

# Minutes

Subject:	Minutes of the UEASU Trustee Board 6 April 19
Produced by:	Tony Moore
To:	Board
Action:	To approve
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Paper:	TB 943
Purpose:	Record of Decision Making

**Present:** E Johns (EJ) (Student Trustee), C Flanagan (CF) (Student Trustee), M Marko (MM) (Full Time Officer Trustee) J Chapman (JC) (Full Time Officer Trustee ), H Bowen (HB) (Part Time Officer Trustee), L Deary (LD) (Part Time Officer Trustee) S Atherton (SAT) (Full Time Officer Trustee), B Gibbins (BG) (External Trustee), K Watchorn (KW) (External Trustee), O Gray (OG) (Full Time Officer Trustee), R Flaherty (RF) (PG Student Trustee), S Ascania (SC) (Student Trustee)

**Chair:** G Burchell (Full Time Officer Trustee)

**In attendance:** A Moore (AM) (Clerk to the Board), T Cave (Head of Finance) (TCA), T Cunningham (TCU) (CEO)

**Apologies:** M Jopp (External Trustee), C Wilson (Director)

## Key Decisions/deliberations:

- *Appointed Dougie Smith as an External Trustee*
- *Discussed violence at Union music events*
- *Union Finances*
- *Extinction Rebellion*

## Action Points

- *Design of KPIs email to be circulated to all Trustees TM*
- *Proposal to increase the membership pf the sub-committees to be be discussed at AHRC JC*
- *Enforcement of disciplinary sanctions against individuals exhibiting violence in Union venues to be universally applied; report on violence in the venues, including results of licensing investigation, to come to June Board TCU*

- *Upcoming changes to LRC ticketing, entry and security arrangements to be publicised widely to students before implementation TCU*
- *Brexit information on website to be constantly reviewed and updated TCU*
- *More microwaves to be installed in the Hive TCU*
- *Union will ask whether all University non-staff Councillors have responded to opportunity to apply to serve on the Union Board. If so and nobody has applied, AHRC ad hoc meeting to interview Jeremy Clayton for appointment at June Board JC*
- *Management Committee to review staff appraisal of Extinction Rebellion demo when complete and decide on Union's participation – Trustees to be informed of decision SA*

## **Statements from the Chair**

Chair welcomed F Fay to their first Board meeting.

## **ADMINISTRATION**

### **TB922 Register of Interests**

There were no new declarations.

### **TB923 Minutes of the previous meeting**

The minutes of the meeting held on 18 December were agreed.

### **TB924 Action Log and Matters Arising**

Chair noted the action points were completed or were covered elsewhere on the agenda.

Chair noted that the email asking for comments on the design of KPIs had been sent for comments but none had been received: Chair asked for the request to be re-sent. **AP**

Chair noted that, because of a problem with KW's IT account, KW had not received the draft CEO contract; this would be resent and the final version would be ready in the near future.

Board agreed that the proposal to increase the membership of the sub-committees would be discussed at AHRC and appropriate action taken. **AP**

*There were no further comments or matters arising.*

### **TB925 Sub-Committee Minutes**

*Noted.*

Chair noted the recommendation from AHRC to appoint Dougie Smith, NUS Scotland's Membership Development Manager as an External Trustee.

*The Board agreed unanimously to the appointment of Dougie Smith as External Trustee.*

### **TB926 UEASU Election Results**

TCU reported that the election had been sadly overshadowed by the suicide of a UEA student: with the agreement of the candidates, campaigning had been suspended for a period of time. TCU noted, consequently, turnout targets had been abandoned and the number of votes cast was well down on previous years. TCU advised that, procedurally, the election had gone smoothly and the Returning Officer had reported that the election had been fair and complete.

*There were no comments.*

### **PERFORMANCE**

#### **TB927 Chief Executive Report**

TCU drew attention to the written report. TCU advised that two issues had dominated SMT's work during the latter part of the term: the suicides of two students and the problem involving the licensing of Events.

Chair inquired whether Trustees had questions over student mental health in relation to the two deaths.

*There were no questions as to student mental health.*

#### ***Licensing/Violence in Venues***

CF, on licensing, wondered, as to TCU's interactions with the University, the reasons for Grime being thought of as high-risk as this might indicate a form of institutional racism.

#### ***Redacted due to commercial sensitivity***

EJ wondered as to the admission rules for 14 to 18 year olds.

TCU advised that the rules stated that 14 to 18 years olds had to be accompanied by a responsible adult. TCU noted that, in future, risk assessments would include extra door staff to check on admissions when a number of unaccompanied 14 to 18 year olds might try to attend. TCU advised that the ticket terms and conditions would be changed to include the accompanied by a responsible adult requirement.

Chair wondered whether the accompanying adult ratio would be one to one.

TCU advised that this would be a matter of judgement: a parent with three to four children would be fine but a nineteen year old with a younger brother with group of their friends would not be.

SC wondered whether the Union could require the responsible adult to be over 21.

TCU advised that this would be impossible as legally 18 year olds had the status of an adult. TCU added that there might be the possibility of restricting some gigs to over 18s but that there would be a high probability of losing the gig as they would become commercially unviable for the promoter.

***Redacted under the Staff Protocol***

EJ wondered whether there had been any further discussions with UEA Security as to prior notice of higher-risk events.

TCU noted that, for the event where the running fight had taken place UEA Security had had the Union's risk assessment three months in advance and had offered no comments and had not informed the police of any heightened risk. TCU advised that, once the investigation had been completed there would be an overall security review which would include liaison with UEA Security. ***Redacted due to Commercial Sensitivity***

SC argued, that particularly in view of the recent rise in knife crime, there should be zero tolerance of any fighting in the LCR with an immediate three month ban imposed on offenders. SC noted, from their own experience, that fights were getting to be a regular occurrence: especially in the Hive. SC thought the problem should be tackled at its roots.

TCU noted the music played in the Hive was popular and this meant that when the LCR was busy people got funnelled through the Hive dancefloor many with drinks in their hands: this, inevitably, led to arguments which sometimes turned violent. TCU noted that staff had reduced the capacity in order to better monitor flows and would experiment where to play different styles of music. The experiments would run alongside a new entry management system.

TCU noted, as to penalties for fighting, that anyone involved in a fight was issued with a red card banning them until they had met with the Duty Manager where the manager could impose a one month ban. TCU noted that if the manager deemed the offence to be of a serious nature they would refer it for investigation under the Union's Code of Conduct. TCU advised that a judgement would need to be made as to whether all cases should be investigated as this would have significant implications in terms of staff resources. TCU advised that the Union operated under two sometimes conflicting pieces of legislation: the Licensing Act which gave the Union the power to ban a member from its premises and the 1994 Education Act which safeguarded students' access to all Union services. TCU advised that management would be happy to draw some lines if the Board requested them but Trustees should be mindful that if there were five fights a week this would mean five investigations a week.

SC noted they took the point but thought it would be beneficial to find a way to impose an immediate ban.

RF thought this would create the problem of how one defined a 'fight.'

OG argued that this might include victims of violence and that one way forward might be to target repeat offenders.

TCU advised that repeat offenders were already targeted as members incurring a second red card were automatically dealt with under the Code of Conduct.

CF suggested that the system might be streamlined by having two students form a panel with the Duty Manager when a member attended the first interview.

TCU advised that, in a sense the system, was already streamlined as, when a member attended an interview, they had the option of either accepting an immediate ban or asking for the matter to be referred to the Code: if they opted for the latter, the ban on entry remained in place until the Code process had concluded.

EJ asked whether the Union was currently in regular contact with the police and, if so, were the police responding to recent events in a more positive way.

TCU advised there was current contact at two levels: working with the local Earlham police station and the police licensing team. **Redacted due to Commercial Sensitivity**

### ***Redacted under the Staff Protocol***

KW wondered whether violence was restricted to Union House or was it a problem elsewhere on campus.

TCU noted that there had been incidences of serious sexual assault and drug use elsewhere on campus; however the Union had only limited information from the University. TCU noted that the Waterfront had not seen an increase in violence. **Redacted under the Staff Protocol**

Chair noted, as a member of the University Student Safety Group, that there had been an increase in all types of misbehaviour in the current year and this might be linked to the current year's student demographic.

TCU advised Trustees should note that student numbers although steady for the current year had increased significantly over the past five years.

EJ wondered how student staff serving alcohol were monitored.

TCU noted that there were two front of house supervisors for monitoring and a member of security staff at each bar to intervene if there were any problems around refusal to serve an intoxicated customer.

EJ noted concerns about arrangements for students getting home after being refused admission due to intoxication.

TCU advised that, if door staff were worried, they would signpost them to the student volunteers from the Alcohol Impact Group who would provide support. TCU noted that the volunteers played a key part at the end of the night supporting potentially vulnerable students.

CF asked it be minuted what a brilliant job the Group did.

FF wondered whether the Red Cards were logged so that trends might be identified.

TCU advised that radio logs on the night were recorded and all incidents, including Red Cards, were logged in real time.

*LD joined the meeting.*

JC asked that communication of any changes made to security and venue management should be proactive and information made available to students. JC noted that SA, as Chair of Management Committee had been asked to issue a statement; JC believed that this was not the right approach: there should be a coherent communications strategy in place.

SA noted complete agreement and asked that the changes that had been made should be communicated as a news item on the website and that any futures changes made as a result of the current investigation should be immediately uploaded as a new story and in relevant social media.

Chair asked that the request be minuted. **AP**

TCU advised that the changes referred to had been made to ease the congestion around the entry point where students were arriving within in a ten minute window: the changes had included a ticket supplement to allow entry at any time.

TCU advised that OG and SA had attended the meeting where the changes had been agreed and a communications plan had been put in place but there the plan had not been followed through and this had been discussed with the staff member responsible.

Chair asked that it be minuted that the Board had concerns about the way sanctions against violence in the venues were applied. Chair asked that the report from the current investigation be an agenda item at the June Board and that details of Red Cards issued be included in the report. **AP**

### ***Senior Management Team***

Chair noted the intention in the report to pause recruitment to the vacant position on SMT until the outcome of funding discussions with the University was known. Chair noted concerns, in that SMT only consisted of TCU and a relatively new staff member, and wondered, if this carried on into the medium to long term, whether this was the best approach to take.

TCU advised that it was a pause and the ultimate decision would be made by the Board. TCU noted an ambitious budget had been set for the current year and the Union was not performing to budget but the situation had been somewhat ameliorated by the fact that senior posts in both commercial and charity had not been filled. TCU advised that options for the senior management structure would be brought to the June Board: trying to avoid the extremes of the Union having a fat head and a small body of having a tiny head and big body. TCU noted that a major difficulty would be that the University preferred to increase funding for specific projects and was reluctant to increase the block grant which covered management and central services.

OG noted that the issue had been closely examined by Finance Committee.

### ***Annual Staff Survey***

JC wondered whether the results from the Annual Staff Survey were available.

TCU advised that the results had not as yet been collated: when they were they would come to Management Committee and to Board.

### ***Brexit Briefing***

EJ noted that the Brexit information on the website was out of date and, as this was a key resource for international students, it should be regularly updated

Chair asked that this be noted for action. **AP**

### **TB928 KPIs Update**

TCU highlighted the areas in red where the actions were predicated on the University's Wellbeing Strategy; TCU noted, in the light of recent events the University was rewriting that part of the strategy and this had delayed progress in this area.

*There were no comments.*

## **COMMERCIAL AND TRADING**

### **TB929 Development and Oversight Board Minutes**

*Noted.*

### **TB930 Social Enterprise Report**

TCU drew attention to the written report.

CF wondered, as to the relationship with Spar, whether there was anyway the Union could stop this going downhill.

TCU advised that the gap between this year's sales and last year's was progressively getting smaller. TCU highlighted two issues that had contributed to the earlier problem. The Union had chosen not to use the Spar till system as the Fidelity system allowed the Union to develop a loyalty scheme: the interface between the two systems had proved problematic but these difficulties were gradually being resolved. The Union had also bowed too much to Spar's retail expertise and allowed it to dictate the range of goods being sold; this was being resolved by Union staff being given back control.

RF noted complaints from students that there was not as much gluten free food available as previously and it was not included in the Meal Deal.

TCU advised that there had been some problems at the start of the year when gluten free had not been included in the Meal Deal but this had since been rectified. TCU advised that the current range of gluten free and vegan food was, in fact, more extensive than in previous years.

SA noted they had organised what had been a highly productive meeting between Shop staff and the Vegan Society.

CF believed, after speaking with colleagues, that the problem seemed to stem from the fact that Spar didn't seem to understand students as customers. CF noted the current deal allowed for an 80/20 split on ordering and wondered whether the Union's 20% might be increased.

TCU advised there was some flexibility as the Union could order goods that Spar could not supply. TCU noted that, over the summer, the Shop would be shrinking the grocery range and non-food items and increasing ready-meals and easy to cook items. TCU advised that recent NUS surveys had identified and increasing number of students bringing their own homemade lunches on to campus and this provided increased competition for the Shop.

SA noted, as to TCU's last point, that there was only one microwave available in Union House for UG students to use to heat their meals and asked for more to be installed.

Chair asked that installation of more microwaves in the Hive to be minuted as an action point. **AP**

*There were no further comments.*

## **FINANCE & LEGAL**

### **TB931 Summary of Finance Committee Business**

TCA highlighted the four key items that the Committee had considered:

- Quarterly Management Accounts – on budget but with caveats
- Budget Estimates process
- Historic Pension Deficit – no action required – but the Board should be aware of the impending six-figure liability that would impact from 2021 - continuing for around fifteen years
- Financial Controls update as requested by the Board in the light of the Audit Report

TCA presented a slideshow summarising the Union's financial situation which had also been shared with Union staff.

As to the current year's budget, TCA noted the Union had budgeted for a £420K rise in commercial income and a £400K rise in Charity spending.

TCA advised the situation could be characterised as a simple one having no simple solution.

TCA noted that the two key drivers of the Union's finances were: the gross profit derived from commercial sales and the amount spent on staff salaries. TCA advised that the problem going forward was that there was a question mark over the Union's ability to raise the GP, plus, staff costs were inexorably rising. TCA noted the almost doubling of staff costs over the last five years.

TCU, for context, advised that the huge rise had been due to the major staff restructure where staff costs had been stripped out of the commercial side



and invested in staff providing charitable or central services.

TCA advised that, if the current levels of capex and pensions deficit expenditure were to be maintained, the Union would be looking at a budget deficit for 19-20 of around £240K.

TCA believed it would be irresponsible to not honour the Union's pension liabilities so this left for debate: what counted as capital expenditure. TCA advised that the Union was committed by the terms of the new lease for the Waterfront to spending £90K on its refurbishment.

TCA suggested that there were two possible avenues to be explored in augmenting funding of capex: a request to the University for funds to cover specific projects and/or the utilisation of the current reserves; minus the Union's declared level of cash to be held to cover three month's staff cost to spend on revenue generating projects. TCA noted that the surplus in the current reserves was around £700K and its investment in services for members or in revenue generation would be viewed favourably by the Charity Commission.

TCA advised that the use of the reserves would tide the Union over in the short-term but for the longer term the Board would need to use the time gained to set an overall financial strategy.

TCA noted that, in the immediate future on income generation, they would be meeting with Venues to see if anymore income could be generated in 19-20 and there would be an expectation that after the teething problems, the Shop would perform better.

TCA advised that these initiatives, might alleviate a cutting of capex. However, if they did not, there would have to be an examination of saving money in areas of discretionary spending such as campaign budgets and staff welfare spending with choices being sent for consideration to Union Council. TCA advised that if savings could not be made in discretionary spending the Union would have to look at staff costs.

TCA concluded by noting that, if a decision were made to use any surplus reserves, this would only provide two to three years' grace and the Board might look at its long-term financial strategy during the Strategy part of the Strategic Development Weekend.

*There were no comments.*

### **TB932 Second Quarter Management Accounts**

*There were no comments.*

### **TB933 Budget Estimates**

*There were no comments.*

## **STRATEGY**

### **934 Strategy Development Weekend**

*Noted.*

## **RISK**

### **TB935 Risk Register**

TCU highlighted the updates to the RAG ratings:

- Brexit
- The increased risks around licensed trade
- NUS – more clarity around support for Officers and campaigns with provision from WONKHE

*The updates to the Register were received without comment.*

### **TB936 GDPR**

TCU reported that all managers had completed the slightly adapted University training and this was being rolled out to all staff. TCU noted there would be a compliance audit during April and TCU was satisfied that the Union would be moving toward full compliance by the 30 May deadline.

*There were no further comments.*

## **SUNDRIES**

### **TB937 Key Decisions of Union Council**

*There were no comments.*

### **TB938 Any Other Business**

#### ***University nominee to the Board***

JC reported that the University had finally been in contact and had recommended one of the independent members of University Council and, if they were not thought to be suitable, three present or past Senate members of Council for consideration.

Trustees noted some concerns over gender balance and the fact that the Senate members of University Council were University employees. In the light of the gender balance concern, Trustees asked that any decision should be delayed to give all the independent members of University Council time to register an interest.

*The Board agreed to wait three weeks to allow other independent members of University Council time to register an interest; if none were shown, to invite the member recommended by the University to interview by the AHRC.*

#### ***Extinction Rebellion***

FF asked for an update on the proposed Union support for students to attend

the Extinction Rebellion demonstration.

SA noted a funding request had come to SOC but that it had been extremely difficult for staff to compile a risk assessment as Extinction Rebellion was a decentralised organisation and it had proved difficult to establish firm information as to even the planned location of the demonstration.

HB wondered when a decision would be taken as to Union support.

Chair noted that a decision would be made by Management Committee when further information had become available and that the decision would be circulated to all Trustees.

### **TB939 Revised Cycle of Business**

*Noted without comment.*

### **TB940 Time, date and place of next meeting**

4 pm, 18 June, Room 1, Union House