

Sidney Sussex College

The Minutes of the meeting of
COLLEGE COUNCIL
Held via Zoom on Wednesday 26 May 2021

In attendance:

Senior Members Present

The Master, Vice-Master, Senior Tutor, Bursar, Dr Bordin, Dr Doran, Dr Fulda, Dr Garcia-Mayoral, Dr Oner, Professor Reynolds, Dr Roberts, Dr Seymour, Dr Stasch

Student Members Present

Mr Lowry, Mr Mettry, Mr Velazhahan

Also Present

Ms Harkin (College Registrar/Council Secretary)

UNRESERVED BUSINESS

1. INTRODUCTORY BUSINESS

1.1 Apologies for absence

Dr Fruk and Ms Kazani.

1.2 Approval of Agenda

The agenda was approved subject to (i) 2.2a and 2.2b being moved from Senior Tutor's to Master's business (2.1g and h respectively), and 2.3c being removed from the agenda to return at the Annual Meeting.

1.3 Declaration of Interests

Dr Bordin stated that he may have an interest in item 2.1g – the CTO review; the Master noted this but felt that this was unlikely to be a substantive personal interest due to the nature of the discussion at this stage.

1.4 Confirmation of the minutes of the unreserved business of the Meeting of Council on 5 May 2021

The minutes were confirmed.

a) Matters arising not elsewhere on the agenda

2.3b Pensions Insurance Corporation – Additional debt issue

The Bursar confirmed that there was no further information to convey to Council over and beyond that provided to Governing Body today.

2.6b June event proposal

The JCR president provided an update, informing Council that the decision had been taken to allow Sidney students to bring one guest each to the event, subject to requirements of a negative COVID test. Following this decision, all the tickets had now been sold. He also confirmed that the financial liabilities were unlikely to exceed the amount that the June Event committee has in its reserved funds. If, for any reason (including the lifting of COVID restrictions not happening on June 21), cancellation happened at the last minute and the reserves were not sufficient to cover the financial liabilities, these would be underwritten by SSCSU by way of an interest free loan to be paid back from future profits of future June Events and/or May Balls.

2. REPORTS FROM OFFICERS

2.1 Master's Business

a) Inter-collegiate business

The Master outlined the following items of inter-collegiate business that had been discussed since the last Council meeting:

- All the Colleges had agreed to support CBS2, which would be rolled out for the 2021-22 incoming cohort.
- GBEC had agreed an outline plan which aimed to have everybody back in Cambridge who was able to return in Michaelmas term 2021-22 and that there should be as much in person teaching as possible, particularly small group teaching, subject to prevailing COVID restrictions.
- The regulations for next year's exams have been suspended in order to enable faculties/departments to decide on what set of arrangements would work best for them.

b) Risk review – cover note (CC.210526.2.1b)

(i) Governance risk (CC.210526.2.1bi) and (ii) Inter-collegiate relations risk (CC.210526.2.1bii)

Council noted the risk entries and had no comments to make.

c) *College Calendar (CC.210526.2.1c)

Council noted the College calendar for 2021-22.

d) Appointment panel for Law CTO

The Master explained that Dr Saunders had been successful in winning a research contract so will be stepping down from her CTO position. Accordingly there was a need to appoint a Law CTO to replace her. The appointment panel would consist of the Master as

chair, the Senior Tutor, Professor Armstrong, Dr Bordin, and Dr Palmer as an external member. **Council approved** the panel.

e) 425th Anniversary Celebration

The Master explained that 14 February 2021 had been the date of the College's 425th anniversary. The intention had originally been to repurpose the Foundation feast for celebrating this but this had not been possible. It was therefore now being proposed that the Audit dinner be repurposed instead but the Master invited alternative proposals. Council **accepted** the proposal.

f) Artwork in Old Kitchen

Following a suggestion from students about the type of artwork that should be displayed in the Old Kitchen, the Kitchen Project Oversight Committee (KPOC) has proposed the commissioning of a series of photos of alumni so that the College could display a more diverse set of people associated with the College than in the main College Hall. This proposal would take time to implement. It had therefore been suggested that a photography competition with a Sidney theme be arranged, with the intention being to rotate different sets of photographs over time. Council **approved** the proposal.

g) CTO review

The Master reminded Council it had agreed that the combination of the kitchen project and the pandemic would mean a delay in implementing the CTO review. However, as the kitchen project was now near to completion, the intention was to move forward with the review starting in Michaelmas term 2021. A Committee would be set up to oversee the review and Professor Christopher Hill was proposed as Chair for this committee, suggested because of his experience in running a department and conducting similar reviews. Council **approved** the suggestion of Professor Christopher Hill as Chair though some members suggested that there should be a committee member who was external to Sidney, perhaps having direct experience of being a CTO.

h) Disciplinary process for student complaint against a Fellow – policy questions (CC.210526.2.2b)

The Master reminded Council of its decision, taken in December 2019, to make the University's Office for Student Conduct, Complaints and Appeals (OSCCA) the forum for handling reports of misconduct only involving students.

Following that decision, Statutes and Ordinances Committee had confirmed that the college had the authority to discipline Fellows for misconduct, but also advised that further work was needed to

establish a clear and transparent process when dealing with student reports of misconduct by Fellows. Before the Committee could draft a revised process, Council was asked to answer a series of policy questions; in each case, Statutes and Ordinances had suggested a direction of travel as a starting point for the trustees' deliberations.

Q1. When the university initiates a disciplinary process following a student's report of misconduct by a Fellow, should college rules defer to that process?

Council agreed that the College rules should defer to the University process when it could be used for a report of misconduct by a Fellow.

Q2. When a University HR process results in a finding against a Fellow, should a further disciplinary college process remain available?

Council agreed that the College should accept the University's findings of fact without undertaking a new investigation. However, three points were emphasised:

- (i) The college needed to be satisfied that due process had been followed by University HR in its disciplinary dealings with the Fellow. It was acknowledged that any HR and disciplinary process would be confidential. It was crucial, however, that the findings of fact and any sanctions imposed should be shared with the College.
- (ii) Whenever findings of fact by the University's HR process or by a court are available, they should be used by the College in any internal disciplinary process against a Fellow.
- (iii) In the aftermath of a Fellow's exoneration on a charge of misconduct, the reporting student(s) and other students may nevertheless feel themselves still to be at risk. It was hoped that legitimate concerns could be addressed within the separate framework of the college's duty of care towards all its members via its 'safeguarding' policy.
- (iv) Student representation: It was recognised that there is no student representation on Statutes & Ordinances Committee so students had not been able to feed in their views directly to this Committee. The Vice-Master asked the JCR President if he could assemble a group of students to look at the specific points raised by this question.

Q3. Is there sufficient independence in the college process?

Council's view was that the College should be given the power (but not be compelled) to appoint an independent investigator or external members to a Disciplinary Committee if they felt the situation would benefit from it. Contrary to S&O's suggestion, however, Council thought that the parties to the proceedings should not themselves have the power to ensure that an independent person be involved. Concern was raised about the cost of bringing in an independent investigator and the length of time that an independent inquiry might take.

It was noted that there was already sufficient independence in the appeal process which prescribes that the chair of an Appeal Panel 'shall be legally qualified and neither a Fellow nor an employee of the College'.

Q4 Is there sufficient transparency and involvement of the student complainant in the college process?

Council agreed that both parties should have a right to an oral hearing by the Disciplinary Panel (not just the Fellow against whom the proceedings are instituted).

Q5 In cases of physical and sexual misconduct and abusive behaviour, should the college disciplinary process for Fellows include an informal option, and if so, should the choice lie with the reporting student?

It was explained that the OSSCA process includes the option of an 'Informal Complaint procedure for Sexual Misconduct' which involves no formal findings; the choice of using this option lies with the reporting student.

The JCR president was concerned that, in the absence of such an 'informal' option, the complainant might be forced into formal proceedings by a Fellow who wanted to exonerate him/herself. It was recognised that Statute & Ordinances Committee had assumed that the reporting student would welcome a formal procedure. Council suggested that Statute & Ordinances Committee should give the different perspective voiced by the JCR President additional consideration.

In discussion, the view was expressed that a person accused of misconduct must not be denied the right to a full disciplinary process, with all the guarantees built into it. Moreover, a process for facilitated resolution could only succeed with the commitment of both parties to it. The power imbalance between student and Fellows, however, meant that any facilitated resolution process must be clearly spelt out.

Actions:

(i) **The JCR President** to assemble a group of students to look at the specific points raised in this agenda item (particularly in relation to question 2, 3 and 5) and feedback to the Vice-Master as Chair of Statute & Ordinances Committee.

(ii) **Statute and Ordinances Committee** to discuss further the issues raised in relation to this agenda item and proceed to draft a revised disciplinary process for student complaints of Fellow misconduct, to be brought back to Council.

2.2 Senior Tutor Business

Following the agenda changes, there was no business.

2.3 Bursarial Business**a) Environmental Sustainability (CC.210526.2.3a)**

The Bursar spoke to her paper, explaining that there were two elements for consideration by Council:

- (i) The proposal to establish a working group to develop an Environmental and Sustainability strategy for College. Climate change is increasingly recognised as being a threat and it is important that we all play our part in supporting the aim of the Paris agreement. The working group would consist of a Chair and 4-5 members made up of fellows and students, with the Bursar, Domestic Bursar and relevant Heads of Departments reporting to it. **Council approved** the setting up of a working group for the purpose outlined.
- (ii) Bank Lending: the University Divestment Report had identified that the vast majority of new fossil fuel financing comes from bank loans. Barclays is the 7th largest financier in the world, and largest in Europe. There is research which proves that influencing change is most effective where there is direct engagement by senior officers domiciled in same country. With this in mind a letter was drafted by the University's Adviser for Responsible Investment to be sent on behalf of Colleges, signed by the Bursars of those Colleges who bank with Barclays. Twelve Bursars have signed so far, and the remaining Colleges are seeking approval to sign through their regular governance structures. The signing of the letter has been considered by Finance & Needs Committee, but this Committee felt that without an overall College position on Environmental Sustainability, it was not in a position to agree and it was a matter

for trustees. Council **approved** the signing of the letter by the Bursar in her role as Bursar.

b) Keeper of Silver Report (CC.210526.2.3b)

Council **approved** the recommendation to continue with a stipendiary position of Keeper of Silver. Thanks were **recorded** to Dr Jackson Ravenscroft for her work on the report.

c) **Whistleblowing policy (CC.210526.2.3c)

This item was removed from the agenda, due to feedback received since the Council papers were prepared. It will be brought back to the Annual Council meeting in June once the outstanding questions have been addressed.

d) *Use of College Seal

i) 12 Sussex Street – Lease and Licence

Council noted the new lease for the Unit on the corner of Sussex Street and Hobson Street. The new tenant is RoundHouse Design.

2.4 Development Director

There was no business.

2.5 Steward's Business

There was no business.

2.6 Student Business

a) MCR report and plans for Easter Term 2021 (CC.210526.2.6a)

The MCR president summarised the activity arranged for the Sidney post-graduate community during Easter term. He also mentioned that the MCR had been renovated with new furniture and light fixtures, and would shortly be opened up to students. Council **noted** his report.

b) MCR Constitution

i. *Previous version approved by Council 20 May 2020 (CC.210526.2.6bi)

ii. Proposed new version (CC.210526.2.6bii)

The MCR President explained that this year elections to the MCR were begin run in Easter term. He summarised the main changes that had been made to the MCR Constitution in advance of these elections; these were the introduction of a Vice-President role to support and help out with the workload of the President, and some changes in the role description and

length of term of some of the other roles. Council **approved** the changes.

3. REPORTS FROM COMMITTEES

3.1 Finance & Needs Committee

a) Unreserved minutes of the meeting of 10 May 2021 (CC.210526.3.1a)

The Bursar drew attention to the updated forecast for this year – a deficit of £1.7million due to the pandemic. She said that a draft budget for next year was currently being produced, and currently shows a deficit of £1.5 million due to the significant loss of income from conferencing this summer and commercial property. Free reserves were still negative but liquidity was good. She also emphasised that although the College could only reclaim 80% of furlough payments, the College had made the decision to pay furloughed staff their full salary, costing the College £400k. Finally, the Bursar drew attention to the three new HR policies submitted to Council for approval. She explained that the Agile Working Policy was a one year transitional policy which enabled an element of working at home to be retained for administrative staff, but with the default position being one of coming into College. Council **approved** the policies listed.

- i. ****Recruitment of Ex-offenders Policy (new) (CC.210526.3.1ai)**
- ii. ****Vaccine Policy (new) (CC.210526.3.1a ii)**
- iii. ****Agile Working Policy (new) (CC.210526.3.1a iii)**
- iv. ****Flexible Working Request (update following regular review) (CC.210526.3.1a iv)**
- v. ****Security Policy (update following regular review) (CC.210526.3.1v)**

3.2 Prevent Committee

a) *Unreserved minutes of the meeting of 13 May 2021 (CC.210526.3.2a)

Council noted the minutes

i. Independent Review of Prevent – College response to Government's call for evidence (CC.210526.3.2ai)

Dr Fulda, as Chair of the Prevent Committee explained that the Government had promised this review for a long time. The Committee had selected three questions from the consultation which they felt best placed to contribute to and the proposed response to these was presented. Council **approved** the responses as drafted.

4. OTHER BUSINESS

4.1 Any other business

There was no other business.

4.2 Date of Next Meeting

Wednesday 30 June 2021 following Governing Body meeting (Annual Meeting)