

from Rosamond McKitterick, Litt.D.,

25th March 2002

Dear Tim,

Thank you for being willing to receive a late response on the University Governance consultation document. I am really sorry not to have got this to you sooner (as it is I fear this will not now arrive until the morning of Tuesday 26th rather than Monday 25th as promised). Term was extraordinarily busy; every one of the special seminars about university governance was organized by mischance at a time when I was either teaching or required to be at a meeting or, in the case of the general one, when I was conducting a Ph.D. viva. I realize how difficult it must be to organize such things, but early afternoons in full term are generally fully occupied for academics, so I daresay you got a poor turn out. I hope that there have nevertheless been many collective responses, for my sense is that many colleagues have been discussing the issues and feel quite strongly about them, as I do.

May I now therefore offer a few comments organized under your headings. I am afraid that in the nature of the genre of solicited comments they are critical, but I offer one or two positive suggestions as well.

1. The need for change.

I found this paragraph difficult to accept, for it was unsupported by good evidence. Although CAPSA was cited it seems to me misleading to cite a failure of individuals in charge of a system to justify a change to the system itself. In any case, none of the changes proposed in the rest of the document seems to have the potential to prevent another debacle of the CAPSA type.

I agree that there is chronic under-resourcing, especially in the arts and humanities. I do not however think that the answer is to appoint more administrators. What we need is more academics and more time for them. Many of us attempt to combine the administrative roles we think are necessary for academic self government, but because of under-resourcing we have to do this on top of our teaching loads which have got increasingly demanding and still attempt to maintain our research at international levels of excellence. If there were more posts, especially at junior level, this would create free time for more senior academics to take on more responsibilities without feeling that the undergraduates, graduate students and their subjects as a whole would suffer. Further, a system of, say, a term's leave as recompense for

Cont.

service on the General Board or Council might encourage more academics who are fully involved in teaching and research to serve. It is essential that the number of those serving on these bodies should not be diluted by people increasingly distant from the real work of the university.

Better pay for and therefore higher calibre assistant staff would also help a great deal.

I also actually found it rather insulting to find the implication that 'academics lack self discipline and are not willing to take decisions, oversee their implementation and take responsibility for them' (p. 509, section 3.4). On what evidence is this based?

4. Principles

I have no quarrel with these, but hope that the maintenance of Cambridge as a teaching and collegiate university providing the seed corn for future researchers as well as citizens of this country in many other occupations **and** conducting research of world-class excellence will be seen as something that has to be completely integrated. The tendency of some to describe Cambridge as a primarily research university should be resisted, for teaching and research nourish each other.

5. The Vice-Chancellorship and the Pro-Vice-Chancellors.

The document does not provide a specific definition of the functions of the Vice-Chancellor envisaged nor how these would differ from the present arrangements. In order for any of the other suggestions to carry any weight it should do so and make clear what is left for the Vice-Chancellor if the Pro-Vice Chancellors take on what is proposed.

5.2 This is surely what the Vice-Chancellor is already, but what is missing is an indication of constitutional checks on his power in the spirit of 4.1 (i) above. Is the Vice-Chancellor envisaged as a constitutional monarch or a dictator? I don't think the university has anything to gain from him being the latter, however benevolent.

Most importantly (5.3) I think it is essential that the Vice-Chancellor should chair the Council and that any suggestion to bring in an external Chairman is misguided. I am sorry to be blunt but I say this for two reasons. The first is ideological: a good Chairman must know the papers of the meeting thoroughly but also all the context and circumstances behind those papers. This requires day to day knowledge and deep familiarity so that he (or she!) can both have a clear sense of what s/he hopes the meeting will achieve and be sufficiently flexible to respond to discussion within Council, broker compromises or lead as appropriate and practical.

The Council, in the spirit of what is outlined in 5.2 should be able to look to the Vice-Chancellor for leadership and knowledge. Of course on a specific sensitive or personal issue he might want to hand over chairing of the occasional item but not to chair the meetings seems to me to be an abdication of responsibility. The only comments I have heard in favour of the idea of an external chair are from those who like the idea of being let off the hook which is distinctly uninviting.

In practical terms, moreover, how could an external person be expected to acquire (for nothing?) such knowledge, familiarity and authority of university affairs and if he is to be paid and be privy to everything, how much time will that require? How much will it cost? It will also risk the elevation of an outsider to a position of far greater influence than we should countenance.

5 and 8 Pro-Vice Chancellors and Heads of Schools.

I could see the argument for Pro-Vice Chancellors if they were in fact also the Heads of Schools, given these titles and with the administrative support and a junior post to assist with teaching and/or research proposed.

But I cannot see the case for a separate cohort of Pro-Vice-Chancellors **AND** new heads of Schools. I think this aspect of the report should be given more thought. Head of Schools/Pro-Vice Chancellors should not all be members of Council. They should serve on the General Board.

7. Council

I do not see that the composition of the Council needs to be different from what it is already. No good case is provided for the increase in size nor for what the proposed external members will supply that we lack. It would be a mistake to reduce the representation of Heads of House. The College representation should be maintained, if not strengthened (by a Senior Tutor say). Nor do I think it appropriate that Assistant Staff be represented on the Council. Further, size is an issue and the Council needs to be kept to around 20 to be efficient.

9 Regent House

It is a mistake, given what I said in **4** above, to propose Regent House status to short-term research staff. This is to shift the balance of teaching and research within the university too much and also, given that such staff are primarily in the sciences, would further unbalance the equilibrium across the subjects pursued in the university. Many, moreover, are not members of Colleges (because of their perhaps understandable reluctance to become involved in teaching or pastoral activity within Colleges) and this might also have a deleterious effect on the balance of College interests within the University. (This view does not mean I approve of the precarious position of short-term staff, but I think there are other ways to redress their situation).

It would seem to be sufficient to raise the number of signatories to a grace to 20 or 25 rather than the 50 proposed. This ought to be enough to inhibit frivolous or vexatious calls for a ballot.

Lastly, none of this is costed. What will it cost? Can the University afford it? What is the relationship between these proposals and the proposed Resource Allocation Model? There is a very strong case for getting the RAM fairly and sensibly sorted out before any major changes are introduced to University governance.

I hope these comments are of some use.

Yours ever,



University Governance

Comment by G Meeks

I welcome many of the proposals in the Council's Paper, especially the extended role of PVC's. I think these could help bridge the gulf which has developed between academics and the administration as the latter has become larger and the former have been discouraged by RAE, etc. from participating in running the University. Indeed, I hope the University will actually go beyond the present proposals for PVC's, assigning such officers on a regular basis to areas such as personnel and finance (not just at the discretion of the VC), while leaving freedom to appoint PVC's ad hoc as jobs arise - e.g. to tackle jobs such as college fees or governance, so admirably handled by Dr Reid and Dr Johnson recently.

I also welcome the proposal to separate the Council chair from the chief executive (VC), so that the former can exercise independent scrutiny over the VC. This proposal is consistent with modern developments in corporate governance, following the reports of Cadbury, Greenbury, Hampel and Myners. But I take issue with the Paper over the proposal to appoint an external to chair the Council. I would like to argue a) that an external would be hampered in exercising effectively a strong independent role, and b) that an external might well be downright damaging. In this particular respect I think the benefits of transplanting the company model are easily exaggerated, and the costs under-estimated.

In the company case, it is arguably much easier for an external to make a contribution. Her function is clear: to represent the external shareholders, whose objective can reasonably be summarised as maximising earnings. In the University case, the external shareholders don't exist (external *stakeholders*, such as government and businesses are protected by supply contracts); and no such straightforward objective can be defined. In the company case externals very often have previously been, or are currently, doing the jobs of the internals - as executive directors of other firms; so they are relatively well equipped to ask the right questions. In our case this would not be the case: it is presumably not expected to appoint VC's from elsewhere.

Yet even though the job of the externals is so much better defined for companies, the holders so much better informed (and better paid - £48,000 p.a. on average for a FTSE 100 company), there is considerable disappointment in the company sector about their effectiveness (e.g. Skapinker, FT, 2.3.02). The case of Lord Wakeham, external chair of ENRON's audit committee, who didn't notice the company was bankrupt, although extreme, is telling. And privately, well-informed observers often say that the non execs. are frequently cronies of the chief exec., who can be relied upon to vote with him without serious questioning. In this case they fulfil a perverse role: they actually weaken the constraints which informed insiders can impose on the chief exec. - because the boss always has tame votes in the bag. I think this is a serious risk for the University.

The second risk for the University arises if the externals are not tame, but are ignorant (as they must be if they are parachuted into the chair from an entirely different sphere) and they are bent on imposing their own view of how a university should be run. In the company case this is less of a problem - because the externals typically come from a similar background, and the objectives are clear. But the culture gap between business, government and the professions (the likely sources of externals), on the one hand, and universities on the other, is huge. It was illustrated for me in a recent conversation with a (very intelligent, very agreeable) top partner in the biggest accountancy firm (and a Cambridge alumnus). He was appalled by the idea that a junior research fellow might publicly question and challenge the views of a professor. What for us is an essential part of the process of research and renewal was for him close to treason! Again, I don't know why Tusa departed Wolfson so quickly, but the incident surely suggests that transplants of talent which looked fine ex ante may not work out in practice.

So I hope we shall proceed cautiously over this proposal. To repeat, I completely agree with the proposal for separating the jobs of Council Chair and VC. And I agree strongly with the need for a strong independent Chair. But I think the Chair should have had some University experience, be an active member, and have been observed dealing with sensitive academic issues before appointment. S/he needs to be well enough informed not to be manipulated by the VC, and to be in touch with the grape vine and sensitive to issues troubling the University at large. And this is where Oxbridge has an advantage over the rest of the University system, in having a pool of independent people with power bases outside the Council - not dependent on the patronage of the VC - heads of house. Often they have significant outside experience too - for example the new Master of Emma. Some would be hopeless, of course; but the great merit is that they can be observed in a role not dissimilar before we are landed with them.

But in any case, I hope we shall not move at once all the way proposed in the Paper. At worst I suggest providing for the Council to coopt external members, who might then, after a probationary period be elected chairs. The Council could then experiment with outsiders, and (as with governing bodies choosing College heads) always have the option of choosing an outsider as chair, after considering alternatives from inside. But I hope we do not compel ourselves always to have an external chair.

Can I also emphasise that this response isn't a "head in the sand" reaction - that we have nothing to gain or learn from outside. On the contrary, we already gain enormously from outside help, in departmental advisory boards, from top employers at the Careers Service, from statesmen at the Commonwealth Trust, from a judge on the University Court, from financiers on Investment Committees, and many others. Such involvement should be expanded: the audit committee is an obvious candidate for a transfusion, and I could suggest some outstanding outsiders for that committee. In these cases external involvement is pure gain. We tap specialist expertise - people at the top in their field - because the demands are not too great. But they are not required to take on responsibilities which people busy in their own spheres could not discharge. Nor are they given an opportunity to meddle in things they don't comprehend.

From Professor M. C. Payne

Comments on Governance Paper

What is frightening about the Governance paper is the failure to first address the issue of why Cambridge has been so successful over the last 15 years. We are proposing a radical reform of the way the University does things without making any attempt to determine what features of the present system are good. In my view the reason that Cambridge has been so successful over this period is because the University is basically anarchic. I have summarised this approach to many people by saying that 'at Cambridge you can do whatever you want provide do you do everything yourself' - thus our building spree has primarily occurred through departments and individual going out and finding their own money not by getting it from central resources. Over the last 15 years with the RAE, the change from the dual funding system this approach of 'go and get it yourself' has been spectacularly successful and has benefitted from, rather than suffered from, lack of central control. There is no reason why this approach is incompatible with having all money properly accounted and audited. Arguments based on the latter as a reason for change should be treated with contempt, as I outline further below. If the present anarchic nature of the University has been the primary driver of our success we change this at our peril.

We must be sceptical about claims that 'we have to do it because HEFCE or the Government or whoever says..' as a reason for having change forced on us. Indeed this was the excuse for the premature launch of CAPSA. We were repeatedly told that 'we had to use it because the Government would not accept our accounts if we did not'. Where is the written evidence to support this claim? More importantly, even if such evidence exists where is the University's response saying that we have commissioned a new accounts system which will address these concerns but pointing out that a fully working system has not been delivered on time. Under such circumstances could we not have requested that the Government accept figures using our old accounting system until a new fully working system was delivered?

It is frightening that the CAPSA debacle has become the standard reason for insisting on change in the University. CAPSA is a debacle BUT it is a standard debacle of the IT industry where one third of projects fail even more miserably than CAPSA, one third are just as bad and only one third are successful. The failures of the IT sector should not be the driving force for a discussion of Governance of this University.

I fear that this discussion of Governance is already mere show. Over the last few years the University Administration has been completely reorganised and many highly paid people appointed. While no one doubts the need to strengthen the Administration would it not have been more sensible to decide on the mechanism of Governance first and once that was decided organise an Administration to enact this new system of Governance? Unfortunately, I fear that we have allowed the Administration to believe that it exists for its own right NOT purely to support and ease the pressure on the Academic Staff of the University. The almost complete absence of any discussion of academic goals in the Governance paper supports this view.

The actual proposals for University Governance seem to have missed all the recommendations of the Dearing report and show a profound ignorance of good management practice. Proposal 54 of the Dearing Report states

We recommend that the Government, together with representative bodies, should, within three years, establish whether the identity of the governing body in each institution is clear and undisputed. Where it is not, the Government should take action to clarify the position, ensuring that the Council is the ultimate decision-making body.

I do not believe that the existence of both the General Board and the Council fulfills this recommendation. Despite claims to the contrary the existence of two distinct bodies always produces conflict, as we have seen so clearly and expensively in Cambridge for almost a decade. Also it leaves the possibility for neither body to claim responsibility. How on earth could anyone suggest that such a system should continue into the future?

The proposal for Pro-Vice Chancellors is equally nonsensical. How can a variable number contribute to good governance? There should be a fixed number of Pro-Vice Chancellors each with specified responsibilities. If there is a need for the number to be changed because new responsibilities have to be assigned then it is correct that this decision is made by the entire Regent House on the basis of the list of revised list of responsibilities. Also I see no mechanism for assessing the Pro-Vice Chancellors. There are proposals for significant privileges to those in these positions but no mechanism for ensuring that they carry out their duties successfully.

The present proposals do not address the question of how the Schools fit into the suggested structure. Without addressing this issue there will be endless conflicts between the Schools and the proposed structure of Pro-Vice Chancellors etc.

The proposal for membership of the Council does not specifically specify the numbers of undergraduate and graduate students - surely it should.

The proposal also fails to address the problem of the disenfranchised body of Postdoctoral Workers - probably the most important element in the success of the University over the last 15 years. This is truly remarkable.

I am in no doubt about the need for change in the University. Normally, this would proceed by analysing what we wish the management to achieve and then constructing a system that achieves this. The present proposals seem to do the whole thing backwards - suggest a structure first without any idea of what it is meant to achieve. This approach will be an unmitigated disaster. I suggest that the present proposals should be thrown out and we start again by drawing up a list of management objectives first and then design a structure of Governance that ensures the delivery of these objectives.

Professor M.C. Payne
11th March 2002

University of Cambridge.

19th March 2002

re: The Governance of the University

Dear Sir,

Opinions have been solicited in response to the proposed changes to the Governance of this University. Like many members of the University, I welcome the thought of change in the way the University governs itself. It is not just the recent CAPSA project which has revealed significant shortfallings in the current systems.

The Governance of this University is an extremely important topic, and it is important that due consideration is given to any change to ensure that the new model is both better, and more widely respected, than the current system. It will surely be necessary to identify clearly the faults in the current structure, and then to propose a selection of possible improvements which can be brought before interested bodies including the Council and Regent House.

What would be foolish would be to produce a 'Consultation' document which neither identifies clearly the deficiencies and anomalies in the current system, nor offers more than a single view on the way forward. It would be yet more foolish if such a document were to suggest radical change and to be debated in the National Press and the University at large before Council had more than a cursory inspection of it, and before Regent House had any opportunity to respond to it. A way of compounding these errors would be to launch a web site including a 'survey' whose questions are so biased as to attract the derision of almost every social scientist and computer scientist in the University.

Dr Gordon Johnson, at a recent Governance seminar, stated that, in his opinion, the current governance structure of the University could be made to work very significantly more effectively without actually requiring any changes to Statutes. I believe he was intending to imply that by ensuring that various committees and officers had a clearer view of their own remits and responsibilities, and by ensuring that the checks and balances already present were better used, a significant improvement would be achieved. If so, I would like to add my optimistic voice to this view. There is considerable need, and scope, for fine-tuning, but it would seem that a major upheaval is not required and unlikely to be beneficial.

It would be folly indeed to push through proposals merely because the Vice-Chancellorship is shortly to fall vacant: the date of that vacancy has been known for a long time and should not be used as an excuse for rushing on matters so important. Let me therefore suggest a motto for the group considering changes to our Governance: *festina lente*.

Yours sincerely,



(M.J.Rutter)

Professor T.J.Smiley FBA
Clare College
25 March 2002

University Governance

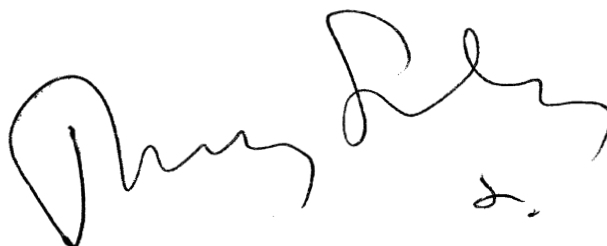
Dear Registry,

I should like to make a proposal which represents an amalgam of two constructive ideas recently put to me by colleagues.

One, which I attach, is self-explanatory. In the Cambridge context one would presumably envisage such a body comprising, say, all Heads of Departments and Heads of Colleges, matched by an equal number of elected representatives from each Department and College.

The other proposal concerns the fact that, unlike the General Board, the Council lacks any equivalent of an Electoral College. Only a small and self-selected number stand for election, which made it possible, for example, for Dr Gillian Evans to become a member without any contest. The suggestion is that the same body envisaged in the first proposal would be of the right sort of size and representativeness to act as an electoral college on behalf of the Regent House. Needless to say, there should be no presumption that its nominees would be drawn from its own ranks, and I believe it would greatly improve the supply, the balance and the calibre of the elected members of Council.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'T.J. Smiley', with a small flourish at the end.

Cont.

^{Committee!}
 The proposals, as I understand them, would bring Cambridge far more into line with what I think of as 'normal' universities. However, there is a glaring hole in the processes of consultation/ discussion/ explanation/ information flow/ accountability of the Vice Chancellor to the University which remains in the proposed new structure and which is to a considerable extent filled in other universities I have worked in by the Senate. In such universities as Edinburgh and Essex, the Senate consists of all Heads of Department and Deans together with an equal number of elected members and it confronts a bench on which sit the Vice Chancellor, the Secretary, the Financial Officer and the pro-Vice Chancellors. It meets once a term at 3pm. for about 2 hours, though some meetings may last as long as is necessary if there is a particularly significant issue under discussion. In the Agenda, the Vice Chancellor essentially informs the University of what has been going on at his level since the last meeting and what decisions have been and are about to be made which will have a widespread impact in the University. In the discussions that follow, there is a real discussion, with speakers responding to each other and people being allowed to speak once or twice on a given topic (and it doesn't all appear verbatim in a Reporter). The discussions may mostly be mild but occasionally Heads of Department see real problems with a proposed line of action which had not been foreseen by the ruling caucus, and the Senate does have the power to raise issues of concern which are placed on the agenda. In this sense, the Senate, representing the people at the coal-face, has a real input. The opportunity for 1-200 people to obtain a clear idea of what is going on and why, and to express their views directly to the Vice Chancellor, makes for far more open government and far less internal complaining than one finds here in Cambridge (and I believe will continue to find under the new proposals – I have not before worked in a University which has such a cultural divide between 'us' and 'them' - and I have worked in four other universities, in this country and overseas, all of which had Senates of the type I describe).

I appreciate that the title of Senate is already pre-empted and I don't pretend that such a body would solve all the problems of openness, information flow, etc. but I do believe that some such body, with an appropriate title, could help – and would have had a much better chance, for instance, in getting something done about CAPSA at a much earlier point than the proposed new structures. The current 'Discussions' of Regent House and the weary responses of administrators in the Reporter don't in the least fulfil the function that I have in mind.