

## **Response from the General Council of the University of Edinburgh to the draft Scottish Code of Good HE Governance, May 2013**

Further to our original submission to the initial Review of Higher Education Governance under Professor von Prondzynski (copy attached) we would like to make some comments on the draft Scottish Code of Good HE Governance issued in April 2013.

We would like to commend the overall approach taken in the new Code, namely to being a set of good principles and not a prescriptive set of rules. Indeed, we find it difficult to take significant exception to the Code as now written. We support very strongly the concept of responsible autonomy. There is also clear recognition of the role of Court members as independent charity trustees and not as representatives of any particular group.

We do regret however that the special role a university's graduates may take in the overall governance structure is not more thoroughly addressed. The Ancient Scottish universities all have a General Council which performs this role, arising from the 1858 Act and still with relevance today. The General Councils consist of all graduates of their university in addition to senior academic staff. For example, this University has about 172,000 members. In particular the General Council has the responsibility of electing independent Court Assessors to the University Court (currently three at Edinburgh). These are valuable lay members of Court who bring a particular understanding of the university to Court. They are fully independent from the University and its management, being elected by the members of the General Council in an open and democratic manner. Our election procedures and terms of office for our Court assessors are already in accordance with the recommendations in the draft Code. A General Council also provides various opportunities for the graduates to obtain information and insight into all aspects of the governance and management of the institution as well as to be able to comment on all matters affecting its wellbeing and prosperity. It forms a body of informed and interested stakeholders who are given an opportunity to question the direction and performance of the university at open meetings of members which take place twice a year. At these, senior members of the institution including the Principal, University Secretary and Rector are usually present.

We also think that there could be more definitive recommendations in the Code for the role of the students in the governance of the university. It seems reasonable to us that a formal role is established for them on the governing body as for example exists already at Edinburgh. This should be in addition to the welcome suggested involvement in consultations on other functions related to governance such as performance monitoring and appointment of the Principal. We also fully support the presence of staff members on the governing body and do not feel that there is any case for these to be representatives from associations or other such organisations. Some form of democratic election of such staff members should be recommended instead.

The proposals for appointment of the chairs of Court seem reasonable in general principle. The distinct nature of the role of Rector in the Ancients appears to be recognised. The current arrangements for chairing of Court have worked satisfactorily at Edinburgh. We welcome that further thought is going into how these proposals might best be implemented in those particular universities.

Overall, the other recommendations seem fair and proportionate.

## **Response from the General Council of the University of Edinburgh on the Review of Higher Education Governance**

Call for Evidence

We would like to respond to the Call for Evidence on behalf of the Business Committee of the General Council of the University of Edinburgh. We note in particular that there is no mention of the role of the General Councils in Higher Education Governance.

### **Background to the General Council and its Business Committee**

The universities of Aberdeen, Edinburgh, Glasgow and St Andrews all have General Councils, established in 1858 by Ordinance. These were intended to provide an on-going voice for the members of the General Council in the governance of these universities, a role which they maintain to date. The membership is composed in the main of the graduates of the universities but it includes some categories of academic staff as well as the members of the University Court and a limited number from other categories.

The General Council of Edinburgh University functions mainly through its Business Committee. The Business Committee consists of 26 persons, all being elected by the membership of the General Council and a Secretary of the General Council who is appointed. There is a Convener, a Vice Convener, four standing committee conveners and 16 ordinary members. The Standing Committees are as follows: Academic, Finance and Services, Public Affairs and Constitutional. The General Council also elects three independent Assessors to the University Court who sit on the Business Committee as ex-officio members. The Chancellor's Assessor is also an ex-officio member. The Business Committee receives a number of reports and presentations from senior University staff, both academic and from the management team. It also receives detailed information in financial reports from the Director of Finance. Information on performance and strategic plans is also presented on subjects such as Human Resources, Estates and Buildings, Research Commercialisation and others. Activities which affect the wellbeing and education of the students such as teaching facilities, accommodation and welfare are reviewed. It has the opportunity to question and comment on all these matters.

The General Council has a statutory right to be consulted on all Ordinances and Resolutions emitting from the Court.

The Business Committee also maintains close links with the student body through the Edinburgh University Students Association.

The General Council in addition has a responsibility to ensure the prosperity of the University. Fund raising has become professionalised over recent decades and the General Council has to a considerable extent given over its role in fund raising to a Development & Alumni (D&A) department. However it still participates in fund raising activities, for example through its own scholarship award scheme. It also actively supports the alumni relations function of D&A.

All members of the General Council, which in the case of Edinburgh currently numbers 167,372, are eligible to participate in the election of Business Committee members. The current Business

Committee comes from a wide variety of backgrounds including business, medical, legal, administrative and educational. This provides a range of experiences and skills to advise and support the University. The gender balance is reasonable; currently 10 of the 26 members are female. Most Business Committee members are currently based in Scotland for practical reasons although the General Council membership is truly global. Both the participation of the Business Committee and the General Council membership ensure the involvement of a greater community in the governance of the University.

The Business Committee has regular and interactive communication with the University Court. One route is through the General Council Court Assessors who report on Court business to the Business Committee. The Assessors receive comment and inputs on Court issues from the Business Committee who act as a trusted and knowledgeable reference group. The Business Committee also has the option of raising items or concerns directly with Court.

There are two open meetings a year of the General Council when the membership can receive reports from the Business Committee and from senior University staff, normally including the Principal at least once a year. This provides an opportunity for general members to raise issues and comment upon the work of the University. Edinburgh takes its summer meeting every second year to another location in order to encourage participation by members in different countries. To date, such away meetings have been held in London, Paris, Washington DC and Hong Kong.

Although only the four longest established universities in Scotland have General Councils, it is important to acknowledge that a role in governance of some form of alumni council has also been well established in other countries. We are aware of these at many of the leading North American establishments, with specific knowledge of those at both Columbia University and Yale for example.

## **The roles of the General Council and its Business Committee in Governance**

These include:

- Providing informed and independent Assessors for the University Court
- Providing a framework for these Assessors to work within which is separate from the Court and that provides a wide ranging sources of advice and know-how independent of Court
- Providing a trusted body that obtains detailed information on the academic, financial and other management aspects of the performance of the University, thus providing an independent supervisory and advisory function
- Oversight of all Ordinances and Resolutions produced by the University
- A forum for the engagement of a wider community, both Scottish and international, in the workings of the university
- The General Council is responsible for the election of the Chancellor, the most senior position in the University

## **Recommendation**

We strongly believe that the General Council has a useful and constructive role in university governance. It seems pertinent to consider whether all HE institutions should have such a body to reflect the interests of the wider graduate and university community in governance.

## **Comment on the role of Rector**

The Call for Evidence also raises the role of the Rector. Our opinion is that this is a very useful position. It provides independent input to the working of Court and guidance on its functioning. Perhaps as importantly it also provides an independent channel for the views of the student body to be represented. The Rector has a unique insight into student affairs. The ability to function as a form of ombudsperson is highly valuable. Depending on the background of the individual serving as rector they may also be able to communicate with and influence the government and other public institutions. It is our recommendation to have an independent Rector (or an equivalent such position) in all HE institutions.