

To	Branch Honorary Secretaries
Topic	UCU Scotland Congress, 22 March 2013: First report of the Congress Business Committee including motions submitted
Action	Amendments to motions in this report to be submitted by 12 noon on Friday 15 March 2013
Contact	Ann Cowan, Administrative Officer Scotland, <a href="mailto:acowan@ucu.org.uk">acowan@ucu.org.uk</a>

Dear Colleagues

### **UCU SCOTLAND CONGRESS 2013**

#### FIRST REPORT OF THE UCU SCOTLAND CONGRESS BUSINESS COMMITTEE

At its meeting on 25 February 2013, the Congress Business Committee (CBC) considered motions submitted to UCU Scotland Congress by Local associations/ Branches and the Executive Committee. Those motions are set out in this report.

#### **Amendments and emergency motions**

##### Amendments to motions

Local Associations/ Branches should submit any amendments to motions in writing to the UCU Scotland Honorary Secretary by the deadline for receipt of amendments to motions of **12 NOON on FRIDAY 15 MARCH 2013**. Amendments can be submitted using the form that appears at the end of this circular for the submission of amendments. Please submit each amendment separately.

The receipt of all amendments will be acknowledged. If you do not receive acknowledgement of an amendment that you have sent, please contact Ann Cowan before the deadline for receipt of amendments (12 noon, Friday 15 March) on 0131 226 6694.

CBC does not expect to accept amendments to motions in this report which are received after the deadline of 12 noon on Friday 15 March.

##### Emergency motions

Emergency motions may be accepted at any time up to the commencement of UCU Scotland Congress. For CBC to accept an emergency motion for ordering into the agenda it must satisfy all the following criteria:

- i it is urgent or timely and requires a decision of Congress;
- ii it could not have been submitted within the prescribed time limit; and
- iii it has been approved in accordance with the standing orders of Congress and the branch/local association rules.

However, advance warning of these, if possible, would be appreciated. As above, emergency motions should be submitted in writing to the UCU Scotland Honorary Secretary.

### **Compositing of motions**

The committee composited two Congress motions, creating one composite motion (motion 21 in the report that follows). The original text of the motions submitted that have been composited is on page 13 (motions A – B).

## **UCU CONGRESS 2013: MOTIONS FOR DEBATE**

### **1. CREATE NEW UCU SCOTLAND RULE (EXECUTIVE COMMITTEE)**

#### CREATE CONGRESS STANDING ORDERS RULE 13 A. EMERGENCY MOTIONS

“Emergency motions on matters which could not have been submitted other than during the course of Congress may be accepted for consideration if submitted to Congress Business Committee in the name of at least four delegations; Congress Business Committee shall make a recommendation on acceptance for debate to the Chair, who shall put the recommendation to Congress, acceptance to be by a two-thirds majority.”

*Purpose: The current UCU Scotland rules make no provision for emergency motions. This rule is similar to those for the UK Congress, and sets out a procedure for handling emergency motions.*

### **2. UCU SCOTLAND RULE CHANGE (EXECUTIVE COMMITTEE)**

#### AMENDMENT TO CONGRESS STANDING ORDERS RULE 10

“All motions, whether original or amended or compounded, shall be made known, if possible, in written form or other formats, as necessary, to members of Congress by the commencement of Congress.

All motions, including motions proposed by the Executive Committee, must be submitted by the deadline set out in the calling notice, which will provide that motions should be received by the Honorary Secretary at least twenty-eight days before the commencement of Congress. Motions submitted by a branch/local association must have the approval of the

branch/local association members (either at a quorate general meeting or otherwise in accordance with any applicable rule of the Local Association), which should be certified in writing by the branch/local association Secretary. Motions submitted by the Executive Committee must be approved by a quorate meeting of the Executive committee. All motions received in time shall be duplicated and sent out twenty-one days prior to Congress after the first meeting of the Congress Business Committee (Scotland).

After a re-worded or compounded motion has been moved any ten members of Congress may require that a motion remain on the agenda in its original form, and the Chair shall thereupon indicate whether such original motion shall be treated as an amendment or as a separate motion."

*Purpose: This rule change is designed to ensure that the Executive Committee abides by the same deadlines for submitting motions to Congress and branches/local associations.*

### **POST-16 EDUCATION AND HIGHER EDUCATION GOVERNANCE**

(MOTIONS 3 – 5 TO BE TAKEN TOGETHER)

#### **3. POST-16 EDUCATION BILL AND OUTCOME AGREEMENTS (Executive Committee)**

" Congress congratulates the Scottish Government on including provisions in the draft post-16 Education bill on student access and governance structures.

Congress notes that the bill proposals will mean that university funding is contingent on meeting the targets set out in outcome agreements between them and the funding council. These agreements will put in place the plans for universities that have been developed in tight timescales with a lack of proper consultation across the institutions including a lack of staff and student involvement.

It further notes the Post-16 Education (Scotland) Bill includes:

- Measures to broaden access which are about setting targets rather than developing admission procedures which reverses the over recruitment of students from the highest social classes
- The setting of a maximum fee level for rest of UK students
- Adherence to a code of governance
- Powers to review course and provision.

Congress condemns:

- The legislation on fees for rest of UK students which imports the market in education to Scotland
- The lack of provision in the bill for older students including many union members
- Forced mergers which will result in job losses

- The powers which could enable the government to interfere in courses
- The lack of staff involvement in the development of outcome agreements.

Congress calls on UCU Scotland to:

- Work with the Funding Council and the Scottish Government to ensure staff involvement in the drafting of outcome agreements
- Ensure the bill secures academic freedom and institutional autonomy
- Campaign for a reduction in the fee cap for rest of UK students
- Campaign for the incorporation of contextualised admissions procedures which allow entry with lower grades.”

#### **4. GOVERNANCE CODE OF PRACTICE FOR UNIVERSITIES (Executive Committee)**

“ Congress welcomes the publication in February 2012 of the Report of the Review of Higher Education Governance in Scotland.

Conference commends the input of former UCUS president and STUC General council member Terry Brotherstone to the Review panel and the chair Professor von Prondzynski in drafting a report which took into account the views of unions and the NUS.

Congress notes that the Cabinet Secretary accepted virtually all Professor von Prondzynski’s recommendations. He announced in Parliament that, the committee of the Scottish chairs of higher education institutions should lead a group to develop a new Scottish code of good higher education governance and that the membership 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.

It further notes that the post-16 education bill will enforce this Scottish code in legislation.

Congress condemns the steering group who:

- Rather than getting on with developing a code of practice from the governance review recommendations, wasted time, money and resources re-collecting evidence using a flawed consultation document and public funds
- Only met with STUC latterly and then to outline their plans rather than consult on them and;
- Did not include staff and students in the steering group but instead employed two retired university managers to develop the code of governance.

Congress calls on UCU Scotland to:

- Ensure the draft code is seen by and developed with full involvement of the campus unions and NUS

- Pressure the Scottish Government to amend the Scottish code if it falls short of the governance report's recommendations
- Seek to amend any code included as part of the post-16 education bill."

## **5. GOVERNANCE (Glasgow)**

"Despite the strong support for the Von Prondzynski report on Governance in Scottish Universities, and in disregard of the Cabinet Secretary's wishes, the Committee of Scottish Chairs continue to form their Code of Conduct for HEI Governance in non-transparent evidence sessions and without staff or student representation. It is UCU Scotland's confirmed opinion that this process wastes time, money and resources in re-gathering evidence that had already been considered by the review. UCU Scotland reject any Code that does not conform to the Von Prondzynski recommendations, particularly in light of the issue of Glasgow University Court and governance of redundancies. Further, we mandate UCU Scotland to continue to campaign in support of the Von Prondzynski recommendations and to petition the Cabinet Secretary to disregard any draft code from the Committee of Scottish Chairs which does not conform to those recommendations."

## **WIDENING ACCESS**

(MOTIONS 6 – 7 TO BE TAKEN TOGETHER)

## **6. WIDENING ACCESS TO HE (St Andrews)**

"Conference notes:

- the continuing low rate of progression to HE amongst students from schools in the Scottish Index of Multiple Deprivation 20 areas;
- the contrasting responses of Scottish HEIs to this and other access issues;
- that individual school results reflect wider socio-economic structures and are not always a reliable indicator of academic potential.

Conference believes that access to HE for all:

- is a right;
- is a social good;
- should be based on potential future academic attainment as well as recent or past academic attainment.

Conference resolves:

- to mandate the UCU Scotland official, or her office, to produce a document on current access initiatives for branches to use in local campaigns;
- to mandate the UCU Scotland official, or her office, to co-ordinate local campaigns on access to HE;

- to pursue issues of access to HE at a UK level.”

## **7. WORKING WITH NUS SCOTLAND TO INCREASE ACCESS TO HE (Glasgow Caledonian)**

“Congress notes that despite successes in preventing the imposition of tuition fees on Scottish students, legislation on fees for rest of UK students has now imported the market into Scottish education, making Scotland the most expensive place for rest of UK students to study within the United Kingdom.

Congress further notes that in an effort to maximise income, Scottish universities are increasingly charging fees to international postgraduate students, vastly in excess of the fees charged to UK postgraduate students, despite international students often coming from countries with a standard of living much lower than that of the UK.

Congress also notes the increasing amount of part time work which students at Scottish universities are often forced to undertake in order to continue studying, given the absence of meaningful grants.

Congress congratulates NUS Scotland on their campaigning on Unlocking Scotland’s Potential – Widening access and asks the incoming Scottish leadership to meet with representatives of NUS Scotland, in order to examine the practicalities of increasing joint activities on this and other matters of joint interest.”

## **8. IMPACT OF INTERNATIONALISATION ON UNIVERSITIES (Executive Committee)**

“This Congress notes that immigration is a UK wide system that does not reflect the differences in Scottish society, culture and demographics. It further notes that universities are global institutions which rely on the free flow of staff, students and knowledge to maintain their world class status.

Universities are reporting that the points based immigration procedure has undermined overseas student recruitment which may result in an imbalance in the ethnic diversity of Universities.

Further this Congress notes the increasing number of Scottish universities which are establishing campuses overseas, or are developing overseas partnerships for purely financial gain. Heriot-Watt University has a campus in Dubai, in the United Arab Emirates, UAE, which does not permit trade unions and Glasgow Caledonian University is considering expanding contacts with Saudi Arabia, in order to provide courses in that country.

Congress is deeply concerned that the laws and customs which operate in UAE and Saudi Arabia are inconsistent with International Labour Organisation standards and United Nations human rights conventions. Further, these countries may prevent the universities from providing the usual pastoral and support services to minority students. Indeed, UAE

legislation and customs infringe the labour and human rights of staff and students working and studying in the Dubai Campus. This produces real inconsistencies and inequalities between those based in the Edinburgh and Dubai campuses and similarly for Saudi and Glasgow campuses.

Congress urges UCU Scotland to raise these matters with Heriot-Watt University, Glasgow Caledonian University, the Scottish Funding Council and the Scottish Government, and to monitor the situation in relation to the development by other universities of an overseas campus.

Congress calls for UCU Scotland to campaign for:

- The exclusion of students in the overall immigration figures
- The removal of the cap on the numbers of overseas staff in universities.”

## **9. PUBLIC SECTOR EQUALITY DUTY (Executive Committee)**

“Congress note that the equality duty in the Equality Act 2010 (s.149) obliges public authorities to have due regard to equality in all that they do. When the duty is properly implemented it should lead to more efficient and effective public service delivery – better serving those most in need and tailoring services to an increasingly diverse population – as well as providing more equal employment opportunities within the public sector. For universities this includes students and resourcing.

The coalition government is currently undertaking a review of the public sector equality duty as part of its response to the Red Tape Challenge on equalities and it was stated that it was in line with the government's 'strong desire to reduce unnecessary bureaucracy where it exists and consider alternatives to legislation'.

Jo Swinson East Dunbartonshire MP, BIS and Equality Minister, said in a recent Liberal Democrat's Voice blog:

“As Liberal Democrats we don't think equalities should be about ticking-boxes or regulatory hoops – it's too important to be relegated to an administrative duty.”

Congress believes this review is premature as the new equality duty only came into effect just under two years ago and the specific duties only a year ago.

Congress is concerned about the degree of objectivity and rigour with which the review will be carried out as it is being overseen by a steering group that lacks any public service user or worker voice on it and no representation from the devolved administrations. It is also being conducted in a very short timeframe as the terms of reference were only published at the end of November 2012 and the final report is due to ministers in April 2013.

Congress calls on UCU Scotland to campaign for the retention of the public sector equality duty in the Equality Act 2010 in conjunction with the STUC and other campus unions with the political parties, MSPs, MPs and the Scottish Government."

#### **10. WORKLOADS AND WORK LIFE BALANCE (Abertay Dundee)**

"Scottish Congress notes the introduction of a business ethos in Scottish Higher Education as manifest in the imposition of performance management, work-load modelling, efficiency drives and other associated management tools, which are in effect driving up workloads.

Scottish Congress further acknowledges excessive workload leads to increased personal stress, adversely affecting the student experience and the staff research agenda.

Scottish Congress affirms its concern about increased stress levels as identified in UCUs 2012 Stress Survey, and resolves to action a campaign highlighting the nuances of stress related issues, like the imposition of a business agenda, in Scottish Universities, but under the auspices of UCUs campaign on Workload and Stress."

#### **11. OPEN ACCESS TO PUBLICALLY FUNDED RESEARCH (Scottish Retired Members)**

"Congress urges Executive

(a) to endorse the open access pledge, and to recommend that all UCU members adopt this as a sound basis for maintaining the culture of free exchange of scientific knowledge; and

(b) to recommend to both sectors that they consider including, in future negotiations on terms and conditions of employment, the right of all staff who retire or are made redundant to free access to online journals via their former university library."

#### **12. STUDENT DEBT AND EXPLOITATION (Executive Committee)**

"Congress notes with concern that the increase in levels of debt for students could lead them to consider alternative forms of income that could lead to exploitation of students and potentially put vulnerable people at risk.

Congress notes the increase in the 2013/2014 budget for student support and calls on the government to ensure students are aware of funding available to them.

Congress calls on UCU Scotland to approach NUS Scotland, STUC Youth Committee and university management in order to further a joint campaign against such exploitation including advice of student support and alternative sources of finance."



### **13. WORKING TO END SEXUAL EXPLOITATION OF STUDENTS IN SCOTLAND (Glasgow Caledonian)**

"Congress notes reports in the press that an increasing number of students from Scottish universities are signing up for so called 'sugar daddy' dating through websites such as seekingarrangement.com.

This US-based internet dating website claims to match attractive young women with wealthy, usually older men, and specifically targets university students by offering a free premium membership to users with a university e-mail addresses.

According to the website, the average female university student using the website receives £5000 per month from their "benefactors" to "cover the cost of tuition, books and living expenses".

Congress notes that a survey conducted by the website itself last year found that approximately 80 percent of all relationships conducted through seekingarrangement.com involve sex.

Congress believes that arrangements such as this are an example of sexual exploitation of students, and asks the Executive to approach NUS Scotland, the EIS and university management in order to further a joint campaign against the sexual exploitation of students."

### **CONSTITUTIONAL DEBATE**

(MOTIONS 14 – 16 TO BE TAKEN TOGETHER)

### **14. UCU SCOTLAND STRUCTURES (Glasgow)**

"This meeting notes the growing divergence in HE policy across the UK. While threats to pay, job security and academic freedom are ubiquitous across the sector the source of those threats may be different in each part of the UK. UCU Scotland has to be able to best defend members in Scotland and we call on UCU Scotland officers to develop potential models on the structure and organisation of UCU in Scotland to ensure the union is able to respond to a developing political environment."

### **15. DECENTRALISATION OF FISCAL & POLITICAL AUTHORITY (Abertay Dundee)**

"Scottish Congress notes the pending changes to Scotland's political structures, including the Scottish Parliament gaining greater fiscal and political control over Scotland's economy and polity, which may include greater Devolution, Home-rule or Independence.

Scottish Congress further notes that the above changes will profoundly effect tertiary education in Scotland, indeed, are effecting it, as regards its delivery, funding and structure.

Consequentially and as a priority, Scottish Congress mandates dually elected Scottish Executive Officers and the UCU Scotland Executive to facilitate and engage in a UCU wide debate on how best to structure UCU Scotland in order that it can progressively deal with the above changes in Scotland, including, but not limited to, decentralisation of fiscal and political control of Scottish matters from UCU to UCU Scotland.

Further, Scottish Congress resolves that this debate on decentralisation discuss Federalism, as well as other possibilities, in restructuring UCU so as to ensure UCU Scotland can play a proper role, as determined by Scottish UCU members, in dealing with the above changes in Scottish Tertiary Education."

## **16. DEALING WITH DEVOLUTION WITHIN UCU & IMPROVING OUR CO-ORDINATION WITH OTHER EDUCATIONAL UNIONS (Glasgow Caledonian)**

"Congress notes that trades unions within the United Kingdom have dealt with growing devolution within the British Isles with varying degrees of success.

This has increasingly become a key issue in the education sector as educational philosophy and educational provision within the different nations of the UK continues to diverge.

Historically, the Higher Education sector in Scotland has been served by two main academic or academic related unions – EIS/ULA operating only on a Scottish basis, and the UCU (formerly AUT), operating throughout the UK.

Congress notes the success of many aspects of joint activity between UCU and EIS/ULA, such as conferences on Governance and on the Future of Education in Scotland. Congress is also cognisant however of situations where the unions have diverged in the past – such as on attitudes towards industrial action, which has led to some difficulties for members of both UCU and EIS/ULA in operating in a co-ordinated manner.

Aiming to improve our united work on issues of common concern, Congress asks the incoming leadership to contact EIS/ULA and request discussions between representatives of both unions regarding:

- A series of joint initiatives between now and Congress 2014 on what are perceived to be the main issues facing the Higher sector in Scotland
- An approach to how better co-ordination can increasingly be achieved between our two unions at a national and local level

Mindful of the above, Congress ask the incoming Scottish leadership to initiate discussions with UCU at a UK level regarding a strategy to transfer more meaningful and appropriate autonomy to UCU at a Scottish level, given the on-going devolutionary developments in the UK."

## **ORGANISING AND REPRESENTING MEMBERS**

(MOTIONS 17 – 18 TO BE TAKEN TOGETHER)

### **17. RECRUITMENT & ORGANISING (Executive Committee)**

“UCU Scotland notes that the current financial position in UCU is in part caused by a decline in membership and that Scotland is not immune to this decline. This decline is due to redundancies at universities and the union membership demographic. Many early career members, who are often on casual contracts, do not automatically join the union.

Congress further notes that the union is committed to the organising model and has a dedicated organiser in Scotland. That staff will join if directly asked or contacted by a local representative and that this can be achieved by with minimal commitment from members.

It further notes that recruitment drives are taking place at institutions but these can only be successful if local members are involved.

Congress calls on all branches to increase efforts to recruit new members and to increase the involvement of members in organising and recruiting by encouraging members to get involved as departmental reps, helping in the recruitment drives and actively recruiting members.”

### **18. SUPPORT FOR BRANCH CASEWORKERS & CASEWORK CO-ORDINATORS (Aberdeen)**

“Congress commends caseworkers and the work they do.

Congress recognises that casework constitutes a pivotal element of branches’ activities and that this work is often of low visibility.

Congress notes that many casework issues are symptomatic of wider collective issues and resolving these can often be more effective when done collectively.

Congress further notes that individual institutions are more willing to follow good practice when this is demonstrated by other institutions in the sector.

Congress calls on UCU Scotland investigate ways to transfer knowledge and information arising from casework and to take forward collective issues that arise. These could include:

- Regional meetings for casework co-ordinators
- Web based repositories of collective agreements/policies
- Support from a UCU official to address collective issues.”

## **19. UNION CITIES INITIATIVE & THE RENEWAL OF UCU BRANCHES (Glasgow Caledonian)**

“Congress congratulates the UCU branches which have begun to periodically meet on a city basis in order to exchange best practice and investigate how to better work together on common issues. Already in the Glasgow area, branches have exchanged ideas on social networking; local publicity; membership strategies and have sought to give support to each other in identifying potential issues of common concern.

Congress believes that such initiatives, in the style of the ‘Union Cities’ approach should be considered by all UCU branches where possible, and asks the UCU Scottish Executive to help facilitate this approach.

In addition to facilitating improved working on local or regional issues, Congress asks the Scottish Executive to consider initiating local or regional workshops on ‘getting our message across’ – asking branches (and individuals) with skills in the area of social networking, local material, media coverage etc, to help share best practice.

In doing this we should also consider drawing on the facilities which may be available in the media departments of some of our universities where our members may teach media or communications professionally.

Following this approach our approach should be to ensure that by Congress 2014 each branch should aim to have:

- A branch media/publicity officer able to talk professionally to the media and act pro-actively in this regard
- An active on-line presence – such as a web site or blog which if possible is linked/networked to other UCU sites/ blogs in Scotland
- Good practice in using social media which might include Twitter, Facebook or other social media outlets
- A branch media strategy aiming to boost branch visibility (including in university publications).”

## **20. CONGRESS HOSPITALITY (Dundee)**

“Congress notes:

1. UCUS Congress is purportedly to meet in 2013 a luxurious hotel
2. UCUS Congress has used private luxurious hotels for many of the previous years, including spa resorts and castles.
3. There are many University, local authority and non-profit organisations in Scotland with adequate and accessible conference facilities

Congress believes:

1. We oppose our employers contracting out services to private employers
2. UCUS should encourage the use of public sector facilities

Congress resolves:

1. To use University, local authority or non-profit organisations facilities for its future conferences

## **21. COMPOSITE: UCU FINANCIAL SITUATION (Glasgow and Strathclyde)**

“UCU Scotland notes with concern the financial challenges facing UCU. While these challenges are significant we call on the National Executive Committee and the General Secretary to seek imaginative methods to address any financial shortfall while abiding by UCU policy and general trade union principles and refusing to consider any compulsory redundancies of UCU employees.”

### **ORIGINAL TEXT OF COMPOSITED MOTIONS**

#### **COMPOSITE MOTION: UCU FINANCIAL SITUATION**

##### **MOTION A: UCU SCOTLAND STRUCTURES (Glasgow)**

“UCU Scotland notes with concern the financial challenges facing UCU. While these challenges are significant we call on the National Executive Committee and the General Secretary to seek imaginative methods to address any financial shortfall while abiding by trade union principles and refusing to consider any compulsory redundancies of UCU employees.”

##### **MOTION B: AGAINST COMPULSORY REDUNDANCIES IN UCU (Strathclyde)**

“Strathclyde UCU calls on the National Executive Committee and the General Secretary to abide by UCU policy and general trade union principles by refusing to consider any compulsory redundancies of UCU employees.”



**UCU SCOTLAND CONGRESS 2013**

**22 MARCH 2013, GLASGOW**

**FORM FOR SUBMISSION OF AMENDMENTS OR EMERGENCY MOTIONS**

**DEADLINE FOR AMENDMENTS: 12 NOON, FRIDAY 15 MARCH 2013**

**1. For amendments: Number and title of motion to which this amendment refers**

**2. For emergency motions: Title of motion**

**3. Text of amendment or emergency motion**

**4. For emergency motions: Please state why this motion meets the criteria for late motions (urgent, timely, requiring a decision of Congress, and could not have been submitted by the motions deadline of noon on 22 February 2013)**

**5. Declaration:**

**I certify that this amendment/emergency motion was passed by a quorate general meeting of (insert name of submitting body):**

**Held on (insert date):**

NB If the amendment or emergency motion was not approved at a quorate general meeting, please state how it was approved in accordance with the Congress Standing Orders and any applicable local rules. Amendments may be approved by a branch committee.

**Name:**

**Signed:**

**Office held:**

**The deadline for the receipt of amendments is 12 noon on Friday 15 March 2013**

Please submit amendments to motions or emergency motions to:

The Honorary Secretary

c/o Ann Cowan

UCU Scotland

6 Castle Street

Edinburgh

EH2 3AT

Please also submit amendments and emergency motions electronically wherever possible to **acowan@ucu.org.uk** Please use a separate form for each amendment or emergency motion.

Receipt of all amendments and emergency motions will be acknowledged. If you do not receive acknowledgement of an amendment or emergency motion that you have sent, please contact Ann Cowan **before** the deadline for receipt of amendments (**12 noon on Friday 15 March 2013**).

**UCU cannot accept any responsibility for failure of electronic communication and branches are advised not to leave the submission of motions by any means (including email) until the last minute**