# Higher Education Governance

## Action

Ensure local UCU representation to evidence sessions on governance by contacting management and courts contacts.

## Background

Michael Russell, Cabinet Secretary for Education, announced the Review of Higher Education Governance, RHEG, in the summer of 2011 partly in response to concerns raised by UCU Scotland over a crisis in university governance and management that has led to a series of disputes across Scotland.

## Introduction

Following the RHEG chaired by Professor Ferdinand von Prondzynski, took evidence from a wide range of bodies despite a small budget, limited secretariat and a tight timescale. The panel drew on representative of the whole sector but still managed to produce a report with dissent on only two issues form one member. UCU welcomed the recommendations which were formed by a consensus though they did not meet the full concerns UCU. However, due to the sterling work of Terry Brotherstone, the STUC nominee on the panel, the report was critical of present governance procedures much to the annoyance of many Principals and the Scottish chairs of courts.

The Cabinet Secretary *accepted virtually all Professor von Prondzynski’s recommendations* and welcomed the report at the Annual UCU Scotland Congress in March with the Presidents of UCU and NUS Scotland. In the Parliament on 28 June, he stated:

I can also announce that, subject to agreement on membership, I have asked the committee of the Scottish chairs of higher education institutions to lead a group to develop a new Scottish code of good higher education governance. Membership of the committee that does that must include the voices of students, staff and the small specialist institutions.

However, the Chairs of Court have ignored the Parliament’s wishes by forming the steering group with limited membership and without staff or student representation. They only met with the STUC and NUS once the steering group was in place and then only to outline their plans rather than consult on them.

Further Given that the Minister has stated that he has charged the group with implementing the von Prondzynski’s recommendations, it is portentous that their remit rehashes the governance review’s remit not its recommendations. Indeed it only states that the development of the new Scottish code of practise *takes account of the recommendations of the Von Prondzynski review*.

## The Steering Group

The steering group is mainly consists of chairs of court and members of the House of Lords. Apparently as a concession a former rector was added to the group to represent the student voice. The group has franchised the work to former secretaries of court, Kevin Clarke, Stirling, and Peter West, Strathclyde.

After pressure from UCU, the lackeys set-up a meeting with STUC. At the meeting they explained they had been contracted by the steering group to collect evidence and draft a code of practice. This would reflect the present legislation and statutes of universities and they say improve democracy in a short timescale. It will not attempt to suggest that changes should be made to the statutes or legislation even though it may be incorporated in future legislation.

The transcript of the STUC meeting is available on the UCU Scotland governance web pages.

Further information and documents, once it eventually goes live, will be available from [www.scottishuniversitygovernance.ac.uk](http://www.scottishuniversitygovernance.ac.uk)

## UCU position

Given the blatant disregard of the Cabinet Secretary’s statement that staff and students should be included in the steering group and the remit which seeks to roll back the governance review, both UCU and NUS considered their response. Despite our opposition to the process, UCU is asking local officers and staff members of court to present evidence. UCU nationally, in conjunction with the STUC, will also meet with the representatives.

However, we believe their code will seek to maintain the stranglehold of management and the evidence will not change that position. Therefore UCU will seek to keep pressure on the steering group using the media and in contacts with politicians.

UCU is saying the Scottish code should reflect these recommendations which have been welcomed by the Cabinet Secretary and is calling for a role in developing a code that builds on the work of the governance review panel.

## Local evidence sessions

The steering group has franchised the work on the code to two experts. They have been given the role to develop a code of practice and have decided to base that code on evidence from every institution in Scotland. They have asked each institution to set-up meetings with representative groups involved in governance. This will include staff and student members of governing bodies. They stated to the STUC that this would include trade union representatives not just staff or union representatives on the governing body.

If not already contacted by your institution, ask them to be able to present evidence to the code of practice experts. Further information on the code of practice group is to be included on a website including timings of evidence sessions. The link will be advertised to branches once live.

The group has produced an issues paper which will be sent to those giving evidence and will be published on their website. UCU will produce a response to this document.

### Evidence examples

The UCU evidence to RHEG set out how our view that governance in general has become less democratic with little collegiate input. Whereby decision making at management is not informed by staff and often based on dubious figures and accounting models. Despite legislation on redundancies stating consultation should take place at early stage, unions and staff find themselves fighting plans that are already well developed. Further access to the governing body has become limited making it difficult to challenge the management plans.

Further UCU presented local examples where governance has failed in institutions in our evidence to RHEG. The general evidence and the institutional examples should be used as the basis of the evidence sessions. To enhance the case local examples of these types of failings in governance should be identified and presented.

The UCU evidence to RHEG is available from UCU Scotland governance web pages.

## The Role of Governance

UCU has produced a briefing paper for MSPs which was predominately for the SNP conference where 25 MSPs signed up to support the implementation of the governance review recommendations. The briefing included the following principals of governance may will be useful when considering your evidence.

The RHEG report set out a definition of governance in universities which is that:

* effective stewardship of the university to secure its sustainability over the medium and long term;
* safeguarding the mission of the university and the services it provides for the public benefit;
* securing the proper and effective use of public and other funds; and
* ensuring stakeholder participation and accounting to the wider society for institutional performance.

UCU agrees with this general definition which is about transparency, fairness and full involvement and calls on MSPs to endorse this definition. We believe the following principles should be included in any code of practice to ensure this definition and meet the terms of the recommendations in the report.

### Principles of University Governance

A code of practice should at least include:

* Governing bodies’ main role is the scrutiny of the Senior Management.
* Academic freedom of staff is protected by governing bodies
* Appointment of members to governing bodies should be transparent and open with full involvement of staff and students.
* Trade Unions should have membership of governing bodies, and each court should have 2 student members.
* Committees that carry out appointment, appraisal & remuneration of Principals should include staff and students.
* Chairs of Court are elected by staff and students and given the necessary resource to carry out their roles.
* Membership of governing bodies should reflect all of our society, and more action should be taken by governing bodies to achieve this, including the setting of a requirement that 40% of all courts’ membership should be women.
* There is remuneration for expenses and loss of earnings.
* There should be an independent research centre on higher education.

## Further information and contact

If you require further information please see our UCU Scotland governance web pages which will be updated regularly.

Please pass on examples of local governance issues so that these can be used in targeted press releases.

If you require help in developing an evidence base or information:

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