

Quick guide to making a response to the governance consultation

UCU Scotland are encouraging branches and individual members to respond to the Scottish Government's current consultation on University Governance. The consultation closes on **30th January 2015**. The consultation response consists of Yes/No/Don't Know tick boxes but submissions to the consultation can be more detailed to provide backing to UCU Scotland's calls. The consultation follows the publication of the von Prondzynski review, however not all recommendations of that review are covered by this consultation and you may wish to make the point that the review's recommendations should be considered as a whole. Elements missing cover: the recruitment, appraisal and remuneration of principals; and the creation of a Centre for Higher Education research in Scotland, both of which are supported by UCU Scotland.

The following give a list of the areas covered within the current consultation along with a summary of the UCU Scotland's response:

A. Privy Council

The Privy Council and its role in relation to higher education (HE) does not reflect the distinct nature of HE in Scotland or the establishment of the Scottish Parliament. The role in relation to HE should be brought up to date and answerable to the Scottish Parliament.

B. Academic freedom

Academic freedom is distinct from institutional autonomy and the legal definition should be broadened to include all areas of legitimate University activity undertaken by all staff. Inadequate protection of academic freedom risks the effectiveness of our institutions research, teaching and wider activities.

C. Role of Principals

The term 'Principal' is universally understood and should be retained to underline the distinctive nature of Scotland's universities as opposed to mirroring corporate business terminology.

D. Chairing of governing bodies

Chairs of Governing body should be sought by open advert via a transparent process and elected by the whole staff and student body. Remuneration should be offered to encourage applicants from a broad range of backgrounds.

E. Membership of governing bodies

In line with the von Prondzynski recommendations governing bodies should reserve specified places for staff and student representatives including two trade union nominated places. Steps should be taken to increase participation of underrepresented groups on governing bodies, this should include a quota of least 40% women members.

F. Academic boards

Academic boards should be the final arbiter on all academic matters. Other than ex-officio positions they should be composed of a clear majority of elected representative members. As with governing bodies they must recognise the principle of equality and take steps (e.g. quotas) to ensure academic bodies reflect the make-up of the staff and body.

The full text of UCU Scotland's response is available at www.ucu.org.uk/scotland and you may wish to review this before submitting a branch or an individual response. The full consultation documents, including the respondent information form and questionnaire are on the Scottish Government site (www.scotland.gov.uk/Publications/2014/11/2389/downloads).

Once complete your response should be e-mailed to HEGovernance@scotland.gsi.gov.uk.

The questions in the consultation are listed below.

A. Privy Council

1. Do you think that the mechanism for approving governance changes through the Privy Council should be retained?
2. Do you agree that the functions of the Privy Council, as set out above, should be transferred to a committee which operates entirely in Scotland?
3. Do you agree that any such committee to which those current functions of the Privy Council as already set out should comprise the First Minister, Lord Advocate and the Lord President of the Court of Session?
4. Do you agree that any such committee, to which those current functions of the Privy Council as already set out are transferred to, should be subject to the scrutiny of the Scottish Parliament?
5. Could individual institutions be afforded greater autonomy to make changes to their governance without seeking permission from the Privy Council, or a replacement Scottish Committee? If so, what functions might this cover?

B. Academic freedom

6. Do you agree that the principle of 'academic freedom' currently defined in legislation should explicitly refer to freedom to encourage new ideas?
7. If you do agree, what might the risks be?
8. Do you agree that HEIs should be required by legislation to adopt a statement on their implementation of the statutory protection of academic freedom which they should present to the SFC and which would be treated as a condition of grant?

9. Do you think there are any further measures which should be included in a new definition of academic freedom?

C. Role of principals

10. Do you agree that a provision to describe the head of the university as the 'chief executive officer' should be introduced in legislation?

11. If the role of the Principal is set out in legislation as chief executive officer do you agree that the working job title should continue to be 'Principal'?

12. If you do not agree, what do you think the head of the university should be called?

D. Chairing of governing bodies

13. Do you agree that a pool of candidates for the position of chair of the governing body should always be selected through an open and transparent process?

14. Do you agree that the recruitment process should include open advertisement of the position?

15. Do you agree that open advertisement of the position would help to attract a wider pool of candidates?

16. Do you agree that the selection process should culminate in an election by a group of representatives of key stakeholders both internal and external to the university?

17. What do you think the composition of the group of representatives that elect the chair should be?

18. Would you welcome universities offering suitable remuneration for elected chairs?

19. Do you have any other comments you wish to add?

E. Membership of governing bodies

20. Do you agree with the proposed requirement outlined for membership and composition of the governing body?

21. Is there any representative/body not currently proposed for inclusion in membership of the governing body that you believe should be represented?

22. If there is a representative/body you believe should be included in the membership of the governing body, what do you believe they would bring to the governing body that isn't already there?

23. By what means do you think that the principle of equality should be embedded in establishing the membership of governing bodies?

24. Do you have any other comments you wish to add?

F. Composition of academic boards and appointment of members

25. Do you agree that the academic board should be the final arbiter on all academic matters in all HEIs?

26. Do you agree that, with the exception of the Principal and the Heads of School (or equivalent) who should attend ex officio, all other members of the academic board should be elected by the constituency that they represent?

27. Do you agree that elected members should form a majority of the total membership of the academic board?
28. By what means do you think that the principle of equality should be embedded in establishing the membership of governing bodies?
29. Do you agree that academic boards should have no more than 120 members?
30. Do you agree that elected members should form a majority of the total membership?
31. Do you have any other comments you wish to add?