



# **Review of Higher Education Governance**

The UNISON Scotland Evidence to the Review of Higher Education Governance

**September 2011**

## **Introduction**

UNISON is Scotland's largest public sector trade union representing over 165,000 members delivering services across Scotland. UNISON members deliver a wide range of services in the public, community and private sector. In education UNISON members deliver essential services including cleaning, advice, administration, libraries, technical and research support, IT, finance, learning and student support services, security, porter services and management. These employees are often the face of higher education in Scotland and contribute a great deal on the overall student experience, providing the foundations for high quality learning for all. It is essential that the voices of all those involved in education contribute to the debate on its future. UNISON Scotland is able to collate and analyse member's experience to provide evidence to inform the policy process. We therefore welcome the opportunity to submit evidence on the governance of higher education.

## **Response**

Democratic structures create public bodies which are open and transparent in their dealings with the public. UNISON Scotland believes that issues of democratic accountability must be among the criteria used when reviewing governance in all public bodies. The Independent Commission on Good Governance in Public Services (2005) laid out 6 principles of governance. Those appointed to these roles should be:

- Focusing on the organisation's purpose and outcomes for the citizens and services users
- Developing the capacity and capability of the governing body to be effective
- Performing effectively in clearly defined functions and roles
- Promoting values for the whole organization and demonstrating good governance through behavior
- Taking informed transparent decisions and managing risk
- Engaging stakeholders and making accountability real

UNISON believes this review should take account of how well University governing bodies are fulfilling these roles.

Universities rightfully value their academic independence. This academic freedom does not exempt them from the needs to be governed properly and to be accountable to the communities which they serve. There must be oversight of how institutions are run. The Scottish Government should have the the necessary powers to intervene directly where a Higher Education Institution (HEI) is demonstrably failing to meet democratically established policy objectives. There may be scope for a wider role for the Scottish Funding Council (SFC) in overseeing the governance and equalities issue around universities. As things stand the Minister claims that oversight lies with the Scottish Funding Council while the funding council maintains a narrow view of its role. The lines of responsibility need to be clarified.

Research undertaken by APSE for UNISON on Napier University (full report attached) found a range of problems with how the university was being run, that the Governing body did not seem to be tackling. Departments at Napier had significant and repeated overspends. These would lead to disciplinary action in

local government yet the university management have allowed repeated overspends and the court have not challenged this. It appears that this is not unusual in HE institutions. Figures released this week by Grant Thornton show that 26 UK universities are in deficit. As we move forward into a period of budget cuts oversight of financial management needs to be improved.

Efficiency savings at Napier are another area where reports given to court appear to be taken at face value even when there is little robust evidence to back them up. Responses from our wider membership suggest that this experience is not restricted to Napier. Given that many universities claim they will deal with cuts in funding through efficiency saving it is essential that these are measurable and achievable.

The report from APSE also found that Napier's strategy and corporate plan did not appear linked to available resources: the extent to which these are fully costed are debatable and the lines of responsibility for key performance indicators are not clear. This includes their financial indicators.

We believe that public bodies should as far as possible be directly elected. We hope the review will explore this possibility. UNISON accepts that direct elections will not be practicable for every organisation. Such organisations should become an amalgam of elected representatives, appointed laypersons and professionals with a statutory duty to engage with service users and the public. The current structures in higher education are weak in terms of links to local communities. University governance bodies need to be made up from a wide range of people to reflect the communities which they serve. There also needs to be a wide range of skills to ensure that the governance bodies are able to hold managers reporting to the boards to account.

An open and transparent governor appointment process independent of the senior managers of the respective institution will be essential. Our members' experience is that university management essentially controls the appointment of members of governance bodies. Governing boards appoint the Principle and Vice chancellor who then appear to appoint the people to the governing body. HEI management should have no part in the selection of members of their governing bodies. The appointments system should include a process for holding governors to account and their individual and collective de-selection. The process should ensure Governors are appointed from a range of constituencies reflecting higher education's wide range of stakeholders, to include trade union representatives and democratic representatives from the communities in which they operate.

It is the experience of our members that senior managers have too much influence in the decisions of governing bodies. Governors need to have access to all necessary management information held within HEI's. They also need to be provided with appropriate training in respect of being independent, and methods of accountability. Governors require access to appropriate professional support and advice, including finance and audit. The make-up of boards should ensure that some members bring these skills with them. The government should require HEIs to have Governing Body support for all significant strategic decisions and budget setting.

It is our members' experience that HR expertise is often lacking. It has been suggested that that NHS boards may be a model for staff representation in

decision making in HEIs. While we fully support the role of staff directors in the NHS it should be noted that these roles are undertaken in a very different negotiating environment than that in HEIs. Partnership working such as that in the NHS in Scotland is essential to make this work. This would mean substantial change in the way university management currently communicate and negotiate with staff. We believe that all recognised trade unions in higher education should have a representative on governing bodies. Trades Unions should be included as members as they have a mandate and are accountable to their members. These members need to have equal status with other members and have appropriate time off to attend both meetings and for the workload involved.

It is essential that governing bodies ensure that there are appropriate Staff Governance Standards in place. UNISON believes that the voluntary staff governance standard agreed between Scotland Colleges and the STUC provides a basis on which governance could be improved. This is a strategic framework of minimum standards, continuous improvement and ongoing consultation and negotiation between boards, management, staff and recognised trade unions. Universities should have a broad range of up-to-date staffing policies. These should be negotiated with all recognised trade unions within the institution and should reflect current good practice. Representatives of the Governing Body should be required to meet on a regular basis with Trade Union and student representatives of the respective HEI, to discuss strategic issues.

Good Governance standards do not just improve the working lives of staff. They improve the efficiency and effectiveness of organisations. There is a range of evidence to show that involving staff in the design of services will make real and lasting savings and improvements rather than top down initiatives or the use of consultants. Robert Gordon University was looking to privatise the IT service on the advice of consultant but the in-house team did their own report and the university is taking that route instead. This is one of many examples of how listening to service users and staff leads to improved services and costs savings.

## **Conclusion**

UNISON Scotland welcomes the opportunity to submit evidence on the future of higher education. UNISON represents a range of education staff and we have used their experience to inform this submission. The sector is facing enormous challenges and the best route forward is to fully involve both users and staff in designing future development. We therefore welcome the opportunity to submit written evidence to the review and hope to be further involved in the process. We would welcome the opportunity to meet with the review team.

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