SUBMISSION FROM PROF. STEPHEN J. BELL

Dear Sir/Madam,

HIGHER EDUCATION GOVERNANCE BILL

I write in response to the consultation regarding the above. Let me say from the outset that I view these proposals with considerable disquiet, and wish to express my concerns in the strongest terms. While the Royal Society of Edinburgh has already responded in detail, and I endorse wholeheartedly the content of its formal Advice paper, I would wish to add my individual voice here to the points the Society has made.

Firstly, and fundamentally, it seems extraordinary that detailed proposals are being made at the same time as the Scottish Government is seeking views as to the nature (and indeed the very existence) of deficiencies in the governance of the sector. Since no serious deficiencies have yet been identified, the Bill is arguably unnecessary, and certainly untimely. No proper explanation is offered of the problems the Bill seeks to solve, or of how the six major proposals would improve existing governance. No evidence is offered that the proposals would enhance transparency and accountability.

The Bill is arguably self-contradictory, in that while denying a wish to exercise increased Ministerial control, and stating its intention to respect the diversity and autonomy of individual HE institutions, and academic freedom, it seeks to impose blanket, standardised changes which threaten precisely those principles and qualities which have made the sector so successful, to the detriment of good governance.

Political control without proper parliamentary scrutiny would be facilitated by enabling future direct regulation of the composition of Courts and Senates, circumscribing institutional independence.

The role of Rector would be undermined.

The relationship between chairs and governing bodies would potentially be compromised by the proposal for the chair to be chosen by an electorate wider than the governing body, and the role of chair politicised.

Practical implementation of the proposals would be counterproductive, costly, duplicative and bureaucratic, threaten universities’ charitable status, jeopardise competitiveness, risk compromising current high academic standing, and limit innovation and diversity. The proposals are ill-timed, unnecessary, self-contradictory and threaten the necessary autonomy of universities. Consequently, they should be withdrawn.

Yours faithfully,

Professor J Stephen Bell.