Minutes
Board meeting, 27 January 2015

Equality Challenge Unit
Company limited by guarantee

36th meeting of the board of directors

Tuesday 27 January 2015, ECU, Queens House, 55/56 Lincoln’s Inn Fields, London WC2A 3LJ

Chair
  = Janet Beer

Board members
  = Margaret Ayers
  = Patrick Johnson
  = Geoff Layer
  = Michael MacNeil
  = Debbie McVitty
  = Jane Norman
  = Colin Riordan
  = John Ryan
  = Barbara Stephens

Observers in attendance
  = Amy Norton, HEFCE
  = Fiona Waye, UUK

ECU secretariat
  = Juliet Adams, head of resources
  = Chris Hall, head of stakeholder relations and communications
  = Gary Loke, head of policy
  = David Ruebain, chief executive

Apologies
  = Fiona Burns, SFC
  = Dee Easter, GuildHE
Item 1 – Welcome
1. The chair welcomed members to the 36th meeting of the board and noted apologies.
2. The chair asked those present to declare any conflicts of interest. None were declared.

Item 2 – Minutes of the last meeting
3. The minutes of the last meeting held on 8 October 2014 were received without further comment.

Item 3 – Matters arising
4. There were no matters arising.

Item 4 – Chief executive report
5. The chief executive presented his report and made specific reference to the following:
   - ECU sector surveys – the latest biennial survey closed on 9 January, although there was a delay in analysing the results due to the research and data manager being taken ill. Some initial analysis had however been done within the team and overall the response was positive. A full report would be presented at the April board meeting. ACTION: GL
   - OFFA and access spend – a meeting had taken place with OFFA’s director, primarily to discuss ECU’s future funding model and possible collaboration with OFFA, including encouragement in its guidance for HEIs to subscribe to ECU. Preliminary and similar conversations were underway with OIAHE, particularly looking at the potential for collaborative work where complaints received by the OIAHE link to equality and diversity.
   - Private and for-profit providers of HE – a meeting had taken place with the vice chancellor of Regent’s University London and ECU had agreed to work with them to develop ECU’s offer for private providers. There may also be an opportunity to consult with the newly formed Independent Universities Group.

The JNCHES representative cautioned against dilution of ECU’s high standards if ECU engages with ‘for profit’ organisations. The chair noted that a number of private providers were members of UUK and ECU could therefore choose to accept UUK’s membership as a reason to engage as all members were required to meet certain criteria. The UUK representative suggested ECU include GuildHE and agreed to provide
criteria to the board to review. **ACTION: FW**

The chief executive acknowledged the need to develop a distinct offer and noted that there were a range of membership options wrapped up in current work. He could see no reason why developing tools to assist in advancing equality and diversity should not include ‘for profit’ organisations.

**Item 5 – ECU post-2015**

6. The chief executive, summarised the current funding position of each of the six core funders and reported that ECU was finalising its investment paper to HEFCE, in preparation for the meeting with Madeleine Atkins (CEO of HEFCE) on 18 February. He reflected that the organisation would have greater clarity on funding by the April board meeting.

7. Gemma Instrall, ECU’s engagement manager, joined the meeting to apprise the board on progress in relation to developing a subscription model. Gemma shared the proposed timetable and reported that ECU would make an announcement post the HEFCE decision. In the meantime, discreet soft touch consultation with the sector and desk research was ongoing. A formal consultation on the offer would follow in April and infrastructure changes were already being implemented including further development of a CRM system to include a membership portal. It was anticipated that everything would go live in October, with the latter quarter serving as a recruitment push before the official launch of the subscription service in January 2016.

8. Gemma sought input from the board on who to influence to ensure the subscription fee would be forthcoming and use of ‘members’ versus ‘subscribers’. Board members thought this was likely to be HR or the registrar/University secretary and agreed on ‘subscribers’. Gemma confirmed plans to keep subscription open for the duration of 2016 and progress to an academic cycle thereafter. It was suggested that ECU may need to consider aligning its financial year with the academic year. The chair suggested some preparatory work needed to be undertaken in advance of the invoice arriving on desks, specifically reminding the sector of what ECU does. It was important that the sector realised that the status quo was not on offer and ECU should conceive of a communication which alerted the sector to the fact that the balance of funding will change. The chief executive clarified that the sector was already aware that everything was subject to decisions regarding transitional funding by HEFCE and things would be easier to communicate once that position was determined.

9. A more detailed paper regarding the subscription model would be presented at the April board meeting. **ACTION: SMT**

**Item 6 – ECU’s remit**

10. The company secretary provided some background to the paper regarding ECU’s remit, following legal advice she had taken, specifically in relation to amendments of ECU’s charitable objects and setting up a trading subsidiary. She summarised the legal view,
that being it was probably premature to establish a trading subsidiary until ECU had a clearer picture about the level of commercial work being undertaken, however, given the transition which ECU currently faced, the charitable objects should be broadened as soon as possible. Proposed wording for the revised objects was presented for review.

11. The board agreed the wording and gave approval for this to be taken forward with the Charity Commission. **ACTION: JA**

**Item 7 – ECU Charter marks**

12. The head of stakeholder relations and communications provided some background to the paper on ECU charter marks, presented for information only, following discussion around the growth and success rates of Athena SWAN and the gender equality trial mark for the arts, humanities and social sciences at the October board meeting. He explained that the new expanded charter materials would be launched in April, which would set out how arts, humanities and social science departments could apply before submission in November. He also mentioned that ECU was reviewing the length of award validity, which had been welcomed by the sector due to the time and resource intensive nature of application.

**Item 8 – Financial matters**

13. The company secretary presented the financial papers, drawing specific attention to the accompanying analysis, which provided a detailed account of the work undertaken in conjunction with the audit committee, to provide a clear financial picture from the last two financial years, in order to inform budget forecasting moving forward.

14. Board members welcomed the report presented and the financial papers were received without further comment.

**Item 9 - Audit and risk committee matters**

15. The company secretary presented the minutes of the meeting held on 23 January 2015, drawing particular attention to minutes 9-11 regarding ECU post-2015, 13 regarding consultancy work, 15-17 regarding ECU’s financial position, and 18-19 regarding redundancy enhancement.

16. Board members reviewed the ECU and Athena SWAN risk registers and cash flow presented. All documents were received without further comment.

**Item 10 – Remuneration committee matters**

17. The company secretary reported that formal minutes of remuneration committee meetings, which were invariably held remotely, should be presented to board, and would be moving forward. A summary of key decisions taken by the remuneration committee during previous financial years, was presented for completeness. Revised
terms of reference for the remuneration committee were also presented and approved without further comment.

**Item 11 - Any other business**

18. There was no other business.