "softer" aspects of what is required of an effective member of Council. There does not appear to be a process for new members to sign and return a copy of the letter as confirmation that they have read and understood its contents. We recommend that the letter is redrafted to cover the broader expectations of the role, and the expected time commitment, and that the existing document on responsibilities is retained as an annex but revised to ensure that it reflects the full range of responsibilities of members.

The Council has a skill matrix that is used when making new appointments. The version we have seen only covers the independent members. We heard from our interviews that

it is not routinely reviewed by Council and individual members did not recall being asked to update it. We recommend that the matrix is extended to cover all members of Council and that members are requested to review and update their entry annually, before the matrix is reviewed by the Governance and Nominations Committee. We heard comments from a majority of interviewees that the Council would benefit from having at least one independent member with a background in higher education, to complement the existing mix of skills and experience. This may be particularly important given the low scores in the survey in respect of the relationship with Academic Board. We therefore recommend that the Governance and Nominations Committee be asked to include this need in the plan for recruitment of new independent members.

There was strong support for clarifying the total length of time that lay members can serve on Council and it was felt that amending this to set a maximum limit of two terms of 4 years (so 8 years in total).

The Council, through the Governance and Nominations Committee, has undertaken an analysis of membership against some, though not all, protected characteristics, and the Council is certainly not out of line with its peers in the degree to which it reflects the commitments to diversity that the university has. We recommend that in the coming year, time should be allocated by Governance and Nominations to developing a set of diversity targets for Council membership, and proposals for addressing any barriers to recruitment and any positive steps that may be taken (for example in respect of channels for recruitment).

Further information to support enhancement in relation to board diversity and inclusion can be found in the Advance HE Higher Education Board Diversity and Inclusion Toolkit (<https://www.advance-he.ac.uk/knowledge-hub/higher-education-board-diversity-and-inclusion-toolkit>).

Recommendations:

10. The letter of appointment for new members spells out the time commitment required and further detail on the nature of the role including responsibilities, support provided and the wider expectations of the role.
11. The Skills Matrix is updated to include all members (not just Independent Members) and that it is updated on annual basis.
12. That the total length of time a lay member can serve on Council is updated to two terms of four years (so a maximum of 8 years overall).
13. That higher education expertise is strengthened on Council, added to the skills matrix and then prioritised in the next round of Independent Council member recruitment.

14. With the stated importance given to diversity, Governance and Nominations Committee should allocate time to discuss how this can be improved and consideration should be given to setting diversity targets for Council.

3.3.3 Student membership on Council

Council's constitution states that it has two student members, one ex officio for the President of the Union, the other appointed by Council on the recommendation of Governance and Nominations committee. With a student population as large and diverse as that of King's there is a clear case for having more than one student member, and for different approaches to appointment. We welcome that a second student place has recently been ratified with the second place being the VP Postgraduate (in addition to the KCLSU President).

In section 3.4.4 of the report (academic quality, oversight and student voice) we offer some further reflections on strengthening bonds between student members of Council and King's and student voice more generally.

3.4 Other recommendations and findings

3.4.1 Wider engagement, meeting length and frequency

Take up of the informal opportunities to strengthen the exposure of Council members to the College was mixed. King's should continue to hold an informal dinner or drinks reception after Council meetings to provide a better opportunity for Council members to mingle with each other and invited members of the wider community after meetings, but make clearer in advance when they will take place and consider a thematic focus in terms of wider invites beyond Council members. A number of institutions also pull together a calendar of events which Council members would be welcome to attend (e.g. graduation ceremonies, student exhibitions, talks, lectures etc.) to further strengthen the opportunities for Council to engage with the institution more deeply.

The people and groups we spoke to during the review talked about the Council's lack of visibility and that they felt there was little engagement from members in their particular areas. Many were impressed by the calibre of independent members and recognised the value their external expertise brought to King's whilst simultaneously questioning how

well they could understand the institution and its complexities if they had not engaged fully with it.

Organised by the College Secretary we suggest a series of informal engagement sessions are held that can be incorporated into the annual programme recommended in section 3.1.7 (governor engagement and development).

In relation to meeting length, university practice tends to range between 2 hour – 4 hour meetings, but increasingly with scheduled activity either side (e.g. a department tour, a dinner etc.) so that they become half day affairs. King's currently schedules Council for 2.5 hours, we believe this should be increased to 3 hours (with 30 minutes for a student story, as per section 3.1.3) and 1 hour within the meeting set aside for a strategic discussion.

The vast majority of universities will meet formally as a Council 4-6 times a year (with a strategy away day). KCL currently has 4 meetings, plus 2 strategy sessions. There was limited appetite for more meetings, indeed a number of Council members actively advised against this in terms of their capacity to engage. We recommend keeping the number of meetings the same.

Recommendations:

A. The College Secretary consider a series of informal engagement sessions that can be incorporated into the annual programme recommended in section 3.1.7 (governor engagement and development).

B. Council meetings are increased to 3 hours, with 30 minutes before for a student story and 1 hour ring-fenced for a strategic discussion.

3.4.2 Governance enablers and Secretariat

The structure, processes and team supporting the governance at King's were some of the highest scoring measures on the survey. We also heard from members that they felt very supported by the team and confident in the processes, although some commented that these were a little traditional and more use of technology might improve their overall effectiveness and efficiency.

Our review of governance documentation and committee packs highlighted some very good practice, for example, the unanimous consent agenda. We saw this used to great effect in several committees, however, it might be prudent to consider that items on this agenda were also items that were likely to be the least contentious.

In addition, the committee packs overall were of a good standard with a cover sheet that included the key information and clearly expressed the purpose of the report and the expectation from each committee. We think these could be improved further by adding a short summary of the paper contents, within the one page, so that members can digest the information easily. We did see some papers which had used this approach but it was not universally used and we think this is particularly helpful when papers have been seen by various members several times as a proposal progresses through the governance process. We recommend the College Secretary work with paper authors to universally include a short summary as part of the one page cover sheet.

In addition we heard, and experienced ourselves, the difficulty with some of the hybrid meetings. This was more to do with room size and locations which made it difficult for those attending online to hear the full discussion and participate. As one member stated *'Often the problem arises from the spaces we use for meetings, particularly in hybrid form – we can't hear contributions, the layout means people find it hard to make contributions.'* Obviously, the opportunity to attend hybrid meetings is a real benefit and increases attendance and contributions from all members but thought should be given as to which meetings work well in which format. We recommend the Chair/Chair of Governance and Nominations Committee and the College Secretary review the current arrangements for in person, hybrid and fully virtual meetings from 2023/24.

In section 3.4 (Communication and Engagement) we refer to survey analysis that states that 41% of the members disagree that the Council has an effective relationship with the Academic Board; the highest disagree score of the whole survey. During our interviews we also heard from various groups that there was a general lack of understanding of committees' responsibilities. Despite terms of reference for each committee and a delegations framework in place these are not providing the clarity that is required to support mutual understanding. We think that clearly defined responsibilities and accountabilities expressed through terms of reference and a more detailed scheme of delegation would address this. For example, in other institutions we have seen terms of reference which articulate the approval decisions for each committee and the threshold for its authority before an onward recommendation is required.

We recommend the College Secretary review the current Delegations Framework in order to introduce a more detailed Scheme of Delegation that provides greater clarity of accountabilities and responsibilities for Council and its sub committees and Academic Board and its sub committees by July 2024 and a review the layout of the current Terms of References for the above-mentioned committees to clarify approval decisions and thresholds by July 2024.

There is ongoing work on developing a Board Assurance Framework to assist with better understanding of key risks and controls. A proposed template was considered by the

Audit, Risk and Compliance Committee at their meeting in June 2023. During our review we heard that such a framework would enhance members' confidence in assuring them that risks relating to strategic objectives and compliance are being well managed. We would agree and endorse the progress of this framework.

Recommendations:

- C. The College Secretary work with paper authors to include a short summary as part of the one page cover sheet from 2023/24.
- D. The Chair/Chair of Governance and Nominations Committee and the University Secretary review the current arrangements for in person, hybrid and fully virtual meetings from 2023/24.
- E. The College Secretary review the current Delegations Framework in order to introduce a more detailed Scheme of Delegation that provides greater clarity of accountabilities and responsibilities for Council and its sub committees and Academic Board and its sub committees by July 2024.
- F. The College Secretary review the layout of the current Terms of References for the above mentioned committees to clarify approval decisions and thresholds by July 2024.

3.4.3 Committees

A review of the flow of business through Council and its main committees, our meeting observations and comments from interviews suggest that Council would benefit from greater focus and prioritisation in its work. For example, the balance between strategic development, compliance and business as usual is skewed towards the second and third categories of activity.

We also heard expressions of frustration that the student experience is higher up the Council's list of priorities than is reflected in the agenda for Council meetings, and that the attention given by Council to research is not commensurate with its importance to a world leading research intensive university. There appears to be limited attention given to ensuring that agenda planning for Council reflects a clear view of what Council's priorities are, and there are, of course many more matters that are legitimately within the purview of Council than any governing body could realistically focus on, so prioritisation is essential to high performing governance. We believe that this would be best remedied through revamping the Chairs' committee and we set out further detail in relation to this in section 3.1.6.

It is not unusual (but not universal) for University Council Finance and estates Committees to co-opt external members with deep expertise drawn from their business careers, who are not members of Council. This clearly has positives, in terms of access to that expertise, and also the ability to “try out” members who may in due course join Council. On the other hand, such external members can lack the breadth of understanding of the University that Council members should have, and so their input lacks that context, and a burden is placed on the chair of the committee and others in terms of keeping them up to speed. It can also be the case that such co-opted members find the experience frustrating as their ability to input into strategy and the bigger picture is limited.

King’s is unusual in that those key Council committees have two independent Council members (the Chair and one other) and five co-opted members. From our review of papers and meeting observation, having a very high proportion of co-opted members is skewing the agenda and discussion in the meetings towards operational detail of projects and away from big picture strategy. To the extent to which the committees act under delegated authority, it also means that decisions are being taken in committees where a substantial number of members are not bound by the fiduciary duties of trustees. Moreover, the number of Council members whose experience is enriched by serving on a key committee is smaller than would be normally the case. We recommend that the number of co-opted members is reduced to no more than two per committee, and that the number of independent members be increased commensurately. This recommendation does not apply to the Audit, Risk and Compliance Committee as there are separate requirements for external memberships for audit committees.

Historically universities’ capital commitments were dominated by estates investments, but now and for the future the digital estate is also vitally important. At the same time the agenda for the Estates Committee is dominated by reports on individual projects rather than oversight of a capital programme. Currently in our view, there is a good deal of overlap in the agendas of the Finance and Estates Committees with the same projects being discussed in both. Many universities have a unified committee dealing with finance and strategic investment. We believe it would be beneficial to merge these committees, but note there was no appetite to do this from Council itself.

The survey question on whether council receives sufficient assurance on finance and institutional sustainability is 39% below benchmark. This may partly reflect the small number of Council members on the Finance Committee. In addition we noted that while the presentation of the budget was good, the format of management accounts had varied over the course of the year, and the Committee and Council are operating without having the context of a financial strategy supporting the College’s overall strategy. We note that work on the management accounts is in hand, and similarly the new integrated planning

process should deliver more robust plans and a longer time horizon. We recommend that these developments continue to be treated as a priority.

Given the importance of Digital Transformation and the planned work in this area for King’s for the next few years, we see the case for an Executive led fixed term working group (initially for 18 months) with Council member involvement. This could be linked to the ongoing Transformation Student Experience programme. After 18 months, the group should be reviewed internally to decide whether it might be merged with another group (possibly Estates Strategy), continued as a separate group or discontinued.

The recent establishment of the Staff and Culture Strategy has been warmly welcomed as an earnest of the College’s commitment to its members being at the centre of its vision. Equally we have heard some concerns that it needs to operate as a governance committee and not step over the governance/management boundary. We would echo that concern, particularly given the composition of the Committee, with a very large number of staff members. We recommend that the operation of the Committee be evaluated after its first year with a view to keeping the status quo, moving to an internal committee that might report to Council as needed, or possibly setting up an internal and a Council committee with carefully defined separate remits and memberships.

Council committees need to have access to members of the Executive and other staff to ensure that issues can be clarified and questions can receive a response. Equally this needs to be balanced against the risk that having large numbers of individuals in attendance can affect the quality of discussion as a result of the number of individuals in the room, where University Councils and committees tend to have relatively large numbers of members in any case. Kings has an unusually large number of staff in regular attendance at its main committees and we recommend that Council reviews this position with a view to reducing the numbers where possible.

<u>Relevant survey responses</u>
Q5 82% agree that Council gets enough assurance on quality and standards
Q17.1 Induction is effectively managed. (76% agree 8% below benchmark)
Q8 Respective responsibilities of the Board and AB are appropriate, clear and understood. (65% agree 21% below benchmark)
19.1 Ongoing support and development is effective, (50% agree)
17.4 Induction is tailored to individual need (8% below benchmark)
13 Council has an effective relationship with AB to the extent that both understand and respect the role of the other communicate clearly with each other and work to support the sustainability and reputation of the organisation. (29% agree)

17.3 Induction is evaluated. (24% agree, 20% below benchmark).
6 Council is assured on finance and sustainability, (39% below benchmark)
27 Council gets the right legal and regulatory information, (10% below benchmark)

Recommendations:

G. The number of co-opted members is reduced to no more than two per committee, except in the case of Audit, Risk and Compliance Committee, and that the number of independent members be increased commensurately.

H. The new integrated planning process should deliver more robust plans and a longer time horizon and that these developments continue to be treated as a priority.

I. A (Digital) Transformation group be established, which is Executive led but with Council involvement. Initially for an 18 month period and then reviewed internally to determine its future.

J. Staff Culture and Strategy Committee be evaluated after its first year with a view to keeping the status quo, moving to an internal committee that might report to Council as needed, or possible setting up an internal and a Council committee with carefully defined separate remits and memberships.

K. The number of staff in regular attendance at Council is reviewed with a view to reducing the numbers where possible.

3.4.4 Academic quality, oversight and student voice

Academic quality and oversight of the student experience was acknowledged to be a “work in progress”. In part this was driven by regulatory changes from the Office for Students, a desire to have greater line of sight of activity to drive internal improvement on national measures (e.g. the National Student Survey), but also with changes in executive leadership in the education and student experience arena. One of our key findings (section 3.1.2) for Council to commission assurance reports from Academic Board will in our view reset and change the nature of this relationship and oversight.

In interview some Council members voiced frustration with a lack of progress on improvements in delivery of the student experience, and others cited a lack of connection with the academic endeavour of the institution. For some this was due to a lack of opportunity for others it was a lack of understanding. It was also felt that whilst there is an interface between Council and Academic Board it was relatively weak and could be strengthened. This was further evidenced by the survey. Question 5 in the survey

indicates that 82% of members agree that Council gets the right level of assurance on academic quality and standards. However, question 13, which examines whether Council has an effective relationship with Academic Board, where each understands and respects the role of the other, communicates clearly with each other and supports the sustainability and reputation of the institution, received a very low positive score, 29% of respondents agreed and 41% disagreed, making this the lowest score in the survey (this question is not benchmarked). In addition only 65% of respondents agreed that the respective accountabilities of AB and Council are clear, appropriate and understood (Question 8). This question is benchmarked and King's is 21% below the benchmark.

Consideration should be given to joint sessions of Academic Board and Council, they should take place no more frequently than once a year, but would be a valuable opportunity to brief each body on the work of the others as well as building connections between the membership of each. There should be other opportunities for Council members to engage with Academic Board members but this could happen through informal visits, presentations, university events etc.

The allocation of reverse student mentors for lay members of Council would also be an innovative development to strengthen the academic exposure and understanding for lay members. These would be informal pairings, with an expectation they might connect on a termly basis (e.g. over a Teams call or a coffee on campus). The pairings would be organised via the Secretariat (who could work with the students' union to secure the students), it may be helpful for there to be a thematic focus prompted for the conversation (e.g. the digital experience, feedback, student mental health etc.)

We also believe that assigning mentors for the staff and student members of Council would be mutually helpful, to support the development of those members, but also in providing greater academic and student engagement with the mentors who work with them.

In addition, we recommend that Council should ensure it has sufficient academic expertise amongst its lay members (section 3.3.2 makes the recommendation that higher education expertise should be added to the skills matrix and to the independent membership of Council).

Whilst student voice is generally well represented at Council level, formally through 2 student members on the Board (the KCLSU President, plus Vice President (Postgraduate) which was added this year), there is room for improvement. As with all higher education institutions, there is the perennial issue of deducing the diverse experiences of 20000+ students via a sole or two representatives. As a result, the Council should look to deepen its understanding of the breadth of experiences that King's students have. This can be achieved by working closely with the Students' Union and the

course representative system who should have the requisite insights into the student experience.

Student governors enjoy good working relationships with Board members and feel their voices are adequately heard on the Board. They are confident that the Council challenges and holds the Executive to account where appropriate. With that being said, there is always room for improvement and this feedback is based on the current student governors. To improve, it is important that the Council installs structural initiatives to effectively integrate student governors who can often take some time to acclimatise to the ebb and flow of university governance.

We did struggle to engage as fully with the student voice as we would have liked to during the review. The outgoing student members of Council, although invited, did not respond to the survey and did not attend the scheduled one to one interview (attempts to re-schedule were also not followed up). The challenge around student engagement was somewhat exacerbated by the timing of the review straddling the academic year and the challenge of meaningful engagement with the officers right at the start of their term of office. We did however incorporate meetings with the KCLSU CEO, a focus group of the King's 100 Students and 2 previous KCLSU SU Presidents.

Although it was stressed that student engagement is valued at King's, and there are indeed student members on all committees and bodies we see elsewhere in the sector, there was less evidence of additional non-decision making engagement (e.g. monthly meetings between the Sabbatical officers and the Principal or Senior VP Education, regular meetings between the SU Chief Executive and professional service leads etc.) and extensive training and induction for student representatives (beyond the sabbatical officers themselves). Although formally beyond the direct scope of Council, there is an opportunity to review the breadth of informal engagement between the students' union and the King's executive to ensure more meaningful engagement and Council may wish to receive updates on how this progresses.

Recommendation:

- L. Schedule an annual joint session of Academic Board and Council and explore other opportunities such as School visits and presentation as other means to strengthen the link between Council members and the wider academic community.
- M. Reverse student mentors appoints for lay members of Council
- N. Assign mentors for staff and student governors to further strengthen communication and understanding between student governors and governors.

- O. Review the breadth of information engagement between the students' union and members of the King's executive with a view to extending and strengthening engagement.
- P. Collaborate with Students' Union to gather greater insights on the student experience via focus groups & research and shared as appropriate with the Board.

4. Summary of Key Recommendations

Number	Recommendation	Accept/ Reject
1.	Introduce a benchmark KPI report, no more than 12-15 in total, RAG rated, offering trajectory over time, with a named Executive lead. This should be presented to each meeting of Council.	
2.	Council to actively commission Academic Board to produce assurance reports (within a wider Board Assurance Framework).	
3.	Formalise a student or community story to be scheduled before each Council meeting.	
4.	Produce and implement a dedicated Council communications strategy.	
5.	Introduce a Board Assurance Framework, overseen by a revamped Chairs' committee.	
6.	Revamp the Chairs' committee with a revised terms of reference as a vehicle to advise on the Council agenda, share appropriate updates between committee chairs and oversee how the governance structure implements scrutiny of the Board Assurance Framework. Crucially this would be a non-decision making body so as to avoid any possibility of a two-tier Council.	
7.	Information to prospective Council members is made clearer, setting out an expectation it will involve at least 15 days per year	

	(and would involve membership of at least one committee, in addition to Council, a personalised induction and annual training to keep abreast of wider developments) reflected in advertisements and the appointment letter. There should also be a light touch annual appraisal for all Council members conducted with either the Chair, Vice Chair or Chair of GNC.	
8.	That the College concludes the development of a Board Assurance Framework with a view to establishing a BAF that will support a focus on achieving the College's strategic objectives, and will be fully owned by Council and its sub-committees.	
9.	The 2 Senior Vice Presidents (Academic) and (Health) who currently serve as members of Council, are replaced by 2 "ordinary" staff (1x academic, 1x professional services) the categories of staff chosen by GNC. Expressions of interest would then be invited across the King's community and eligible candidates subject to a selection process.	
10.	The letter of appointment for new members spells out the time commitment required and further detail on the nature of the role including responsibilities, support provided and the wider expectations of the role.	
11.	The Skills Matrix is updated to include all members (not just Independent Members) and that it is updated on annual basis.	
12.	That the total length of time a lay member can serve on Council is updated to two terms of four years (so a maximum of 8 years overall).	
13.	That higher education expertise is strengthened on Council, added to the skills matrix and then prioritised in the next round of Independent Council member recruitment.	
14.	With the stated importance given to diversity, Governance and Nominations Committee should allocate time to discuss how this can be improved and consideration should be given to setting diversity targets for Council.	

4.1 Summary of other recommendations

Letter	Recommendation	Accept/ Reject
A.	The College Secretary consider a series of informal engagement sessions that can be incorporated into the annual programme recommended in section 3.1.7 (governor engagement and development).	
B.	Council meetings are increased to 3 hours, with 30 minutes before for a student story and 1 hour ring-fenced for a strategic discussion.	
C.	The College Secretary work with paper authors to include a short summary as part of the one page cover sheet from 2023/24.	
D.	The Chair/Chair of Governance and Nominations Committee and the University Secretary review the current arrangements for in person, hybrid and fully virtual meetings from 2023/24.	
E.	The College Secretary review the current Delegations Framework in order to introduce a more detailed Scheme of Delegation that provides greater clarity of accountabilities and responsibilities for Council and its sub committees and Academic Board and its sub committees by July 2024	
F.	The College Secretary review the layout of the current Terms of References for the above mentioned committees to clarify approval decisions and thresholds by July 2024.	
G.	The number of co-opted members is reduced to no more than two per committee, except in the case of Audit, Risk and Compliance Committee, and that the number of independent members be increased commensurately.	
H.	The new integrated planning process should deliver more robust plans and a longer time horizon and that these developments continue to be treated as a priority.	
I.	A (Digital) Transformation group be established, which is Executive led but with Council involvement. Initially for an 18 month period and then reviewed internally to determine its future.	

J.	Staff Culture and Strategy Committee be evaluated after its first year with a view to keeping the status quo, moving to an internal committee that might report to Council as needed, or possible setting up an internal and a Council committee with carefully defined separate remits and memberships.	
K.	The number of staff in regular attendance at Council is reviewed with a view to reducing the numbers where possible.	
L.	Schedule an annual joint session of Academic Board and Council and explore other opportunities such as School visits and presentation as other means to strengthen the link between Council members and the wider academic community.	
M.	Reverse student mentors appointments for lay members of Council	
N.	Assign mentors for staff and student governors to further strengthen communication and understanding between student governors and governors.	
O.	Review the breadth of information engagement between the students' union and members of the King's executive with a view to extending and strengthening engagement.	
P.	Collaborate with Students' Union to gather greater insights on the student experience via focus groups & research and shared as appropriate with the Board.	

5. Survey headlines

Council members were invited to undertake a benchmarking survey which was completed by **17 members of the Board** (11 lay/independent members, 3 staff members (including Academic Board members), 3 executive members). Although invited, there was no response from a student member.

Over 40 questions were asked as part of the survey, and have been benchmarked against over 50 other universities who have completed the same over the last 5 years.

Q in survey	Measure	% Benchmark difference
39	Effective mechanisms are in place for ensuring there is assurance of equality diversity and inclusion matters for staff and students, across the Council	14%
18.2	Council membership: Has an appropriate range of skills and experience	10%
32	Council meetings and business are conducted and chaired in a way which encourages the active involvement of all members in discussions and decision-making	9%
34.2	The role of the Council in providing constructive challenge is: Undertaken effectively	6%
22	The Council demonstrates an understanding of and commitment to the organisation's vision, ethos and culture	5%
38	The Council ensures that planned outcomes agreed as part of the strategic plan are being regularly monitored, assessed and reported	5%
23	The Council displays the values, personal qualities, and commitment necessary for the effective stewardship of the organisation	4%
34.1	The role of the Council in providing constructive challenge is: Understood and accepted by both members and the executive	4%
35	The Chair actively establishes, promotes and sustains a governance culture that supports effective stewardship of the organisation	4%
7	Mechanisms are in place to allow the Council to be assured that the organisation has effective processes in place to enable the management of risk	3%

40	The Council receives sufficient information to test the equality, diversity and inclusion implications of policy, approaches and initiatives that it decides upon	2%
2	There is a genuine and shared understanding about, and commitment to ensure effective governance by both the Council and the executive	1%
30	The Council is well equipped (in terms of information and assurance provided, and skills and experience) to support the organisation's long term strategy	1%
16	Recruitment practices to fill board vacancies are effective, transparent, and enable a diverse pool of candidates to be appointed	1%
18.1	Council membership: Provides a range of approaches to problem solving	0%
33	Working relationships between Council members and the organisation's executive are transparent and effective	-1%
17.2	The induction of Council members is: Relevant	-1%
5	Mechanisms are in place for the Council to be confident in the processes for maintaining the quality and standards of teaching and learning and the standard of awards	-3%
6	Mechanisms are in place to enable the Council to be assured as to the organisation's financial resilience and overall sustainability	-3%
17.1	The induction of Council members is: Effectively managed	-8%
17.4	The induction of Council members is: Tailored to individual need	-8%
25	The Council has agreed performance measures incorporating leading and lagging indicators against which it receives assurance of institutional performance against the strategic plan	-9%

27	The Council receives the clear and prompt information it needs to be fully informed about its legal and regulatory responsibilities. This includes, but is not limited to, the OFS (where relevant)	-10%
24	The Council ensures that effective performance reviews of the head of institution are undertaken	-12%
17.3	The induction of Council members is: Periodically evaluated	-20%
8	The respective responsibilities and relative accountabilities of the Council and Academic Board are appropriate, clearly defined and mutually understood	-21%

6. Annex One – List of interviewees and focus group discussions

The following individuals and small groups were consulted to inform the review findings:

Rt Hon Lord Geidt

Lan Tu

Vivek Ahuja

Paul Cartwright

Donna Catley

Tom Berry

Stephen Weiner

Sir Jon Coles

Paul Goswell

Sir Ron Kerr

Clare Sumner

Vinay Jha

Professor Shitij Kapur



Dr Hillary Briffa

Steve Large

Professor Rachel Mills

Professor Richard Trembath

Dr Natasha Awais-Dean

Professor Kim Piper

Irene Birrell

Malcolm Ace

UCU Branch Executive

Unison Branch Executive

Unite Branch Executive

One King's Leadership Team

Academic Board focus group

Executive Deans

Communications Team focus group

Denis Shukur

King's 100 Students

Focus group of former KCLSU Presidents

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