



## TRUSTEE BOARD

MINUTES FOR THURSDAY 27<sup>TH</sup> JANUARY 2022

VENUE: Lakeview Room for those on Campus and Zoom 583 237 5397 for those dialling in

The quorum for this meeting shall be 50% +1 (quorum must include at least four Sabbaticals and at least one External Trustee and at least 1 student trustee if in post)).

<b>Trustees:</b>	
Samira-Caterina Monteleone - Chair	President
Callum Broadbent	VP Education
Dorothy Akuamo	VP Welfare
Isabella Ciuta	VP Community & Engagement
Nashwa Alsakka	VP International
Liv Matthews	VP Student Experience
Barry Van Eupen	Lay trustee
Lee Rodwell – Vice Chair	Lay Trustee
Chantel Le Carpentier	Lay Trustee
Gerardo Palmieri	Student Trustee (Colchester)
Lily-May Cameron	Student Trustee (Colchester)
Dauda Abdulsalam	Student Trustee (Colchester)
<b>Attendees:</b>	
Craig Stephens	Chief Executive
Steve Haugh	Director Marketing & Strategy
Reeves Watson	Director Services Activities & Support
Barbara Reynolds	Director of Finance & HR
Caron Moor	Governance Coordinator
<b>Invited:</b>	
Keith Rowland (Agenda item 10)	Deputy Director of Engagement and Development
<b>Apologies:</b>	
Verneicia Handfield	Student Trustee (Colchester)

### 1. \*ACTIONS ARISING FROM THE PREVIOUS MEETING

Topic	Action	Who	Due Date	Outcome
Joint meeting with University Council	<b>Agenda item 10: Action Log-Governance Review:</b> Add date into diaries for joint meeting with University Council and the SU Board	CM	<del>23/9/2021</del> <del>25/11/2021</del> 27/1/2022	Still awaiting dates but likely to be in March or May

Term 1 achievements	<b>Agenda item 4: CEO Report:</b> Deputy Directors to present Term 1 achievements at the January Board meeting	Deputy Directors	27/1/2022	Agenda item 6
Bounce back better plans	<b>Agenda item 4. CEO Report:</b> Bounce back better plans to be circulated to new trustees	SH	1/12/2021	Complete
Fire Safety/Health & Safety Report	<b>Agenda item 4. CEO Report:</b> Fire Safety Certificate/Health & Safety Report to be written and circulated before the next Board meeting in January	CS/RW	27/1/2022	Agenda item 12
Amended Communication with Uni proposal	<b>Agenda item 7. DISCUSSION ON PROPOSAL AROUND COMMUNICATION WITH UNIVERSITY:</b> Amended proposal around communication with university to be brought back to January Trustee Board meeting	CS	27/1/2022	Agenda item 9

## 2. \* APPROVAL OF MINUTES FROM 25<sup>TH</sup> NOVEMBER 2021 AND MATTERS ARISING/ACTION LOG (5 mins)

**Subject matter:** Approval of minutes from the last Trustee Board

**Supporting Documents Name:** Minutes – Trustee Board 25<sup>th</sup> November 2021

**Decision or approval required:** Yes

- Minutes approved

## 3. \* CEO REPORT (15 mins)

**Subject matter:** Update from Craig Stephens, CEO on relevant events since the last meeting

**Supporting Documents Name:** Chief Executive Report January 2021

**Decision or approval required:** No

- Report was circulated ahead of the meeting
- There was an outbreak of Omicron on campus and Sub Zero was identified as vector for transmission as well as Attic, the local night club, a number of staff had it so we chose to close Sub Zero, which the university would have asked us to do anyway. We felt it was unfair on student staff who were on the rota to work so we took the decision to pay the student staff for that period, cost was around £6k, it has now reopened and back to full capacity
- Recruitment continues to see a period of good recruitment, some key posts are outstanding for example marketing have some post outstanding two sets of maternity cover and another vacancy
- Greenhouse Café has opened following a period of long drawn-out issues and opened on 17<sup>th</sup> January and has been pretty full since it opened, it is one of the best spaces on

campus for students to sit and meet with their friends

- Legal retainer, there has been a conversation with the university about bringing a legal firm on board to look at helping us with any statements that we might make, we went to tender and will appoint Wrigley's Solicitors for this and we have 20 hours of agreed time to go over any issues and further 10 hours at a set rate should we require them. This is because the university are keen that our statements do not put them in a difficult position
- Question raised: with regards to marketing team with members leaving and maternity leave, what is the plan for that? Response: 4 candidates shortlisted for maternity leave, in the short term we hope to complete the recruitment and we are looking at what work we take from Alex on for Zoe and looking at options for recruitment going forward
- Question raised: for legal advice what are the key areas that we will take legal advice on? Response: we already take legal advice for our HR functions and for VAT issues. This was about public statements in relation to policies that the SU might hold. We have bundled hours and if we want to put a statement out about certain issues/controversial issues we will make sure we are not breaking the law, the university will pay for this and Wrigley's also work with around 50 other SU's in various areas
- Question raised: Re greenhouse café it would be good to get a sense of how it has been received? Response: we have been averaging £1.6k per day and is doing very well and is very popular with students. A mixer was held there and it was a really good space for this. It is really popular and student trustees said they have been using it and that it is really good space
- Question raised: Re pension update and the change in March is it likely that there will be a strike? Response: yes, we are expecting strikes in February and UCU are planning action
- Question raised: Re Greenhouse Café has there been any advertising? Response: we put things out on social media and on website as well as A boards, but if you think any area has been missed, please contact Steve Haugh

#### 4. \* CHAIR REPORT VERBAL UPDATE (10 Mins)

**Subject matter:** Update from Samira- Caterina Monteleone, SU President and Chair of Trustee Board on relevant events since the last meeting

**Supporting Documents Name:** None

**Decision or approval required:** No

- Bullet points to circulated post meeting
- Eternal Q&A session has been set up and allows external trustees to understand what is going on in the SU and keeping them informed
- Security: spiking became an issue, security have been met with to look at roles and third-party agents and how they work, complaints procedures and handbook / rule book on how they deal with things. We found out that security that are hired inhouse have enhanced DBS but they are not sure if agency security has this. We also talked about uniform and that the three different securities should wear different uniforms and how it looks too much like a police uniform and the fact that they are wearing stab vests and the image this gives out to students on campus. They have meetings once a month and the SU will be involved going forward in these meetings
- Council: meeting took place and we discussed the shape and size of council and having more student representation on this and in external committees which they seemed quite open to this. Also, re International students we mentioned that we do not have an international department even though we are increasing the number of international students to which some external council members were shocked about this
- Supporting Hannah's handover process as she has left and we do not have a Southend VP. Samira and Callum will go to Southend once a week, two new SU angels will also be recruited to help in Southend

#### 5. MINUTES FROM OTHER COMMITTEES

- Union Performance – 9<sup>th</sup> December 2021

- Human Resources – 14<sup>th</sup> December 2021
- Audit & Risk – 11<sup>th</sup> January 2022
- Health & Safety – 4<sup>th</sup> January 2022
- Tackling Racism – 6<sup>th</sup> January 2022
- Essex Student Lets – 25<sup>th</sup> November 2021
- UESU – 25<sup>th</sup> November 2021

**\*Resolution of Changes for Committees:**

- Hannah Akhalu has left the SU, meeting that she chaired was Tackling Racism Committee which has been reassigned to Dorothy Akuamoaa

**Subject matter:** Minutes from Sub-Committee and Board meetings that have been held since the last Trustee Board on 25<sup>th</sup> November 2021

**Supporting Documents Name:** Minutes – Audit & Risk 11<sup>th</sup> January 2022; Minutes – Health & Safety 4<sup>th</sup> January 2022; Minutes – ESL 25<sup>th</sup> November 2021; Minutes – HR Committee 14<sup>th</sup> December 2021; Minutes – Tackling Racism Committee 6<sup>th</sup> January 2022; Minutes – UESU Board 25<sup>th</sup> November 2021; Minutes – Union Performance 9<sup>th</sup> December 2021

**Decision or approval required:** No

- Hannah has now left the SU and thanks was given to her for her contribution to the Board and Sub Committees

**6. \*TERM 1 ACHIEVEMENTS – SH (20 mins)**

**Subject matter:** Report on Term 1 achievements from the SU teams and Sabbs

**Supporting Documents Name:** 2021-22 Term 1 Performance Highlights – Final Report

**Decision or approval required:** No

- Report was circulated ahead of the meeting for review
- The report tries to capture in the words of senior managers how the first term has gone
- It is a really useful document in taking a step back and reflecting on how things have gone
- SH share some insights from the report
- Questions were invited and feedback was asked for on how useful this report is
- Question raised: in terms of the retail it sounded frustrating re supply issues and wonder are we still locked in with Spar or what other scope is there re suppliers? Response: yes, we are locked into Spar and financially they have helped us develop spaces, Mike is also a member of Spar Guild which is their governance function and does carry some influence, we get the best from the relationship with Spar, every supplier like Bookers have had the same issues
- It was commented that the report was very helpful from a lay trustee perspective to read through and was an excellent insight

**7. INCORPORATION - BR**

**Subject matter:** For information only. We have had tenders through which have been reviewed and we have invited Bates Wells and Wrigley's to attend second stage which external trustees have been invited to as well as President and Directors

**Supporting Documents Name:** Invitation to Tender – Legal Services Incorporation; Essex SU incorporation – Wrigley's tender response final; University of Essex Students' Union – Bates Wells proposal

**Decision or approval required:** No

- The tender documents were circulated for information
- To give an update since yesterday's presentations and pending some verbal references early next week we are looking at appointing Wrigley's
- The other discussion was around incorporation and which route of incorporation, we may

go down the Charity Incorporated Organisation (CIO) route but we need to speak to the university as the biggest risk is the pension deficit in USS and the university have guarantee any debt or shortfalls in the pension schemes on our behalf, we need to go back to them on their risks

- Propose we do the pension work first and get confirmation that they are happy to approve the transfer of the scheme to the new incorporation without any section 75 debt
- Timetable is likely to be at the end of the next financial year in July 2023 and it may extend with the pension work
- Question raised: why are so many other SU's not incorporated? Response: it is a move we have started to see, it is a costly process but incorporation limits liability to trustees if we run out of reserves, they would come to individual trustees
- Question raised: how involved with the Audit & Risk committee be? Response: they will be kept up to date and Trustees Board have approved this, we need somebody to do this for us with a degree of expertise
- **Item added to Action: Add Incorporation update as a rolling agenda item going forward**

## 8. \* FINANCE UPDATE – BR (20 mins)

- Period 5 Accounts
- Forecast
- Service RAG P5

**Subject matter:** Update by Finance Director of Period 5 Accounts and Forecast

**Supporting Documents Name:** Financial Perf Review P5; Summary Man Accts 2021\_22 P5, Service RAG P5

**Decision or approval required:** No

- Closed the period £188.8k behind budget which is not too far short of what we were forecasting
- Services: £360.3k behind budget due to slower pace of recovery than anticipated
- Enablers: have a net underspend of £98.3k due to staff turnover
- Student Activities & Support: have a net underspend of £74.1k primarily due to not doing Heirloom event this year and staff turnover

### **Performance Summary for Services Division:**

- Key challenges: Corbett Theatre Bar and competition from the Hive; MOA & Base remain closed and require investment before reopening in 2022/23; The Greenhouse Café deferred launch until start of term and when writing this report were unsure on how they would perform financially; SU Homes 87% of managed properties are now let but only 58% of Tenant Find have been let with 7 properties sold and 40 properties let by another agent; Temporary closure of Sub Zero and SU Bar towards the end of the term; capacity cap applied to Sub Zero for start of term 2; working from home of university staff will have ongoing impact on retail

### **Forecast and Reasonable Worst-Case Scenario (RWCS)**

- This has gone to the university steering group and we are looking at a deficit of £450k which suggests a revised funding requirement of £475k as opposed to the £300k provision already in place
- Assumptions: term 2 campus footfall down and sales to remain at similar levels to term 1 which is because university non-front facing staff continue to work from home for the whole of term 2 and continued cessation of large lectures for the remainder of the year; Staff covid absences resulting in closure of Top Bar and Extra Store; Sub Zero capacity capped at 800 for term 2
- **However:** Sub Zero cap has been lifted from 27<sup>th</sup> January; Greenhouse Café very promising start with weekday sales averaging £1.6k; new events committee and calendar in place for Corbett Theatre Bar; and no venue closure so far
- University contingent funding: a request has been submitted to USG for an increase in provision from £300k to £475k. Confirmation of this funding has been received from the university this week subject to confirmation from us that it is necessary in the context of provision of services for students
- We are very hopeful that we will not require £475k but likely to be more than £300k but it has been secured should anything change
- Question raised: it went out today that Top Bar will be closed for the foreseeable future and when we closed Sub Zero we paid staff and what does that mean for Top Bar staff. Response: there was an incident last week when the coke dispenser exploded overnight and gushed mixture all over

the floor and the floor has been condemned and is a significant issue. They want to lift the floor as they are concerned about underneath the floorboards, we feel initially that we can redeploy the staff elsewhere rather than making payments at this point. We made it very clear with Sub Zero that it was a one-off payment because of the pandemic

- This may be an insurance claim that we need to submit and our insurance renewal date is 31<sup>st</sup> January so we may be putting a claim in right at the end of our insurance year which could affect future premiums
- Question raised: some of the notes in Period 5 was before closure of Sub Zero and Greenhouse Café has been busy and people coming back to campus, what will that mean moving forward financially for us? Response: once we have Period 6 results we will be in a better position to reforecast, the cap from Sub Zero will have a positive impact, closure of Top Bar will have a negative impact but will depend on what we can claim insurance wise, we may be able to claim business interruption. From a university staff perspective there is a reluctance to return to campus but hopefully the university will bring them back onto campus but it will permanently be on a hybrid basis and they won't be on campus in the numbers that they were pre pandemic and we have to adapt to this going forward
- Question raised: with Greenhouse Café are we not worried about the footfall of everything else like the Kitchen? Response: the Kitchen has not seen any drop-in footfall and no material impact we had the same concerns when we had the Starbuck takeaway and we did not see any impact on sales, the Kitchen is driven by sales to permanent staff primarily and the reason it is underperforming is due to the drop in permanent staff on campus
- Question raised: does the Top Bar issue effect the Store below? Response: at the moment we don't know which is why the university are keen to get the floor up to investigate to see where the water has travelled

#### 9. \*DISCUSSION ON AMENDED PROPOSAL AROUND COMMUNICATION WITH UNIVERSITY – CS (5 mins)

**Subject matter:** Trustee discussion on amended proposal of communication with University

**Supporting Documents Name:** Protocol for sharing of information on public statements to be issued by the University

**Decision or approval required:** Yes

- Revised response was submitted to the university before Christmas but so far no response has been received
- There is a meeting with Bryn next Monday and will be discussed then, thereafter the document will be circulated

#### 10. \*SCO PAYMENT – KR (15 mins/10 mins for questions)

**Subject matter:** Further update and response to previous questions to Pay Student Community Officers presented by Keith Rowland, Deputy Director of Engagement and Development

**Supporting Documents Name:** Proposal to Pay SCOs January 2022 Final

**Decision or approval required:** Yes

- There was previously a lengthy discussion at the last Trustee Board meeting regarding this subject and this paper is about options to be considered, the document was circulated prior to the meeting
- KR summarised as:
- There is no easy solution to this and all options come with some kind of problem
- The Engagement Department and KR view is that the right way to go would be to pay SCO's, representation of these groups are critical, they are underrepresented, they face oppression and discrimination, incomes are not as good as other student groups and we expect these representatives to do this for nothing and it was suggested that we need to find a way to make this happen but appreciate that this is not an easy task especially with regards to finances
- It was encouraging that there was a positive discussion at the last meeting

- This paper outlines some of the outstanding questions that were raised at the last meeting
- For questions 1 – 4 no further questions were raised
- Question 5 is how we pay for this there are some differences in the numbers between this paper and the previous paper. A SCO cost for 8 hours a week is £3,000 if they join the pension scheme, however we do not expect SCO's will join the pension scheme and therefore the amount has reduced to £2,750  
A discussion then took place on the following options
- Option 1: reduce the number of SCO's but has negative effects, we would have to decide on what ones we lose and also cutting representation of these groups
- Option 2: phased approach to limit the liability across a number of years, first look was at liberation officers, that would involve us putting 15 in place so does not create much of a savings, 2<sup>nd</sup> way was to split by campus and to focus on Colchester first then, Southend and then Loughton; we would have officers in the same role with one being paid and one not
- Option 3: this could be achievable based on the new TES framework which will measure student outcomes by department / subject and community level which might unlock extra funding for student outcomes so we might be able to open new conversations with the university to add into the block grant but has not been pursued yet as it is very fresh news. Within budget that KR owns he can find £7,300 to contribute to this fund as we would not need as many SU angels because SCO would cover in a way they don't currently also post grad roles could reduce by two
- Option 4: defer until the reserves hit an agree level, this has been an issue for a number of years and once we hit the agree level we would need to put surplus into funding this
- Option 5: is to look at Loughton differently they have 350 students but it's hard to have a full spread of officers for these numbers so could remove the 4 SCO in Loughton and employ two community organisers and would save two in the total if we take this approach
- A discussion then took place within the Trustee Board and individual points of views and preferences were raised which KR commented on where appropriate
- KR then left the meeting to allow for Trustees to conclude their thoughts
- Conclusion: A vote took place on agreeing in principle to pay SCO's and 12 Trustees agreed to this. Financial, legal and timeframe of when this can start is to be pursued and reported back at a future Trustee Board meeting. Craig Stephens will set up a Task and Finish Group to look at this
- Note added post meeting: this Group has been established and the first meeting was held on 1<sup>st</sup> February

## 11. STUDENT INSIGHTS - KR

**Subject matter:** For information only, Student Insight Report to be read

**Supporting Documents Name:** Term 1 insights

**Decision or approval required:** No

- Document was circulated and no questions were raised

## 12. \*HEALTH & SAFETY REPORT – CS/RW (15 mins)

**Subject matter:** Report as requested in Action from last Trustee Board meeting

**Supporting Documents Name:** Confidential Health and Safety Review January 2022 Final Draft

**Decision or approval required:** No

- Report was circulated prior to the meeting, RW gave a brief overview of the paper

## 13. \* POLICIES PASSED BY PARLIAMENT – CS

- In Tuesday's parliament a policy passed on setting up a forum around reaffiliating with NUS and was passed with a majority and we will support with setting up the forum
- This does not necessarily mean there will be a referendum but could come to this at a later date
- Question raised: what is the subscription fee for NUS? Response: it was £60k but we need to look at what the cost is as the NUS has split into three separate bodies now so we are not sure how much it would be, however if we do not have the money to affiliate to the NUS then the Trustee Board would have to decide where they want to find the funds from

**14. \* BOARD DISCUSSION (TRUSTEES ONLY) (10 mins)**

**Subject matter:** Opportunity for Trustees to meet/discuss without SU staff being present

**Supporting Documents Name:** None

**Decision or approval required:** No

**Next Meeting**

24<sup>th</sup> March 2022

**Actions arising from this meeting and Cfwd**

Topic	Action	Who	Due Date	Outcome