

King's College Council

Meeting date 18 January 2024

Paper reference KCC-24-01-18-12-02

Status Final

Meeting of the King's College Council to be held on **18 January 2024 at 17:00, Council Room, Strand Campus**

Tea and Coffee will be available from 16:30.

Agenda

The meeting will begin with a 30-minute Community Story and discussion on student use of AI

1	Welcome, apologies and notices	KCC-24-01-18-01	Chair
2	Declarations of Interests (to note)	KCC-24-01-18-02	
3	Approval of agenda	KCC-24-01-18-03	Chair
4	Unanimous Consent Agenda , including:	KCC-24-01-18-04	Chair
	4.1 Minutes of the Previous Meeting (to approve)	KCC-24-01-18-04.1	
	4.2 Council Business Plan (to note)	KCC-24-01-18-04.2	
	4.3 Actions Log (to note)	KCC-24-01-18-04.3	
5	Matters Arising	Verbal	Chair
6	Report of the Chair	Verbal	Chair
7	Report of the Vice-Chancellor & President		Vice-Chancellor & President
	7.1 Summary Report of Key Issues (to note)	KCC-24-01-18-07.1	
	7.2 Modern Slavery Act Annual Transparency Statement (to approve)	KCC-24-01-18-07.2	
8	Report of the KCLSU		
	Summary Report of Key Issues (to note)	KCC-24-01-18-08	KCLSU President
9	Report of the Governance & Nominations Committee	KCC-24-01-18-09	GNC Chair
	9.1 2023 Governance Review Report & Recommendations (to approve)		
	<i>The remainder of the GNC report is on the Unanimous Consent Agenda</i>		
10	Report of the Academic Board	KCC-24-01-18-10	Chair, AB
	10.1 Defence of Value-based impartiality		
	<i>The remainder of the AB report is on the Unanimous Consent Agenda</i>		
11	Any other business	Verbal	Chair
12	Meeting Adjourned	Verbal	Chair

Lord Geidt
January 2024



Declaration of Members' Interests

Action required

- ☐ For approval
☐ For discussion
☒ To note

Executive summary:

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

Declaration of Members' Interests

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

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

Christopher Geidt (Chair)

- Director, Hurista Advisory Ltd
- The Nuffield Trust for the Forces of the Crown (Trustee)
- The Rectory Society (Trustee)
- House of Lords (Crossbench Member)
- Adviser, Lumina Sustainable Materials SARL (materials science)
- Member, Ohrid Group (of former politicians, diplomats and officials) advising all parties in North Macedonia
- President of the Royal Overseas League
- *The Queen's Commonwealth Trust (Chairman) (interest ceased 26 January 2023)*
- *Chairman, International Relations and Corporate Responsibility, Schroders plc (asset management) (interest ceased 6 January 2023)*
- *The Independent Adviser on Ministers' Interests (interest ceased 15 June 2022)*
- *Permanent Lord in Waiting to the Queen (interest ceased 8 September 2022)*

Alizeh Abrar

- Vice-President (Post-Graduate), KCLSU

Vivek Ahuja

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

Natasha Awais-Dean

- Research Integrity Manager; Visiting Research Fellow (History) King's
- Trustee, Society of Jewellery Historians
- Team Manager, Berkhamsted Swim Club (voluntary)
- Member of the Society of Jewellery Historians
- Member of the Society of Renaissance Studies

Tom Berry

- Trustee, Employers' Network for Equality and Inclusion (enei)
- Owner, Be Less Beige Ltd
- NED Mental Health First Aid England CIT
- NED Aequitas Global Ltd
- NED HMDG Ltd
- Trustee EOT, With Public Relations Ltd
- Owner, One Question Ltd

Hillary Briffa

- Lecturer in National Security Studies in the Department of War Studies
- Circle U Chair – Climate Hub

- Programme Director, MA in National Security Studies
- *Vice-Chair of the governing board of Godwin Junior School (10 June 2019 – 9 June 2023)*
- *Vice-Chair of the governing board of Carpenters Primary School (18 September 2019 – 18 September 2023)*
- Registered as self-employed – private rental
- Member of University College Union

Paul Cartwright

- Chaplaincy Volunteer at West Hertfordshire Teaching Hospitals NHS Trust from 1 July 2022
- Fellow of The Institute of Chartered Accountants in England and Wales (ICAEW)
- Member, Finance & General Purposes Committee, King's College London Maths School
- *Trustee of Raise, West Hertfordshire Hospitals NHS Trust Charity 1052210 (ended 31 May 2022)*
- *Non-Executive Director of West Hertfordshire Hospitals NHS Trust (ended 31 May 2022)*

Donna Catley

- Paid employee of Diploma plc, from 1 September 2023
- *Paid employee of Compass Group; Company Director, Compass Group UK&I (ended 31 December 2022)* Note: College has a small investment with Compass Group through a managed fund.

Jon Coles

- United Learning Trust
- Chief Executive, United Learning (group of schools from which some students will progress to King's)
- *Learning Partners Academy Trust (ended August 2022)*

Paul Goswell

- Trustee of the Somerset House Trust
- CEO of Delancey Real Estate Asset Management
- Cape Projects Limited; Cortx Holdings Limited; Croydon Plaza Limited; DCIF UK General Partner Limited; Delancey Asset Management Limited; Delancey Coinvestment Limited; Delancey Investment Advisory Services Limited; Delancey Nw1 Co-Investments Ltd; Delancey Nw1 Group Ltd; Delancey Nw1 Promote Ltd; Delancey Partners Co. Limited; Delancey Real Estate Asset Management Group Limited; Delancey Real Estate Asset Management Limited; Delancey Real Estate Debt Services Limited; Delancey Real Estate Investment Management Limited; Delancey Real Estate Partners Limited; Delancey Real Estate Partners Limited; Dqr Capital Limited; Dream Nw1 Co-Invest Spv Limited; Dream Nw1 Gp Spv Limited; Dv4 Administration 1 Uk Limited; Five Oaks Investments Limited; Headland Investments Limited; Jupiter Properties 2011 Uk Limited; Minerva (Croydon) Limited; Minerva (Finance) Limited; Minerva (Kensington Developments) Limited; Minerva (Stores) Limited; Minerva Corporation Limited; Minerva Limited; Mount Kendal Limited; Mount Kendall Group Limited; Newincco 1404 Limited; Newincco 1407 Limited; Nw1 Partners (Gp) Ltd; Nw1 Spanish Logistics (Uk) Holdco Ltd;
- Ownership (part): Penninsular Projects Ltd, Cortx Holdings Ltd, Delancey Real Estate Debt Services Ltd
- Member of the RICS

Vinay Jha

- Full-time employment, Chief Tech Officer & EMT Member, Diligenta Ltd
- *Full-time employment as 'Chief Innovation and Digital Officer' at M&G Plc. (ended September 2023)*

Shitij Kapur

- Vice-Chancellor & President, King's College London
- Non-Executive Director, Russell Group of Universities
- Member, Advisory Board of the Medical Research Future Fund, Australia
- Member, International Advisory Council, SUSTech University, Shenzhen, China
- Member, Collegiate Council, University of London
- Commissioner, International Higher Education Commission
- Chair, UUK Advisory Group on Free Speech & Academic Freedom

Ron Kerr

- Guys and St Thomas' Foundation Trustee
- NED, Guy's and St Thomas' Enterprises Ltd.
- Advisor to Board: Guy's and St Thomas' NHS Foundation Trust
- Chair: NHS Providers
- Ad hoc consultancy services

Steve Large

- Senior Vice President (Operations), KCL
- Superannuation Arrangements of the University of London (SAUL)
- KCL Ventures Ltd
- King's Talent Bank Ltd
- King's College London Business Ltd
- College Facilities Ltd
- Fellow of the Chartered Association of Certified Accountants
- Member of the Chartered Institute of Management Accountants

Note: King's participates in SAUL as our support staff pension scheme; King's is the sole customer, 100% shareholder and funder of KCL Ventures Ltd, King's Talent Bank Ltd, KCL Business Ltd and College Facilities Ltd, all of which rely on King's for various management & related services.

Rachel Mills

- Senior Vice President (Academic)
- Visiting Professor (unpaid) University of Southampton, July 2021 onwards.
- Non-Executive Director, Centre for Environment, Fisheries and Aquaculture (2021 onwards)
- Fellow Royal Society of Chemistry
- Fellow Royal Society of Biology
- Member, Challenger Society for Marine Science

Kim Piper

- Dean of Education, Faculty of Dentistry, Oral and Craniofacial Sciences
- UCAT Trustee
- Health Education England - Training Program Director for Oral & Maxillofacial Pathology. National ARCP and Recruitment member
- Royal College of Pathologists - Chair of Examiners
- Royal College of Surgeons - SAC Member
- International Association of Dental Research - Group Program Chair
- British Society of Oral & Maxillofacial Pathology Executive Committee

Clare Sumner

- Chief Policy & Corporate Affairs Officer, Premier League (from 8 January 2024)
- *Director, Policy for the BBC (ended December 2023)*

Steven Suresh

- President of the King's College London Student Union

Richard Trembath

- Senior Vice President, Health & Life Sciences, Professor of Medical Genetics, Faculty of Life Sciences & Medicine, KCL
- Executive Director, King's Health Partners
- Director & Trustee, The Francis Crick Institute
- Non-Executive Director, King's College Hospital
- Non-Executive Director, MedCity Life Sciences Advisory Board

- Board Director, UK Biobank
- Non-Executive Director, MedCity
- Member, Royal College of Physicians
- Member, Academy of Medical Sciences
- Member, British Society for Human Genetics
- Member, Association of Physicians of Great Britain
- Member, American Society of Human Genetics

Nhuoc Lan Tu

- Self-employed Consultant
- Board member and Chair of Compensation Committee (from March 2022, WNS Holdings Ltd.
- Non-Executive Director and Senior Independent Director (from March 2022) – Shawbrook Bank Ltd
- Non-Executive Director – Shawbrook Group PLC
- Board Advisor – Mental Health at Work CIC
- Director, Lonsdale Road (Barnes) Management Company Ltd
- Member, National Association of Corporate Directors, USA

Stephan Weiner

- Guy's & St Thomas' Trust (GSTT) – Non-Executive Director and Chair of Transformation and Major Programmes Committee (*left GSTT Finance Committee in January 2023; left Board in June 2023*)
- King's College Hospital (KCH) – Non-Executive Director and Chair of Major Programme Committee and Finance Committee (*KCH Finance Committee membership ended January 2023; KCH Board membership ended October 2023*)
- Crown Commercial Service - Non-Executive Director, Chair of Audit Committee
- Freshminds – ANC – ad hoc advisory consulting
- MediClinic – Non-Executive Director, Chair of Remuneration Committee (*ended May 2023*)

Unanimous Consent Agenda

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

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

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

Item	Title	Paper	Action
4.1	Minutes of November 2023	KCC-24-01-18-04.1	Approve
4.2	Council Rolling Calendar of Business	KCC-24-01-18-04.2	Note
09	Report of the Governance & Nominations Committee		
	(i) Review of the Council Conflict of Interest Policy		Approve
	(ii) Membership and Searches Update		Note
10	Report of the Academic Board		
	(i) EDI Update on current activity	KCC-24-01-18-10	All to Note
	(ii) Report of the College Education Committee		
	(iii) Report of the College Research Committee		
	(iv) Election of Associates of King's College		

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

King's College Council	
Meeting date	18 January 2024
Paper reference	KCC-24-01-18-04.2
Status	Final

Council Business Plan

Action required

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

Paper Explanation for Members

Why is this paper being presented?	This Council business plan is presented at each meeting of GNC and Council for information and is intended to provide some guidance as to what members might expect to see on their meeting agendas over the course of the year.
What are the key points/issues?	The functions of Council are defined in the Charter and Statutes and the Ordinances and include, among other things: • defining and upholding the university's mission, vision and strategic direction • monitoring the university's progress against agreed goals • establishing management systems and monitoring their effectiveness • ensuring that delegated responsibilities are clearly defined for the university's standing committees • ensuring that the university has effective risk management and internal controls • overseeing the effective and prudential operation of the university • approving and monitoring commercial undertakings The Calendar outlines in broad terms when these matters are discussed at Council over an average year. As they become known, unique proposals (such as capital projects) will be added to the Calendar with estimated timing. The Calendar will be included as a standing information item in each agenda pack.
What is required from members?	To note.

Paper Submitted by:

Irene Birrell
 College Secretary
irene.birrell@kcl.ac.uk

Council Business Plan

Strategic discussion

The September meeting was a full-day Away Day. Time is also set aside for deliberate strategic discussion at the January and May meetings of Council as these are meetings at which the amount of transactional business is minimal.

Council receives regular updates on progress toward goals and objectives of the various elements of the university's strategy.

Regular Agenda Items

Council's work is supported by a number of committees and sub-committees and at each of its meetings will receive reports as appropriate from:

- Finance Committee
- Audit, Risk & Compliance Committee
- Estates Strategy Committee
- Governance & Nominations Committee
- Academic Board
- Fellowships & Honorary Degrees Committee
- Chairs' Committee
- Remuneration Committee
- Staff & Culture Strategy Committee

Council will receive reports and updates on a range of regulatory, compliance and planning matters including among others:

- Ongoing Conditions for OfS
- National Student Survey Results
- Admissions and student number planning
- Safeguarding
- Prevent
- Health & Safety
- Fundraising

Council Business Plan

Italicised items are those that are expected to return every year.

	Item	Council Action	Submitted By
20 September 2023 AWAY DAY	Strategic focus meeting – full day	Discuss	Principal & Senior Executive Team
21 November 2023 Council Room (Business focus)	<i>Financial Statements</i>	Approve	Finance Committee
	<i>Update on Five-year Forward Plan for OfS</i>	Approve	Finance Committee
	<i>External Audit Report and Management Letter of Representation</i>	Approve	Audit, Risk & Compliance Committee
	<i>Annual Statement regarding the Prevent Duty</i>	Approve	Audit, Risk & Compliance Committee
	<i>Annual Research Integrity Statement</i>	Approve	Audit, Risk & Compliance Committee
	<i>Annual College Safeguarding Report</i>	Approve	Audit, Risk & Compliance Committee
	Development of the Board Assurance Framework	Approve	Audit, Risk & Compliance Committee
	<i>Annual OfS Registration Report</i>	Approve	Academic Board
	<i>HR Excellence in Research Report and Academic Plan/Action Plan against the Concordat to Support the Career Development of Researchers</i>	Approve	Academic Board
	School of Medical Education Branch Campus at University of Portsmouth	Approve	Academic Board
	Student Success Transformation Programme – update	Note	Finance Committee
	King's Interdisciplinary Science (Phase 1) – Full Business Case	Approve	Estates Strategy Committee & Finance Committee
	<i>Annual Report of the Remuneration Committee</i>	Note	Remuneration Committee
	Champion Hill Deal Update	Note	Estates Strategy Committee & Finance Committee
	Bush House South West Wing Update	Note	Estates Strategy Committee & Finance Committee
	<i>Annual Report of the ARCC</i>	Note	Audit, Risk & Compliance Committee
	<i>Internal Assurance Update</i>	Note	Audit, Risk & Compliance Committee
	<i>Compliance Assurance Update</i>	Note	Audit, Risk & Compliance Committee

18 January 2024 (strategic focus)	Governance Review Recommendations	Approve	GNC
	<i>Modern Slavery Act Annual Statement</i>	Approve	Chief Procurement Officer
	In Defence of Value-Based Impartiality	Note	VP IES
28 March 2024 Teams (Business focus)	<i>Balanced Scorecard Update</i>	Discuss	SVP Operations/Director of Analytics
	<i>Access and Participation Plan Monitoring Report</i>	Approve	VP Education/Academic Board
	<i>Annual Health & Safety Report</i>	Approve	Audit, Risk & Compliance Committee
	<i>Annual Research Integrity Statement</i>	Approve	Audit, Risk & Compliance Committee
	<i>Annual report of the Chief Procurement Officer</i>	Note	Audit, Risk & Compliance Committee
	<i>Compliance report</i>	Note	Audit, Risk & Compliance Committee
	<i>Annual report on university pay and conditions</i>	Note	Remuneration Committee
	<i>KCLSU Returning Officer's Election Report</i>	Note	KCLSU President
	Champion Hill	Approve	ESC/Finance Committee
	Appointment of University Secretary	Approve	Chair/Vice-Chancellor & President
	Centre for Translational Medicine (TBC)	Approve	Finance Committee
9 May 2024 Denmark Hill Campus (Strategic focus)	Strategic Issues (TBD)		
	Bush House SouthWest Wing – Outline Business Case	Approve	Estates Strategy Committee & Finance Committee
10 July 2024 Bush House (Business focus)	<i>Financial Plan</i>	Approve	Finance Committee
	<i>Council Away Day agenda for September</i>	Note	Governance & Nominations Committee
	<i>Meeting Cycle for the next year but one</i>	Note	Governance & Nominations Committee
	<i>Fundraising Operations Annual Report</i>	Approve	Audit, Risk & Compliance Committee
	<i>Fundraising Ethics Review Group Annual Report</i>	Approve	Audit, Risk & Compliance Committee
	<i>Report on senior team performance and remuneration</i>	Discuss	Remuneration Committee
	<i>KCL/KCLSU Memorandum of Understanding</i>	Approve	Vice-Chancellor & President
	<i>Reappointment of Members</i>	Approve	GNC
	<i>Memorandum of Understanding – KCL/KCLSU</i>	Approve	KCLSU President & Vice-Chancellor & President
	Appointment of New Chair of Council	Approve	GNC
	Advanced Therapies - AAV Expansion Business Case	Approve	Estates Strategy Committee & Finance Committee

King's College Council	
Meeting date	18 January 2024
Paper reference	KCC-24-01-18-04.3
Status	Final



Actions Log

Action required

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

Executive summary

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

Actions Log

Meeting	Minute	Topic	Decision for Action	Notes	Owner	Original deadline	Progress
21-11-23	7	King's Digital (Report of the Vice-Chancellor)	[REDACTED]		Vice-Chancellor	N/A	In progress
21-11-23	8	KCLSU President report	KCLSU main priorities this year were the rent guarantee scheme and tuition fee instalments. After hearing about Australian competition in the Vice-Chancellor's report discussion, the KCLSU President noted that Australian fees are cheaper and payable in instalments and that UCL and LSE both offered three month instalments of tuition fees and rent guarantee schemes. In London students were often required to pay six months rent up front. The Chair of the Estates Strategy Committee urged the KCLSU to liaise with the Chief Financial Officer and the Senior Vice President (Academic) on KCLSU proposals regarding fee instalments and rent guarantee schemes. Council requested to be kept updated on those discussions.		KCLSU President & CFO and SVP Academic	N/A	In progress
12-07-23	6.4	[REDACTED]	[REDACTED]	[REDACTED]	The Chief Compliance Officer and the Chief Finance Officer	N/A	Complete

Meeting	Minute	Topic	Decision for Action	Notes	Owner	Original deadline	Progress
11-05-23	7.2	Portfolio Simplification Programme	Information to be provided at a future meeting re the financial objectives of the programme and whether they had been achieved		Principal	N/A	In progress
18-01-23	10.2	Social Mobility & Widening Participation	Background information on the strategy & requirements to be provided at a future meeting		Principal	N/A	In progress
22.11.22	5.3	Student Success Transformation Programme	Opportunities for Council to scrutinise the programme implementation		VP (Education)	Throughout 2023	Ongoing
23/11/21	7.1 (iii)	LIHE	Review of benefits two to three years out against what was promised.		SVP (Operations)	Not due until 2023 or 2024	In progress

Irene Birrell
College Secretary
January 2024

King's College Council

Meeting date 18 January 2024

Paper reference KCC-24-01-18-07.1

Status Final

Access Members and senior executives

Vice-Chancellor's report

Action required

- ☐ For approval
☐ For discussion
☒ To note

Paper Explanation for Members

Why is this paper being presented?	Report from Vice-Chancellor & President highlighting current issues and events and developments since the last meeting of Council.
What are the key points/issues?	Israel/Gaza response; Admissions; My King's Benefits; New Year Honours; Fundraising update
What is required from members?	To note

Paper Submitted by:

Vice-Chancellor & President

Vice-Chancellor's Report

Section A - Current topics

Israel/Gaza Response

The University has a co-ordination group in place, reporting to VMM (Vice-Chancellor's Management Meeting) every Monday morning. This will remain in place until the crisis calms. Overall, King's has navigated the crisis reasonably well – despite the deep political divisions within our staff and student community, and with continued questions on the institutional position of the University; complaints around freedom of expression and academic freedom, and some students and staff continuing to feel unsafe on campus and in London. KCLSU have had a tougher time with implications for the University. The headlines are:

Institutional position – King's has adopted a stance of values-based impartiality – based on the long-standing Chicago principles. This precludes the institution from taking a political stance in order that individual staff and students can. We have debated the institutional position at Academic Board and the University Executive and will engage the wider leadership team in January.

We continue to receive complaints relating to protests and freedom of expression and have established a sub-group of FESAG (Freedom of Speech Advisory Group) to adjudicate on whether speech is permissible and protected or crosses a line.

We have received several calls to cut ties with universities in Israel and will not agree to this as this breaks values-based impartiality and our commitments to academic freedom.

Some staff and students continue to feel unsafe, on campus and in London more widely. We continue to engage with these groups to offer support and to deal with incoming complaints quickly.

[REDACTED]

The University position continues to be tested by external stakeholders, including government, donors, and recently the Israeli Ambassador. I am dealing with these queries directly.

[REDACTED]

[REDACTED]



My King's Benefits

We ran a comms campaign just before Christmas called My King's Benefits as part of a thriving staff community strategic pillar to highlight all the enhancements made to help with the cost of living and support physical and mental health including:

- London Weighting uplift from £4200 to £5000 a year from 1 December 2023
- USS pension contribution rate reduction from 9.8% to 5.1% from Jan 2024 and return of pension benefits to more generous pre-April 2022 levels from April 2024
- Increase annual leave entitlement from 27 to 30 days in 2024
- More family benefits including maternity and adoption, paternity and paternal leave from day one – no qualifying period
- Expanded childcare provision
- Range of discounts on groceries, electrical, house and wellbeing products and services, travel and experience through My King's Discounts
- Lease scheme for electric cars

New Years Honours

Professor Ulrike Schmidt, Professor of Eating Disorders and Director of the Centre of Research on Eating and Weight Disorders (CREW) at the Institute of Psychiatry, Psychology & Neuroscience, has been awarded an OBE for services to people with eating disorders. She has led the development and research on FREED, First Episode Rapid Intervention for Eating Disorders, which is now available in NHS Trusts across the UK and she is the Principal Investigator of a large research consortium on early intervention for eating disorders.

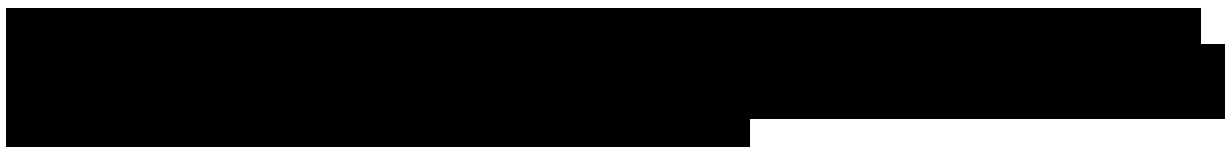
Professor David Edwards, a Professor of Neonatal Medicine, has been recognised with an MBE for services to health research. Over his 40-year career he has made an enormous impact not just on the survival of babies, but on the quality of life of some of the sickest newborns cared for in neonatal units around the UK and internationally.



Fundraising Income and Forecast for King's

This academic year we had secured £4.5m in this financial year in support of KCL priorities, and a further £3.4m in support of the Pears Maudsley Centre for Children & Young People's Mental Health.

We have just concluded a £5m agreement to create the Hinduja King's Health Partners Academy, of which £3m is philanthropic.





King's Climate and Sustainability (KCS) update

We have now established the governance structure for KCS, with a steering group of senior stakeholders and working groups for education, research, net zero operations and offsetting. An annual review process for the [Climate & Sustainability Action Plan](#) (initially published in February 2023) has been introduced in collaboration with colleagues across King's, to ensure that objectives are reviewed and progress monitored. We are working with Estates & Facilities to recruit a new Director of Environmental Sustainability who will drive the University's net zero ambitions, work closely with our local government and hospital trust partners and develop a full business case for net zero operations. We have worked closely with Procurement to develop a Sustainable Business Travel Policy intended to reduce our carbon emissions, with a focus on aviation (e.g., flights within mainland UK no longer being permitted, except in exceptional circumstances), which we will take to University Executive for approval in March 2024. We have developed an Education for Sustainability model and identified six emerging research themes as particularly important for King's to develop, to help focus discussion and plans for senior academic recruitment, philanthropy and convening high-profile events. In December 2023, King's ranked 5th in the [2023-24 People & Planet University League](#) (the highest-ranking Russell Group institution) and 44th in the [QS World University Rankings: Sustainability 2024](#) (up from 112th last year), and we made a submission to the Times Higher Education Impact Rankings in November 2023, which included the development of an [SDG Report for 2021-22](#).

Section B – President's External Visits/Meetings/Visitors

- 7th Nov – Institute for Experiential and Skills Based Learning
- 9th Nov – International Education leadership programme workshop – welcome
- 15th Nov - Inventing a better Britain: How does R&D fit into a new UK economic strategy?
- 22nd Nov – Rector, LUISS University
- 22nd Nov – Master, Fitzwilliam College, Cambridge
- 23rd Nov – India's Global Vision – Building Universities for a Knowledge Economy
- 23rd Nov – Professor of Innovation in Education, Manchester Met University
- 30th Nov – Russell Group Board
- 4th and 5th Dec – Council for Advancement and Support of Education conference
- 13th Dec – Portsmouth and King's Joint Medical School signing ceremony
- 15th Dec – Incoming TEDI Executive Dean
- 18th Dec – Head of the Education Practice, Public First
- 19th Dec – Head of Demography, Immigration & Integration, Policy Exchange

Section C - Media Coverage

- In December, I was delighted to attend the [official signing ceremony for the King's and University of Portsmouth branch campus](#) in Portsmouth. This news was covered in [Times Higher Education](#).
- I was also pleased to attend [an event attended by Theresa May and Ed Miliband to discuss climate policy and the achievements of COP28 in Dubai](#), organised by the Policy Institute, Mission Zero Coalition and Diplomat magazine.
- At the end of last year, I also authored [a paper with the Policy Institute](#) to highlight the “triangle of sadness” that UK universities are trapped in between aspiring students who feel burdened with debt

and uncertain prospects, a stretched government that has allowed tuition fees to fall far behind inflation, and beleaguered university staff who feel caught in the middle. The paper was covered in [The Independent](#), the [Evening Standard](#), [The Daily Telegraph](#), The Daily Telegraph (print), Press Association and the [Daily Mail](#).

- To coincide with the UK Government's AI Safety Summit, academics from across King's took part in several events to discuss the impact of artificial intelligence across society and how to ensure everyone can enjoy the benefits safely.
- Our academics continue to provide their expertise to comment in the media on the Middle East, including Professor Sir Lawrence Freedman in [Al Jazeera](#), [The Sunday Times](#) and The Sunday Times (print); Dr Andreas Krieg on BBC News Now and [BBC Radio 5 Live](#); Professor Michael Clarke who was on [BBC Radio 4's Today Programme](#) and [LBC's Tonight with Andrew Marr](#); and Dr Ahron Bregman who was quoted in [France24](#), [RFI](#) (French), [Franceinfo](#) (French), [CNBC Indonesia](#) and featured on [BBC Radio 4](#) and [The World](#).
- Results from the largest UK community science study of its kind by the Faculty of Life Sciences & Medicine at the European Nutrition Conference, found eating in a [ten-hour window is associated with higher energy](#) and mood and lower hunger levels. This was covered in the [Evening Standard](#), the Evening Standard (print), [i News](#), i News (print), the [Daily Mail](#) and [La Vanguardia](#) (Spanish).
- The [UK public increasingly think politicians are stoking culture wars](#), at the same time as the term "woke" has become more likely to be considered an insult, according to a study as part of a long-running research programme by the Policy Institute and Ipsos UK. This was covered in [The Independent](#), the [Daily Mail](#), Press Association, Bloomberg, the [Daily Express](#), the [Daily Mirror](#), the Daily Mirror (print), [The News Statesman](#), The Scotsman (print) and featured on BBC Radio 2's [Politics Live](#), Sky News (clip unavailable), LBC News (clip unavailable) and [Times Radio](#).

Shitij Kapur, Vice-Chancellor & President
January 2024

King's College Council

Meeting date 18 January 2024

Paper reference KCC-24-01-18-07.2

Status Final

Access Members and senior executives

Modern Slavery Act Annual Transparency Statement

Action required

- ☒ For approval
☐ For discussion
☐ To note

Motion: That the Council approve the Modern Slavery Act Transparency Statement 2022-2023 for the financial year ended 31 July 2023

Paper Explanation for Members

Why is this paper being presented?	In compliance with the provision of Section 54 of the Modern Slavery Act 2015, King's produces a statement each year of its efforts to combat slavery and human trafficking within its business and supply chains within six months of the end of its financial year.
What are the key points/issues?	The statement is presented here for approval by the Council and signature by the Chair, for posting on the University's web page.
What is required from members?	To approve

Paper Submitted by:

Veronica Daly
Chief Procurement Officer

Modern Slavery Act 2022/23 Annual Transparency Statement

This statement is produced under the university's obligation to publish an annual 'Modern Slavery Act Transparency Statement' in accordance with the provisions of Section 54 of the Modern Slavery Act 2015.

About us

King's College London was established in 1829 and is a purpose driven university, dedicated to finding solutions to urgent global challenges through teaching, research and collective impact. King's 'Strategic Vision 2029' describes the College's vision to make the world a better place. This strategic vision was launched in January 2017 and takes us to our 200th anniversary in 2029. It builds upon our history of making a full contribution to society, as we continue to focus on world-leading education, research, and service in an increasingly interconnected and complex world. As such, the university is committed to ensuring that mechanisms are in place to be an ethical employer and contractor of goods and services.

Employment

King's is an accredited Living Wage employer, paying all directly employed staff, and contractors working for extended periods on our premises, a wage that recognises the costs of living in London. The College increased the London Weighting Allowance for staff in 2022 then again in 2023 to recognise difficulties faced by the cost-of-living crisis and provides other financial support like loans to help staff get through difficult times and a range of discounts with companies as part of a wider staff benefits package. The College's pay increase mechanisms provide for greater percentage increases to staff whose pay is at the lower end of our scales. Likewise, the College's Preferred Supplier List of Recruitment Agencies for Temporary Staff requires that at least the Living Wage is paid to individuals that we engage.

Supply chain

The University has put in place controls to reduce the risks of modern slavery in our supply chain. All potential new suppliers are vetted before being awarded a contract to ensure they commit to conducting their business in compliance with the provisions of the Modern Slavery Act 2015 (or equivalent standards if not based in the UK) and other social and ethical standards contained in our terms and conditions of contract. The College has procured a Supplier Assurance Tool to allow it to identify, risk assess and monitor suppliers to ensure we meet our social, ethical, environmental and governance objectives. The College also has terms and conditions of contract which make it a requirement on those with whom we do business to adhere to a Supply Chain Code of Conduct and provide assurances that workers in their organisation, and in their further supply chain, are not subject to inhumane practices and that the welfare of staff is properly protected.

Procurement at King's

The College comprises ten Professional Services Directorates and nine Faculties, these total upwards of 327 Departments, and there are numerous research groups within each faculty. As the College operates on a system of devolved budgets, control over the day-to-day spending of these groups is delegated through line management in accordance with the university's Financial Regulations and Procedures and Purchasing Policy. The University takes a proportionate approach to procurement which allows for low value spend to be procured locally but requires that the Procurement Office is consulted for high value spend or where a grant funder requires a procedure to be followed which aligns with the legal requirements of the EU or domestic Regulations.

The College has implemented a Socially Responsible Procurement Policy to better ensure that social benefits are gained and risks of damage to society are reduced when procuring third party contracts. The policy is intended to ensure that King's purchases third party goods and services in ways which are beneficial to society and King's local boroughs. It promotes responsible environmental, social, and economic goals and meets the requirements of the Equalities Act 2010, the Modern Slavery Act 2015, and other legal obligations. Key milestones under this policy have included:

- The incorporation of social, economic and environmental sustainability criteria into its tender documentation and processes;
- The increased number of Social Enterprises in its supply chain and social value outcomes from its contracts;
- A supply chain consisting of mostly micro businesses and SMEs, and which are primarily located in the UK;
- the incorporation of a supply chain code of conduct into our evaluation procedures and contracts to ensure the welfare of staff engaged on our outsourced contracts;
- a supplier risk assessment tool which aims to minimise the potential that the University's supply chain is compromised ethically or against other business resilience factors
- and our partnership with Electronics Watch, a non-governmental body which works with buyers and civil society to monitor the practices in electronics factories across the work using worker-led surveys.

In academic year 2022-2023, the non-pay contractual expenditure (which is influenceable by the Procurement function) of the University on goods, works and services was approx. £315 million gross of VAT with around 4600 different suppliers. The nature of this expenditure falls predominantly within the following categories:

- Estates and Facilities - Capital Projects and minor works
- Premises Services - Catering, furnishing, heating, and cooling and other facilities management services.
- ICT Equipment and Services - Computing, Communications and Audio Visual
- Laboratory Supplies - Research and Scientific Consumables
- Research Services – Services related to drug trials, equipment, consultancy
- Library Provisions - Books, e-journals, and subscriptions
- Professional Resources – Consultancy, Recruitment and Legal Services
- Corporate Business Services - Travel and Accommodation

Assurance in relation to donors and research collaborators

A Compliance Assurance Review was undertaken internally in the 2020-21 year and concluded through sample testing that there are established processes whereby appropriate assurances are taken from potential collaborators with regards to their processes for recruiting staff and whether these comply with local employment laws (where a collaborator is based overseas) and the UK Modern Slavery Act. To support the collection and assessment of these assurances, the University uses suitable electronic tools, including a due diligence application for research and fundraising activities.

Both research and fundraising processes seek to assess third-party collaborators or entities to ensure that their business practices are legally compliant with the Modern Slavery legislation and that their standards of conduct align with the high expectations of the University and our funders. The Fundraising

Ethics Review Group is an important element to this work. Both processes include steps for review of due diligence outcomes and incorporate wider reporting obligations to appropriate University committees.

The University also supports various other approaches to ensuring compliance with Modern Slavery legislation in its arrangements for Research. For smaller partnership arrangements, King's generally insists on using the sector-standard Brunswick Collaboration Agreement templates, which contain a provision that "all parties shall ensure that in carrying out the project they will comply with all applicable laws, regulations, and statutes, including those relating to modern slavery and anti-bribery". On larger agreements, similar contractual clauses will be inserted by the Research Grants and Contracts Team as a mandatory requirement. In sub-contracting research work through collaborating partners, the University ensures that they maintain the standards of compliance expected by Modern Slavery legislation through an established due diligence process which is supported by the use of an electronic due diligence tool. A similar due diligence process is undertaken with respect to commercial research funders, and compliance is incorporated through contractual obligation.

The internal Compliance Assurance Review conducted in the year 2020-21 was also able to establish, through a series of sample tests, that the processes in Fundraising and Research Management were also robust and comprehensive.

The University is vigilant in all areas of activity that may be open to the risk of slavery, trafficking and human rights abuses generally taking place, but it enhances the questions asked in areas identified as high risk due to the nature of the industry, nature of the work or supply/business model such as:

- the selection and evaluation stages of procurements where risks are highest such as when purchasing personal protection products (including garments and gloves), electronics and medical or laboratory supplies and when putting construction contracts in place;
- the acceptance of high value donations to support its work;
- its work with Research Partners in the UK and globally.

Lord Geidt
Chair of King's College Council

[19 January 2024]

This statement was approved by Council on [18 January 2024]

King's College Council	
Meeting date	18 January 2024
Paper reference	KCC-24-01-18-08
Status	Final
Access	Members

KCLSU President's Report

Action required

- ☐ For approval
☒ For Discussion
☐ To Note

Paper Explanation for Members

Why is this paper being presented?	King's College Council receives a report from the King's College London Students' Union (KCLSU) President at each of its meetings; this is the second report to College Council in this academic cycle. The paper aims to provide relevant updates to Council.
What are the key points/issues?	• Progress has been made on the two Team Priority Campaigns this year. • Business case for Cost of Living Priority Campaign will be presented at the next College Council Meeting
What is required from members?	It will be appreciated if College Council members can help direct the team to individuals who can help progress objectives.

Paper Submitted by:
KCLSU President 2023-2024

KCLSU President's Report

Officer Team priority campaigns

The purpose of Priority Campaigns are to ensure the effective use of KCLSU-wide expertise, relationships and resources to scale up campaigning throughout the year. They are run by a KCLSU working group with members from different teams whose insight and expertise is relevant to the issue being addressed.

Cost of living campaign:

The Cost-of-Living Crisis, referring to the fall in disposable incomes since late 2021, has placed significant financial pressure on the student population of the UK and especially those in London. The Russell Group Students' Unions (RGSU) commissioned a survey in January 2023 to investigate the impact of the Cost-of-Living Crisis on student experience. The survey found that: 99% of King's students are concerned about the cost-of-living crisis.

'KCL: Thrive not survive' is a KCLSU led campaign to support KCL students during the Cost of Living (COL) crisis by advocating for accessible and affordable quality housing, financial aid and fixed and flexible tuition fees.

UPDATES SINCE LAST MEETING:

- The KCLSU CoL campaign group has convened twice since our previous Council meeting, making significant strides in defining our campaign objectives internally. We are currently initiating listening exercises with our members to gauge the impact of our campaign's various goals on students. Additionally, we are in the process of meeting key stakeholders at King's. Our aim is to effectively communicate the advantages of implementing the campaign's objectives, highlighting their potential benefits to the college community. This proactive approach is a crucial step in our ongoing efforts to advance the campaign's priorities.
- The Estates & Facilities Team recently extended an invitation to Steven to participate in a discussion about expanding KCL Residences to a new location. This discussion proved to be highly productive. The proposed building is set to offer a specified number of affordable beds, aligning with new regulatory requirements. Furthermore, its central London location is a significant asset. This aligns well with one of our campaign points, aiming to enhance the sense of belonging among students. The proximity of the new residence to campus activities is a strategic move to facilitate greater student engagement and participation in campus life.
- KCLSU actively collaborated with the Estates & Facilities team in the recent Rent Setting meeting. During this session, we delved into the operational aspects of KCL Residences. The discussion was constructive, leading to a mutual agreement on scheduling a follow-up meeting. This forthcoming meeting is crucial, as it will focus on determining the rent structure for students. Our engagement in these discussions underscores KCLSU's commitment to ensuring fair and reasonable rent settings for our student community.

Timetabling campaign:

Timetabling is covered by the 'Organisation and Management' and 'Assessment and Feedback' categories in the NSS, which have historically been King's weakest areas. King's had the lowest score in 'Organisation and Management' out of all the Russell Group universities in 2022, moving up one place in 2023. Timetabling issues have had severe impacts on student mental health and in some faculties have compromised the ability to fulfil course requirements such as placements.

'Turn the Tables' is a KCLSU led campaign that calls for a compassionate, flexible and transparent approach to timetabling which prioritises student wellbeing, respecting students' academic and non-academic commitments.

UPDATES SINCE LAST MEETING:

- KCLSU is collaborating with the Director of Service Delivery (Students & Education) to implement quicker enhancements in the timetabling process at KCL. Following our in-depth discussions, a comprehensive report was compiled. This report involved the active participation of 120 KCLSU Academic Representatives and focused on identifying the key changes students wish to see in the timetabling system. A significant finding of the report was the need for a faster release of both exam and teaching timetables. Following this report, we have established clear timetabling objectives. We are optimistic about achieving these improvements before the start of the upcoming academic year, marking a significant step forward in our commitment to enhancing the academic experience at KCL.
- KCLSU has been made aware that although KCL's timetabling policy clearly sets out that no classes would be held during religious times such as Friday lunchtime 13:00 – 14:00 (Muslim Prayer time) and Friday afternoons (Jewish Sabbath), students consistently have classes that clash with their religious commitments. Our next action point would be to set up meetings with the relevant teams to discuss the reasons why this is happening and how we can work together to ensure these time slots are protected.

Business case for Cost of Living improvements at KCL

At KCLSU, we are currently working on creating a business case proposal for College Council. The paper will outline the reasons why the changes would increase the attractiveness of the university to potential students, improve satisfaction rates of current students and improve the sense of belonging of the community at KCL. A few College Council members had expressed interest in inputting into this business case paper. This paper will be presented at the next College Council meeting.

Report of the Governance and Nominations Committee

Contents	Meeting at which considered	Consent agenda	Council action
1. Governance Review Report [Annex 1]	7 December 2023	No	Approve
2. Review of Council's Conflict of Interest Policy	7 December 2023	Yes	Approve
3. Membership and Searches update	7 December 2023	Yes	Note

For Approval

1. Governance Review Report

Motion: That the Council welcomes the Advance-HE review of College Governance, supports its recommendations and will now work through how best to achieve the objective of moving from good to great in terms of enabling King's to succeed in future.

Background:

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 Advance HE to carry out an external review of governance effectiveness. Advance HE have now concluded their review of King's Governance and have found that we are already doing many things right. There is of course room for improvement and in setting the challenge of moving from good to great there are some areas where King's will be sector leading on getting the right set of KPIs and the Board Assurance Framework. There are others where the on-going dispute with the unions over democratic representation needs to be resolved as part of this work. And there are some important hygiene factors where doing it better will help use our time more strategically and effectively to oversee the strategy and hold the executive to account.

There are some areas such as the right set of KPIs, the Board Assurance Framework and the way we improve that will involve all Council members as we go forward. There are others which will be just for the Executive and some for the appropriate Committees. The Governance & Nominations Committee (GNC) will oversee this work on behalf of Council and ensure regular reporting and further discussions where appropriate.

GNC recommends the report for approval, noting that it is Advance HE's report, that Council could determine not to agree with any particular recommendation, and that there is much to think about with respect to how to implement some of the recommendations. In addition to the final report, Annex 1 contains a summary list of the recommendations with an indication of steps needed for implementation and suggested timelines. This will be reviewed in detail at the February meeting of GNC.

At its meeting of 7 December, GNC was assured by the consultants that Council's ambition to move from 'good to great' was appropriate and compelling. It was noted that Council was clearly meeting all of its compliance responsibilities and was adding significant value in a dynamic and difficult environment. In considering the report, the Committee was of the view that many of the recommendations were relatively straightforward 'hygiene' factors that could be dealt with by the Secretariat and endorsed those recommendations. The Committee focused its attention on those that would have the most strategic impact, create clarity around the responsibilities of Council, and spoke to the best use of the experience and talent that members bring to Council's work. A summary of the Committee's discussion on those recommendations follows.

Recommendation 1

Introduce a benchmark KPI report, no more than 12-14 in total, RAG rated, offering trajectory over time, with a named Executive lead. This should be presented to each meeting of Council.

The Committee endorses this recommendation noting that there is already documentation in place for the Remuneration Committee which could be adapted, providing objectives with associated KPIs for the executive team as a whole and for individual executive leaders.

Recommendation 2

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

The Committee endorses this recommendation. Implementation will require consideration of what reports are needed and development of mechanisms to provide them. The Academic Board Operations Committee will need to be involved in this design.

Recommendation 4

Produce and implement a dedicated Council communications strategy.

The Committee views development of the strategy as key and looks forward to working with the new Executive Director early in the new year.

Recommendations 5&8

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

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.

The introduction of a Board Assurance Framework will be sector leading and the Committee is pleased to know that work is already underway for its development. A question was raised as to the role of the Chairs' Committee versus the GNC in oversight. The dispersal of ongoing oversight of individual risks from ARCC to other standing committees will require discussion within each standing committee and perhaps amendments to their terms of reference.

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.

In considering this recommendation, some history is helpful. Some years ago, prior to Lord Geidt's appointment as Chairman, Council met less frequently (three times per year) and in between meetings the Chair's Committee was very active and made substantive decisions on Council's behalf on a regular basis. Following the reforms in 2016 and the last five-year review in 2018, it was determined that the Committee's membership would include only the leadership of Council (Chair, Vice-Chair, Chairs of standing committees) and the Principal, that it would meet only as needed, and that if it were to meet to make a decision on a substantive matter, all members of Council who were able to attend would be welcome to participate. In the last five years it has met only seven times. The sense now is that the pendulum has swung too far and that there is value in making better use of the Chairs' Committee, but there is some unease about it assuming the level of substitute decision making it had in the past. Consideration needs to be given to its membership, the extent to which it would make decisions (there are times when it is necessary), and its relationship with other committees – particularly GNC.

Recommendation 9

The 2 Senior Vice Presidents (Academic) and (Health) who currently serve as members of Council are replaced by 2 “ordinary” staff (1 x academic, 1 x professional services) the precise 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.

Council members will know that the composition of Council and particularly staff representation on Council has been raised as a matter of concern by the UCU for the past several years. Within the sector, there is a range of models with respect to senior executive membership on the senior governing body from president only to president plus one to president plus additional executive leaders. The latter case - the King’s model, is less common and we do have a higher proportion of staff seats assigned to members of the senior executive than peer institutions. The Vice-Chancellor & President and the Senior Vice-President (Operations) have discussed the situation at length with UCU and the proposed solution has resulted from those discussions.

Accepting this recommendation would address UCU’s concerns to some degree. Nonetheless, before taking this evolutionary step, there are some issues that the Committee believes need consideration:

- How to maintain appropriate participation and accountability of members of the senior executive
- Senior executive members being in attendance rather than being members – what that means for meeting dynamics, and how many would attend at any given time
- Determining to which constituencies new staff seats should be assigned, the process for selecting seat holders, and issues of turnover
- Whether consideration should be given to increasing the size of Council to continue to allow for senior executive representation along with other staff

The Committee is largely supportive of all other recommendations in the report but would be pleased to have further discussion on any at Council’s request.

2. Review of Council’s Conflict of Interest Policy

Motion: That the amendment to the current Conflicts of Interest Policy, set out below, be approved.

Background:

The Council is required to review its Conflicts of Interests Policy every five years. The Governance & Nominations Committee recommends that only one change is made to the current Conflicts of Interest Policy: to add a line at section 2.5 (Identifying Conflicts of Interest) to reflect a new practice adopted last year:

The Secretariat will make an enquiry to the University’s investment managers annually to ensure that any investment holdings in parties related to Council members are disclosed appropriately in the Interests’ Log. An enquiry will also be made annually to the Finance Directorate to support members in disclosing ongoing contractual relationships between parties to whom they may be related and the University, of which they may be otherwise be unaware.

To Note

3. Membership and Searches Update

(i) Recruitment of new Chair of Council

The University instructed Odgers Berndtson to begin the search process for the next Chair of College Council. GNC members considered and commented on the proposed brief, the suggested timeline and the overall approach. The advertisement is due to be live from the beginning of 2024, and would be clear about the time commitment. The diversity of the College Council would also be a key consideration.

(ii) Recruitment of new Independent Member to serve as Chair of the Estates Strategy Committee (ESC)

A selection process will be underway early in the new year.

(iii) Recruitment of new University Secretary

The process to find a successor has started and the brief has been advertised. Other than a title change from College Secretary to University Secretary & Director of Assurance (to reflect change to university title and the critical assurance matters that already sit within the portfolio) the role is unchanged.

Clare Sumner
January 2024

King's College London Governance effectiveness review

Final Report
December 2023

—

Aaron Porter
Rex Knight
Sharon Tuersley
Zulum Elumogo

Advance HE was commissioned by King's College London to review the effectiveness of its governance and to prepare this report. It is intended solely for use by the Council of King's College London and is not to be relied upon by any third party, notwithstanding that it may be made available in the public domain, or disclosed to other third parties.

Although every effort has been made to ensure this report is as comprehensive as possible, its accuracy is limited to the instructions, information and documentation received from King's College London and we make no representations, warranties or guarantees, whether express or implied, that the content in the report is accurate outside of this scope.

Contents

1.	Introduction	5
2.	Executive Summary	6
3.	Main Findings	7
3.1	Moving from "good to great"	7
3.2	Developing a Board Assurance Framework	11
3.3	Council composition, staff representation and democracy	13
3.4	Other recommendations and findings	18
4.	Summary of recommendations	27
5.	Survey headlines	30
6.	List of interviewees and focus groups	33

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 suggestions 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 a 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 King's as set out in the next paragraph.

The case for the introduction of a BAF at King's is 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, <u>culture</u> and day-to-day challenges.	Reassurance  Assurance
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, <u>guidelines</u> 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 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 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

committee. In this way, it will be the relevant expert 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 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 Chairs' 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 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

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: King's 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 King's. 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 complementary 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). King's 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 committees and Academic Board and its committees by July 2024 and 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 College 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 committees and Academic Board and its 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. King's 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).
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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 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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Report of the Academic Board

Contents	Meeting at which considered	Consent agenda	Council action
1. In Defence of Value-Based Impartiality Annex 1	13 December 2023	No	Note
2. EDI Update on current activity and plans	13 December 2023	Yes	Note
3. Report of the College Education Committee	13 December 2023	Yes	Note
4. Report of the College Research Committee	13 December 2023	Yes	Note
5. Report of the Academic Board Operations Committee	13 December 2023	Yes	Note
6. Election of Associates of King's College (AKC)	13 December 2023	Yes	Note

To Note

1. In Defence of Value-Based Impartiality [Annex 1]

Academic Board discussed a report from the Vice President (International, Engagement & Service) which set out the balance between freedom of expression and a harmonious community, and how, as a university, to be impartial and handle disagreements.

The Vice President (IES) stated the importance of context, noting that background research for the paper had generated a list of geopolitical emergencies in the last ten years of different levels of complexity. There were students and staff from every community in every case. While it was not the University's responsibility to respond in every single case, historically, there had not been consistency in deciding whether to respond. This paper proposed to make the process consistent. Providing clarity would help to demonstrate that the University, and its community, were mature enough to have difficult and critically important discussions about what was going on in society and the wider world with civility.

During discussion points made included:

- General feedback that this was a good and necessary document, and an important step on the way to a university reference for providing the basis for taking positions on geopolitical and complex social issues.
- It was clarified that the terms "we" and "University" throughout the document referred to the institution and was not prescribing opinions of individuals within the University. The document intended to protect individuals' ability to speak and reflect their own opinions.
- Staff and students could speak out as individuals and say what they wanted to say and to whom (within the bounds of the law), including when they had an opposite view to the University, whereas the institutional view, which was the responsibility of management, would be limited to matters that related to its operations.
- As well as having guidelines the University should educate its community on the principles of freedom of expression, providing training and workshops. For example, the Chicago Principles were used widely as a pedagogical tool.
- That it be made clear that the wording of "safety" for staff and students referred to physical safety. Physical safety is sacrosanct, while emotional safety was more contextual. Psychological safety was not defined in law except with respect to harassment and bullying.

- Freedom of Expression Standing Advisory Group (FESAG): It was suggested by a member that FESAG's mandate be expanded to include academic freedom to enable it to help with the implementation of the document. The FESAG mandate was currently restricted to freedom of speech. It was noted that FESAG had been set up to provide support for high-risk events, that only a tiny proportion of events got considered by FESAG, and it had never disallowed an event. Staff perceptions about FESAG being used to restrict events highlighted that more needed to be done to communicate its supportive role. A paper would be brought to the next Academic Board detailing its history.
- The KCLSU President corroborated that students needed the protection of clear communication of legal guidance, and that they looked to their academics for leadership and guidance. King's had a very diverse international student body, and the current crisis in Israel and Gaza had been extremely challenging for KCLSU, with groups of students expecting it to take a clear partisan position. KCLSU represented all students, and was also subject to charity law, and so could not use its resources to enter into political discourse unrelated to higher education issues. KCLSU attempts at approaching (or not approaching) individual groups of students had sometimes been misunderstood.
- The guidance being developed to help King's community in understanding the legal boundaries both in the UK and elsewhere was the responsibility of senior management. An example of UK law which the University was under a duty to communicate clearly to its community was the proscription of Hamas in the UK as a terrorist organisation, making comments in support of Hamas illegal in this country. It was noted that such communications had been interpreted, in the past, as threatening though the intent had been to assist groups within King's to ensure they remained compliant with the law. Similarly, it was King's duty to provide its academic staff with guidance of the legal situations in other countries on work trips abroad.

The Vice-Chancellor reflected that the Israel/Gaza conflict was a difficult issue for all universities, and that he was reasonably confident that King's had managed it well so far and had protected the physical well-being of staff, but acknowledged that there had been concerns raised by individuals about their sense of safety on campus. There had been a lot of pastoral support; there had been protests, and King's had supported individuals who had been challenged by the authorities because of their views, but there had not yet been any formal, academic events tackling the issues and encouraging a deeper discussion about what this conflict was all about and how it could be understood. Freedom of speech was about creating conditions that enabled dialogue and discourse to take place. He encouraged anyone thinking of holding an event on the Israel/Gaza conflict to do so. It would be uncomfortable, and there would not be a consensus, but it would engender more understanding about the conflict, because difficult discussion was what a scholarly community did best.

2. EDI Update on current activity and plans

The Director, Organisational Development/Equality, Diversity & Inclusion provided an update on current EDI activity, issues and plans. A key challenge of bringing people together across the organisation in an inclusive culture was having programming that worked across the whole institution.

Recent and ongoing project highlights included: wellbeing; tackling harassment and bullying; new platform for Report and Support providing data not available previously and increasing the call out of inappropriate behaviour; active bystander training; identifying gaps in supporting colleagues with disabilities; the hidden disability sunshine scheme; the race equality maturity model; and a staff wellbeing network.

During discussion points made included:

- Report and Support: staff concern over who views the reporting data. Introducing clarity about who sees the information once complainants identified themselves would make staff more comfortable about reporting.
- Bullying and harassment and Report and Support: There was now a dedicated Employee Relations team in place and able to assist with instances where informal negotiations had not been successful.

- Concern was raised that insufficient attention was being put to those who held gender critical views. Assurance was provided that university policy did not discriminate against such views, and not did such views have any impact on promotion decisions.
- It was clarified that Stonewall had no impact on the University's policies and in no way presented any inhibition on academic freedom. The annual subscription offered King's some value but could be reconsidered at any time.

3. Report of the College Education Committee

The items in the CEC report were **approved** or noted on the Unanimous Consent Agenda:

- (i) King's Online Managed Programmes Academic Calendar [**approved**]
- (ii) Lifelong Learning Entitlement
- (iii) Review of UK Transnational Education Case Study
- (iv) Academic Skills update
- (v) King's Education Awards 2023-24
- (vi) Professional, Statutory and Regulatory Body Reports
- (vii) Periodic Programme Review reports

Information or papers related to any of the above items are available from the College Secretary.

4. Report of the College Research Committee

The first two items were removed from the unanimous consent agenda for discussion, and were approved on the understanding that a form of words for minor changes would be agreed outside of the meeting.

- (i) Proposal for New Equity Participation Policy (approved)
- (ii) Policy on the Ethical Conduct of Research involving Human Participants (approved)

The remaining items in the CRC report were noted on the Unanimous Consent Agenda:

- (iii) Research Capability Fund
- (iv) Establishment of King's Doctoral College
- (v) Financial Sustainability of Research
- (vi) Multidisciplinary Institutes Call

Copies of any of these, and the minutes of the Academic Board discussion, are available from the College Secretary.

5. Election of Associates of King's College

The Board approved the list of students and staff who had most recently completed the AKC programme.

Professor Shitij Kapur, Chair
January 2024

In Defence of Value-based Impartiality The University's response to complex social and geopolitical emergencies

The events of the last few months have initiated an active discussion about when and what position the University should take on geopolitical and complex social issues. In this short paper we lay out the basis for our response as a University, distinguishing thereby what individuals and groups may do, from what the University as an entity should do.

1. Universities are social institutions with a special duty to society and an obligation to its community. We have a duty, now enshrined in UK Law, to seek truth in our pursuit of academic inquiry, to share truth and to promote academic freedom in its service. At the same time, we are a community of students and scholars, who not only have ideas, but feelings, emotions, hopes and expectations from their place of work and study.
2. We must find the unique balance between our Duty of Academic Freedom and our regard for an inclusive and harmonious Community with learning at its heart. We must do so now and for all time, realizing that what may seem the self-evident truth at one time often becomes an inadequate view of reality with time (e.g. how thoughts about Creationism gave way to our understanding of Evolution, here at King's). At the same time actions and views that would seem self-evidently wrong at one time come to be understandable, and even laudable at another (e.g. how service of the Empire gave way to decolonisation). Since Universities are some of the longest surviving institutions, with serious responsibilities to knowledge, to the current and to future generations, how we balance our Duties and Community is critical to our future.
3. In this context what often comes up is "What is the University's view on this matter?" And why is the University not taking a position, not condemning a particular course of action or position that seems clearly wrong to most people and where many other institutions, and sometimes even other Universities, have taken a clearer position.
4. This paper takes our response to complex geopolitical emergencies as the entry point for a discussion but the case for **value-based impartiality** is by no means just about geopolitical emergencies but also applies to other complex social issues, which sometimes divide society including our community.
5. What these challenges have in common, is that there is often more than one view at King's. It is only natural that each group of King's students and staff affected by such situations want their plight to be seen and acknowledged and their cause supported by the University itself. When we only recognise the suffering of a group of students and staff in one situation but not in another, we inadvertently and negatively affect their sense of belonging as part of the King's community. Thus, in the service of its Duty and its Community, King's needs a consistent approach to these matters.

The King's Context

6. King's has students from at least 150 countries with accompanying complex identities, political dynamics and governance models which have inbuilt potential for structural and/or large-scale violence and recalcitrant conflict.
7. Similarly, students bring to the King's not only their national identities, but also their personal, sexual, gender, religious, ethical, and increasingly their environmental sensibilities and identities. And as in the geopolitical matters above, when issues affect

these identities, or pit one against the other, students and staff often like the University to take their side.

8. We have not always been consistent in our responses, nor have we always offered clarity to our community about why we speak on some issues, and not all. The time may have come for us to take stock of our past approach, offer clarity on King's approach so that our communities understand what we do or do not do in those situations and why.

Lessons from King's responses to geopolitical emergencies

9. Our record of response to political and geopolitical conflicts that impact members of our community throw up some lessons:
 - i. We have had an **uneven response** to geopolitical emergencies affecting members of the King's community. Some events go without a mention while others get a lot of attention (the Nagorno-Karabakh crisis occurred before the Israeli-Gaza crisis; it was not mentioned). Pronouncements of condemnation do not go down well unless we are ready to make similar pronouncements in all similar situations.
 - ii. **The perception of bias:** when parts of our community see us as condemning one party to a conflict but not the other party for acts of inhumanity, an impression is created that we have taken sides. This chills the environment for academic freedom, as those against that view feel inhibited in having their say.
 - iii. **The potential for conflict within our community:** we have seen situations where a group of students are demonised because their countries are seen as aggressors or offenders (as seen following the outbreak of the Russian-Ukraine war) or where students suffer feelings of insecurity (as was the case with Israeli students following the Hamas attacks).
 - iv. **Straddling the threshold of legality:** the actions of some of our members during these periods either through visible support for proscribed organisations or expressions that can be construed as "hate speech" can take them into the zone of illegality, creating complications for the institution. It is our duty to guide our students and staff about the limits of the law – assisting them to express their views within it and ensuring that they do not cross that line inadvertently.
 - v. **Responding to local attention and pressure:** Our response is sometimes by the degree to which an issue interests or affects sections of the King's community (particularly if that section is visible or well organised), or the degree to which the issue attracts global attention (e.g., Syria, Afghanistan, Ukraine, Israeli-Palestinian conflicts).
 - vi. **Complexity of Politics and consequences of Positions:** We are often pressured, by petition and campaigns, to take a stance as an institution. On the face of it, making a public statement about our collective humanity seems harmless, expressing moral outrage may seem simple. But such seemingly simple expressions convey a political stance that we haven't always been conscious of. Condemning Russia's attack of Ukraine, as subtly as we did, added to the demonisation of Russia which required the protection of our Russian students that faced isolation. We face similar challenges in the current Israel-Gaza conflict. Responding with statements to each evolving international crisis is an unwinnable approach, which makes us seem inconsistent, fosters divisions within our community.

Through all this what has been consistently lauded and appreciated is the **consistency of pastoral support** provided through our Chaplaincy and other divisions and the concern and the allowances by the rest of the University.

Value-Based Impartiality – Principles to Guide Future Responses

10. We propose the following principles to guide our future response:

- **Our first priority is the Safety and Security of our Staff and Students**

The security and safety of our students and staff is our first concern. In this regard, we will always speak and reach out to our students and staff and provide them with the care and support they need. This has always been appreciated by our students and staff. To achieve this, we should communicate and take the positions that are relevant. Sometimes this would mean reaching out to bespoke students directly [e.g., when a few students are affected directly]. Sometimes, this would mean messaging to a group from a region, or with some characteristics [e.g., when students from a particular country are affected]. And sometimes, this might mean communicating to the entire University.

Communicating this concern rarely requires public statements or taking political positions. However, there may be instances where publicly expressing our concern and actively lobbying for a position is in the direct security interest of our students (e.g., if students from a particular background are threatened outside the campus). In doing so we need to evaluate whether a public statement is indeed the best way to achieve our goal. In fact, in some circumstances (e.g., when staff abroad may be held by a hostile government or group, making such statements may worsen the situation). Deciding this will always remain a matter of context and judgement.

- **Our Duty of Academic Freedom requires Value-based Impartiality.**

Academic freedom, freedom of speech and expression, open scholarly debate are at the heart of King's. This is a fundamental Value for us a university. When the security of our students and staff is not directly and imminently threatened, this Value trumps others. We must defend the right of individuals to speak. They should be free to support, condemn, condone, discuss, and debate about all issues, including geopolitical and complex social issues – within the limits of the law.

In the service of this Duty, it is important that the University, as an institution and a corporation, not express a view, save where it directly impacts the security and safety of our staff and students. We are not a lobby or trade association and as such do not seek political goals or make public or corporate statements. Because a university or employer taking a position or a stance on an issue naturally inhibits the ability of a student or employee to speak their mind the University should avoid this, in all but the most exceptional circumstances.

The University taking a view or not cannot be seen just as a matter of majority or plurality. Just because 51% of the university, or for that matter even 99% of the University's staff feel a particular way, should not propel the University to take a position on geopolitical or sociopolitical issues. Because by doing so, we would create a tilted stage. We would send a message to a minority of our staff that they are against the institution, and the institution is against them. When the noted geologist Prof. Charles Lyell [who later became Sir Charles] was arguing against creationism in the 1830s at King's most considered it wrong and few would have voted for him to continue to outrage morals. Yet, history teaches us that entire society benefitted by allowing him, and others, to seek truth where it led them.

Therefore, in restricting our public position to those times that directly impact the security and safety of our staff and students, our impartiality is a value-based position. It may seem easier to just go with the majority, or side with the powerful. This value-based impartiality creates the enabling environment for seeking truth. It is not, as some may see it, an act of omission – but an active matter of principled restraint. We will seek to be fair and unbiased in the pursuit of our stated values in all situations.

But restraint as a corporate body, should not mean silence within the University. Quite the opposite. The University encourages its staff and students to actively engage in a scholarly discussion of these

very complex issues. There are enough people, bodies and institutions in our society that jump to taking polarized views based on ideology and limited information. The place of the University in such times is to ensure a thoughtful, scholarly discussion that sheds light on these issues – so that we, and the rest of society, may learn. That is the point of academic freedom. That is the purpose of a University.

But this academic freedom is not an unchanging absolute and does not mean “anything goes”. Our interpretation of academic freedom does not include any license for racism, antisemitism, Islamophobia, or the use of the protections of academic freedom to question the humanity of others or their right to exist as equals. Therefore, we do not see an incompatibility between inclusivity and academic freedom – though it requires special attention and norms to realize both.

- **Our regard for an Inclusive and Harmonious community**

Given that we support and welcome students and staff from different countries, religions, and identities – inclusion and harmony in the face of freedom of expression are not automatic. In fact, our adherence to the rights of an individual to have and express their views freely – may even create an inherent tension. And that is why it is important that we foster respect for each other and expect civility in discourse.

We differentiate between fostering respect and expecting civility. Respect is an attitude of admiration and esteem. It is deeply personal, and to be true it is something that must be earned. We shall do our best to foster it, but we must acknowledge that it cannot be demanded, especially when people hold deeply conflicting views. Civility on the other hand is a behavioural norm, it is a standard of behaviour that is set by a Community and expected in social interactions, regardless of whether one holds admiration or esteem for the other. And we must be able to demand this of our members.

It is our expectation that when such contentious matters are discussed at the University, they are done with civility that is an expectation at King's. A debate on these matters at King's is different from a free-for-all at Hyde Park. Within the law, our students and staff are entitled to hold and express their views and express them [within the limit of the law], even views that are offensive to others. But they are not allowed to harass, bully, or intimidate individuals or groups.

Those of opposing views owe each other the civility to present their views based on reason, to listen and respond to counterarguments. The intent is not to convince the other, but to understand the other point of view. Civility in these debates is enabled because the University is not there to declare a winner or a winning position. But in upholding value-based impartiality, it will call out behaviour that does not uphold civility and will take action when it violates our policies regarding misconduct.

- **Expression of Impartiality with Independence**

There are many who will not agree with this position, especially when it comes to a cause or a view they feel so dearly about. To ensure that the wisdom of this value-based impartiality is supported over time, it is critical that it be applied with fair and unbiased judgement and independence across all instances, regardless of pressures from within and without. It is acknowledged that at times this will be difficult, but only when this impartiality is expressed independently, and over time, will we fulfil our Duty and serve our Community.