



Scottish FE College Governance Review

The UNISON Scotland Evidence

October 2011

Introduction

UNISON is Scotland's largest public sector trade union representing over 165,000 people delivering services across Scotland. UNISON members deliver a wide range of services in the public, community and private sector. In education UNISON members deliver essential services including cleaning, advice, administration, libraries, technical and research support, IT, finance, learning and student support services, security, porter services and management. These employees are often the face of Further Education in Scotland and contribute a great deal on the overall student experience, providing the foundations for high quality learning for all. It is essential that the voices of all those involved in education contribute to the debate on its future. UNISON Scotland is able to collate and analyse member's experience to provide evidence to inform the policy process. As key stakeholders in Further Education we have therefore have taken the opportunity to submit evidence to this review.

Response

Democratic structures create public bodies which are open and transparent in their dealings with the public. UNISON Scotland believes that issues of democratic accountability must be among the criteria used when reviewing governance in all public bodies. The Independent Commission on Good Governance in Public Services (2005) laid out 6 principles of governance. Those appointed to these roles should be:

- Focusing on the organisation's purpose and outcomes for the citizens and services users
- Developing the capacity and capability of the governing body to be effective
- Performing effectively in clearly defined functions and roles
- Promoting values for the whole organisation and demonstrating good governance through behavior
- Taking informed transparent decisions and managing risk
- Engaging stakeholders and making accountability real

UNISON believes this review should take account of how well Further Education (FE) governing bodies are currently fulfilling these roles.

There must be oversight of how institutions are governed. The Scottish Government should have the the necessary powers to intervene directly where an FE college is demonstrably failing to meet democratically established policy objectives. There may be scope for a wider role for the Scottish Funding Council (SFC) in overseeing the governance and equalities issue around colleges. As things stand the Minister claims that oversight lies with the Scottish Funding Council while the funding council maintains a narrow view of its role. The lines of responsibility need to be clarified.

The previous Executive's review published in 2007 found that while performance was generally good there was plenty of scope for improvement. Key areas were

- succession planning
- More professional and in depth indication process for members
- The principle is involved in the appointments process in some colleges. This is "bad practice" and needs to be addressed

- Board members need to give a greater time commitment in terms of preparing for board meetings by reading papers and participating in college events
- Quality of information given to boards often too much with little attempt to present it in a prioritised and professional manner.

It is our members' experience that these problems remain. As we move forward into a period of budget cuts oversight of financial management needs to be improved. Research undertaken by APSE for UNISON on Napier University found a range of problems with how the university was being run, that the Governing body did not seem to be tackling. Departments at Napier had significant and repeated overspends. These would lead to disciplinary action in local government yet the university management have allowed repeated overspends and the court have not challenged this. It appears that this is not unusual in HE institutions. Figures released this week by Grant Thornton show that 26 UK universities are in deficit. Our members are concerned that college boards, like universities, are not providing adequate oversight of financial decision making.

We believe that public bodies should as far as possible be directly elected. We hope the review will explore this possibility. UNISON accepts that direct elections will not be practicable for every organisation though. Such organizations should become an amalgam of elected representatives, appointed laypersons and professionals with a statutory duty to engage with service users and the public. Our member's experience is that college management essentially controls the appointment of members of governance bodies. There needs to be a much more open appointments system. College management should have no part in the selection of members of their governing body. The current structures in FE are weak in terms of links to local communities. College boards need to be made up from a wide range of people to reflect the communities which they serve. There also needs to be the appropriate range of skills to ensure that the governance bodies are able to hold managers reporting to the boards to account.

If direct elections are ruled out then an open and transparent board appointment process independent of the senior managers of the respective institution will be essential. This should include a process for holding governors to account and their individual and collective de-selection. The process should ensure board members are appointed from a range of constituencies reflecting the college's wide range of stakeholders, to include trade union representatives and democratic representatives from the communities in which they operate. FE colleges should be at the heart of their communities. Boards should also reflect the diversity of the communities that colleges serve.

It is the experience of our members in colleges that management have too much influence in the decisions of governing bodies. Board members need to have access to all necessary management information held within FEI's. They also need to be provided with appropriate training in respect of being independent, and methods of accountability. Governors require access to appropriate professional support and advice, including finance and audit. It is our experience that HR expertise is often lacking. Boards should ensure that some members bring these skills with them in the first place.

Our members feel they have little or no contact with board members leaving them feeling the boards have little understanding of the day to day running of colleges and the implications of the decisions they make at board level.

Communication with staff is only via line management. This is not always of a high standard with our members in particular excluded. It is often one way i.e. management tell but don't listen. If board members had more contact with staff they would be better informed, more able to challenge management information at board level and therefore to improve the running of the college. This would also support management to improve their communication with staff and students.

There should be representatives of both academic and non academic staff on boards. These members need to have equal status with other members. Currently they are excluded from the parts of meetings where for example staffing issues are discussed. They must also have appropriate time off to attend both meetings and for the workload involved. Some have suggested that the role of staff director on NHS boards may be a model for staff representation in decision making in colleges. While we fully support the role of staff directors in the NHS it should be noted that these roles are undertaken in a very different HR environment than that in Scotland's colleges. Partnership working such as that in the NHS in Scotland is essential to make this work. This would mean substantial change in the way college management currently communicates and negotiates with staff. For example The NHS holds regular forums to communicate with staff. We believe that all recognised trade unions in further education should have a representative on governing bodies. This is in preference to other staff members, as trade union representatives have a mandate and are accountable to their members.

It is essential that there are appropriate staff governance standards in place. UNISON believes that the voluntary staff governance standard agreed between Scotland Colleges and the STUC provides a basis on which governance could be improved. This is a strategic framework of minimum standards, continuous improvement and ongoing consultation and negotiation between boards, management, staff and recognised trade unions.

Colleges should have a broad range of up-to-date staffing policies. These should be negotiated with all recognised trade unions within the institution and should reflect current good practice. Representatives of the Governing Body should be required to meet on a regular basis with Trade Union and student representatives of the respective college to discuss strategic issues.

Good governance standards do not just improve the working lives of staff. They improve the efficiency and effectiveness of organisations. There is a range of evidence to show that involving staff in the design of services will make real and lasting savings and improvements rather than top down initiative or the use of consultants. Robert Gordon University were looking to privatise the IT service on the advice of consultant but the in-house team did their own report and the university is taking that route instead. This is one of many examples of how listening to services users and staff leads to improved services and costs savings.

Conclusion

UNISON Scotland represents a range of key staff in further education. As a key stakeholder we trust that the views of our members will be fully considered by the review. The sector is facing enormous challenges and the best route forward is to fully involve both users and staff in designing future development. We therefore look forward to further participation in the review of FE college governance.

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