UNIVERSITY OF STIRLING

HIGHER EDUCATION GOVERNANCE (SCOTLAND) BILL

Response to Call for Evidence

This response sets out the views of the University of Stirling Students’ Union on the Higher Education Governance (Scotland) Bill.

The Committee’s questions

1. What do you consider to be the existing problems (if any) with higher education governance, particularly around modernity, inclusion and accountability?

The Union feels in terms of inclusion that the University’s highest level of governance should be an inclusive environment, relatively reflecting the diverse range of the student community in which it acts in the interests of. Unfortunately, we feel that while the gender balance on Court is somewhat improving, to our knowledge, no other race, other than white, is represented, and there is an overall lack of other protected characteristics represented.

2. The extent to which the Bill
   (a) Will improve higher education governance, particularly in the areas above

   We believe the Bill is acting in the best interests of students and the institution as a whole; with regards to accountability, the minimum of 10% student membership on our Academic Council would increase our student representation from 2 to 3, further ensuring the student voice is heard, and that the University is accountable to the student representatives, and the student population. The Bill’s proposal for the election of the Chair of Court will improve both inclusion and accountability. Many students are not aware of the top-tier governance structures; however, if they were to be involved in the process of electing the Chair of Court (similarly to how a Rector is elected at the Ancients) students would be more engaged and aware of who they are and what they do. By the same token, the Chair of Court would be more accountable to the students and staff that elected them; although they serve Court, it cannot be forgotten that they also should serve the institution as a whole, especially the students and staff.

   (b) May alter the higher education sector’s current level of autonomy

   We believe it is important all HEI’s are operating at the same level of good-governance; legislation is the only way to ensure this. Although we appreciate institutions autonomy is important, it is vital that ALL universities meet a standard that is not always achievable through recommendation but only through obligation. We believe that although their autonomy may be affected by these changes, that the end result will be beneficial for students, and therefore worth a small loss of autonomy.

   (c) May affect lines of accountability between the Scottish Government, relevant public bodies and the higher education sector

   We believe the transparency and the increased level of consistency across all HEIs the Bill will ensure will only help increase accountability amongst the sector and public bodies, as well as the Government itself. We believe that if everyone is more accountable for their actions, and that if the standard the Bill expects if not met, then swift and robust action can be taken to ensure the best experience for students.
The Bill is part of a wider package of recent reforms to higher education governance, including the development of a Scottish Code of Good Higher Education Governance.

3. Has the correct balance been struck between legislative and non-legislative measures?

We believe that the Code of Good Governance, which was developed in consultation with Scottish Universities and key stakeholders, provided a good platform for HEIs with regards to Governance. We believe many institutions follow this code and operate good governance. However, we believe the Bill will ensure every institution is compliant and that some areas would only be improved with the introduction of legislative measures; for example, the increase of student members on Council- we are unsure if this would happen without legislation.

Are any further measures needed?

N/A

Specific proposals

The Bill proposes a number of specific changes to higher education governance.

4. Please provide your views on the merit of each of these proposals.

- To require higher education institutions to appoint the chair of their governing body in accordance with a process set out in regulations made by the Scottish Ministers

We believe the proposal set out for the election of a chair of court makes the process more transparent. There have been concerns raised by our Institution that an election would put women off running; we rebut this by stating that in the last general election a record 1 in 4 candidates standing were women and that in our own SU elections, we had more women candidates than men in our latest two elections. If this is a real concern of the University, it is the responsibility of the university to ensure that it holds an election that is open and accessible and takes active measures to ensure all feel confident and comfortable standing.

- To require HEIs to include various persons within the membership of their governing bodies

We believe the changes to the way student members would be appointed, giving the power to the Students’ Union is mutually beneficial for us and the University. By giving us the choice to select which two of our sabbatical officers sit on Court, we can put forward the most appropriate Sabbatical Officers; those who have an active interest or background in governance, policy, education etc. ensuring they can effectively contribute, as well as enhancing the personal development of that Sabbatical that has a keen interest. It would also allow us the flexibility to engage in best practice in Gender Balancing and that would benefit the gender balance of court.

- To require HEIs to ensure that their academic boards are comprised of no more than 120 people, and include various persons

Our current size of Academic Council is 30 members; we do not see an issue with a limit of 120.