

UNIVERSITY OF STIRLING

RESPONSE TO CONSULTATION ON THE DRAFT SCOTTISH CODE OF GOOD HE GOVERNANCE

Introduction

- 1 The University of Stirling welcomes the development of a new Scottish Code of Good Governance which aims to ensure that Scotland's universities are among the most progressive in Europe.
- 2 As part of the consultation process staff and students at Stirling provided evidence to the steering group responsible for developing the new Code and we are pleased to have the opportunity to offer some specific comments on the published draft.

Comments

- 3 The University of Stirling particularly welcomes the following aspects of the Code:
 - the emphasis on greater openness and transparency
 - the need to consider equality & diversity as part of building the membership of governing bodies
 - the desirability of including staff and student members in the appointing panels for principals and the involvement of staff and student members in the process for appraising the performance of the principal. At Stirling we have had students and members of staff on the nominating committee which selects the Principal and we would recommend that rather than "consultation with students and staff members of the governing body" students and staff should be included as members of the nominating committee
- 4 There are a few of areas where we would welcome further clarity:
 - We believe the Code would benefit from having a greater distinction between those points which are desirable or best practice and those that are a requirement.
 - Principle 5 mentions essential elements of a control system which includes reviewing risk management by the finance committee with an independent member majority. If a lay majority is deemed necessary for the finance committee, this should be given more emphasis.
 - Principle 6 states that the register of interests should be available on the institution's website, however the supporting guidelines state that the register should be 'publicly available' which is not necessarily the same thing.

Drafting Issues

- 5 Principle 9 refers to a 'full evaluation of the balance of skills, attributes and experience required for membership of the governing body'; it is not immediately clear if this refers to the balance of skill of each individual, or rather the balance of skills across the governing body as a whole.
- 6 In the supporting guidelines for Principle 6 it advises that a member of the governing body who has a personal interest in any matter under discussion should 'withdraw from that part of the meeting'. The guidance goes on to say that having a personal interest in a matter should not 'prevent members of the governing body from considering and voting on proposals'. This appears to be contradictory. We would

recommend that once an interest has been declared, the Chair should decide whether the member should continue to engage fully and vote, be engaged in the discussion but not vote or withdraw from the meeting.

- 7 There is an error on page 19 where it refers to five universities that have a rector then goes on to refer to four universities.

Summary

- 8 The majority of good practice proposals covered in the draft Code are already in place at the University of Stirling and we embrace the opportunity the Code provides to further strengthen our already robust governance structures and practices.