

**25 February 2019**

## University and College Union

**Meeting of Democracy commission**

**Location UCU, Carlow Street Head Office**

**Date 11 January 2019**

### **Confirmed minutes**

**Present** Mark Abel, Caitlin Adams, Alan Barker, Vicky Blake (co-chair), Cecily Blyther, Sharon Broer, Alison Chapman, Martin Chivers, Rachel Cohen, Lindesay Dawe (by teleconference), Jeff Fowler, Ann Gow, Elane Heffernan (co-chair), Margot Hill, John James, Jess Meacham, Lesley McGorrigan, Sam Morecroft, Denis Nicole, Christina Paine (from 14:30), Keith Simpson, Sean Wallis, Saira Weiner

**In attendance** Paul Cottrell (National head of democratic services), Catherine Wilkinson (head of constitution and committees), Kay Metcalfe (constitution and committees officer)

#### **1 Apologies for absence**

1.1 Apologies were received from Jackie D'Arcy, John Hadwin, Brian Hamilton, Martha Harris, John Hogan, Pat Hornby-Atkinson, Chris Jones, Kirsty Keywood, Kerry Lemon, Rhiannon Lockley, Rachel Minshull, Nita Sanghera and Justin Wynne.

#### **2 Chair's business**

2.1 Vicky Blake and Elane Heffernan (co-chairs) welcomed colleagues to the meeting and noted the participation of one member by teleconference.

2.2 It was proposed that the commission would take a 45-minute lunch break at approximately 13:00.

#### **3 Minutes of the previous meeting held 7 December 2018 (DC/11)**

3.1 The minutes of the meeting held 7 December 2018 were APPROVED, as set out in paper DC/11.

#### **4 Matter arising**

4.1 It was NOTED that papers had been uploaded on the SharePoint site. Some members reported issues with trying to comment on or add to existing papers.

This would be looked into.

- 4.2 Martin Chivers reported that he had begun work to collect and compare rules of other trade unions. These documents were now saved in a distinct folder on the Sharepoint site. There were some differences in what was explicitly included in the rules of some unions, compared to the rules of UCU. On behalf of the commission Vicky Blake thanked Martin for his ongoing work.
- 4.3 Elane Heffernan reported that she would upload a paper on strike committees on which she was actively seeking comments from other commission members.
- 4.4 Vicky Blake drew the commission's attention to the need for any draft rule changes to be included with the interim report to Congress in May 2019, to be circulated for consideration at the 22 February meeting.
- 4.5 Catherine Wilkinson reported that no venue booking had yet been explored for the November 2019 special Congress; an update would be given at the next meeting.
- 4.6 There was a brief discussion of the organisation of work and the interim report. Vicky Blake summarised from the chair that a draft interim report including rule changes needed to be considered at the 22 February meeting. Papers were due to be sent to the NEC (who would submit to Congress the motion to adopt the commission's report, and any rule changes) on Friday 8 March. It was re-confirmed that the special Congress meeting could pass rule changes.

## **5 Proposals and discussion points, by working group**

*Elane Heffernan was in the chair.*

### **5.1 Working group A: Recall (of elected members and GS) and triggers**

- 5.1.1 Sean Wallis introduced paper DC12/A, which looked at model local rule 12 on the recall of branch officers, and considered how recall might apply at NEC and GS level.
- 5.1.2 The commission discussed the issue of a recall process at length, including:
  - if decided by Congress, who would vote – noting that many NEC member are elected sectorally, or sectorally and regionally
  - issues could arise for the devolved nations, whose NEC members hold positions in devolved nation bodies
  - a specific form of words for or to be included in recall motions, would be useful within any relevant rule, and Alan Barker offered to work on the wording of a relevant rule in collaboration with Paul Cottrell.
- 5.1.3 It was NOTED that a vote to recall was not a disciplinary action by the union. No investigation or adjudication process was connected to recall, which would be a political choice connected to how representative function was exercised.
- 5.1.4 Paul Cottrell clarified that:

- Legal advice would need to be taken on draft rules on recall, including in respect of the position of the trustees
- Any recall provision applying to the general secretary could not apply until included in the next GS employment contract; there could be no unilateral change to an existing contract of employment.

5.1.5 On a vote, the commission AGREED in principle the following points relating to recall:

- Congress should be the body that takes a decision to recall an elected member
- All NEC members, the general secretary and trustees, should be subject to recall
- No recall provision could apply to the GS until included in the next GS employment contract. This was AGREED, with two votes in opposition and four abstentions.

5.1.6 Elane Heffernan, in the chair, invited members in the minority position, if they so wished, to provide a paper to the next meeting on an alternative position, as had been the practice on all recommendations. Paul Cottrell repeated his advice in respect of the GS employment contract.

5.1.7 Denis Nicole challenged the chair.

5.1.8 Vicky Blake took the chair. On a vote, the challenge to the chair was not upheld.

5.1.9 The commission AGREED that regional committee roles should not be within the scope of recall currently being considered. Caitlin Adams undertook to prepare a paper on how regional committee positions might be considered in respect of recall.

5.1.10 The commission further AGREED, in respect of recall:

- The ballot, following any recall vote, would be the existing electorate for that position
- There should a specified timescale for any such ballot
- The ballot should be timely; up to 8 weeks from the recall vote, or on return from a holiday period where holidays interrupt this.

5.1.11 The commission did not agree how constituency issues should apply to any recall vote at Congress and the chair asked members to come back with proposals for this at the next meeting.

## 5.2 **Working group B: Accountability (other than recall) and transparency**

*Vicky Blake was in the chair.*

5.2.1 DC/13A, *The presidential team*, was introduced by Sharon Broer. DC/14 item 2, *Presidential team job/role descriptions* by Rachel Cohen with additional questions from Cecily Blyther was also discussed.

- 5.2.2 This was ongoing work to identify and describe the specific roles and responsibilities of the union's nationally elected officers, and the commission supported that it continue. The commission noted in further discussion that these were role descriptions, not job descriptions.
- 5.2.3 The issue of website profile pages for officers and other committee members was discussed. There were potential issues with privacy and security. It was recognised that visibility had different implications for individuals. Different ways of approaching this, including different possibilities for allowing contact without giving an email address, needed exploration.
- 5.2.4 It was NOTED that making NEC members contactable by members had been passed as part of a Congress resolution.
- 5.2.5 DC/13 item 4, *Vice-president elections – increasing clarity*: The commission AGREED in principle that the description 'vice-president' should be changed to ensure it denoted future presidency – the precise words and any rule changes to come to the next meeting.
- 5.2.6 DC/13 item 3, *Improving the transparency of policy decisions and implementation*: The principle of a searchable database of Congress policy being available was AGREED, as was the availability of information tracking progress on the implementation of motions.
- 5.2.7 DC/13 item 2, *Expanding discussion at NEC*: The idea of specifically enabling NEC members to submit research or discussion papers to the NEC was AGREED. It was noted that this would require a change to NEC standing orders.
- 5.2.8 DC/13 item 1, *Accountability of elected officials*: It was AGREED that a review of accountability should be pursued.

### 5.3 **Working group C: Structural issues/ implications, including the role of paid officials (DC/14)**

*Elane Heffernan was in the chair.*

- 5.3.1 DC/14 item 1, *Roles of regional officials*, was introduced by Cecily Blyther. This was a proposal for work that it was intended be carried out.
- 5.3.2 DC/14 item 3, *Process for NEC members' votes at Congress*: This was a proposal that Congress votes should be electronically recorded and not anonymous, to demonstrate accountability. Following discussion, Cecily Blyther proposed that the matter was not a priority for the commission at this time. This was AGREED.
- 5.3.3 DC/14 item 2, *Increasing avenues for members' participation in the national union*, was introduced by Rachel Cohen. This described areas in which members might be enabled to do more for the union, such as research, analysis and the production of materials, but noted the need to consider where there was potential conflict with the role of staff. The commission AGREED this should be considered further, with the aim of a proposal ahead of the November special conference.

5.3.4 The chair noted that some of the questions in the questionnaire attached to DC/14 item 1, *Roles of regional officials*, were not appropriate within the scope of the commission and asked that questions to be asked of staff be discussed with Paul Cottrell in the first instance.

5.3.5 Alan Barker reported that some Congress delegates had expressed unhappiness about the role of regional officials acting as tellers at Congress. On a vote, the commission AGREED that they should consider this issue.

#### 5.4 **Working group D: Conduct of disputes**

*Vicky Blake was in the chair.*

5.4.1 Vicky Blake noted that any papers on this issue must come to the next meeting, including draft rule changes if required ahead of May Congress.

#### 5.5 **Working group E: Engagement and representation**

5.5.1 DC/15 item 2, *Use of technology to increase member involvement*: subject to the earlier discussion about potential issues with making members visible, the use of dedicated web pages for committees was generally viewed positively.

*Elane Heffernan was in the chair.*

5.5.2 DC/15 item 1, *Representation gaps in UCU structures*, was introduced by Vicky Blake. The potentially large scope of the issues raised was noted. The relevance of the issues to ROCC – the NEC’s recruitment, organisation and campaigning committee – was raised.

5.5.3 The commission AGREED that in principle it should investigate the issues raised, and noted that it was possible that any future recommendation might include reference to ROCC.

*Vicky Blake was in the chair.*

### **6 The seven principle of public life (the Nolan principles) (DC/16)**

6.1 This paper was NOTED for information.

### **7 Schedule of work and future meeting dates**

7.1 The chair reminded the commission of the need for any rule changes intended to reach May Congress to be provided in draft for the 22 February meeting.

7.2 The commission AGREED it would meet on Friday 8 March. The commission NOTED the need to get its report and any rule changes to the NEC as swiftly as possible after that meeting.

### **8 Any other business**

8.1 The co-chairs were thanked for their conduct of the meeting.