

Review of the Scottish Code of Good Higher Education Governance

Joint Submission from Scotland's three Small Specialist Institutions (SSIs):

The Glasgow School of Art
The Royal Conservatoire of Scotland
Scotland's Rural University College

Whilst we have, or will, express our individual institutional view of the Code through our separate meetings with Leadership Foundation consultants, we believe that this brief joint response will add value to the consultation.

SSIs form a distinctive part of a healthily diverse Scottish higher education sector. We are different in culture, scale and focus from universities, and we each have a distinct legal structure, designed historically for a particular purpose. The Von Prondzynski review, which preceded the introduction of the Code, acknowledged that SSIs had special circumstances that it did not have time to consider. The report stated:

'... we are aware that these institutions (the Small Specialist Institutions) may wish to have their special status recognised in particular ways, and we took the view that further consideration may need to be given to them in that context, a task which due to the time frame of this review we were unable to do.'

The then Cabinet Secretary recognised that the Code should take account of the special circumstances of the SSIs, which (in part) it currently does through the inclusion of the following statement in Part 1:

'...in the case of the Small Specialist Institutions, the application of the terms of the governance Code should pay particular attention to the principles of proportionality and of relevance to the nature of the individual institution.'

We are very keen that that very helpful statement should be retained in the next iteration of the Code. We also believe that the widely accepted 'comply or explain' approach should be maintained, and that it should continue to be explicitly acknowledged by the Code.

More generally, we do not believe that the Code requires significant revision, although we recognise that it will need to be revised to take account of the Higher Education Governance (Scotland) Act. However, we would expect guidance in respect of the Act to be framed at an appropriately high level, and not to be in any way prescriptive about how individual institutions should respond to the Act.

Consistency in the principles of governance is highly desirable, but an imposed uniformity of practice across a widely and healthily diverse sector would be detrimental to individual institutions and to the sector as a whole. The current Code achieves the former and avoids the latter - we would urge the Review Steering Group to preserve that balance.