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KBP/CM

18 March 2002

Dr Tim Mead
Registry
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Dear Tim

University Governance

The Trustees of Homerton College discussed the consultation paper on University Governance at their meeting on 15 March and have asked me to write to you about two issues: external membership and the size and composition of the Council.

The Trustees would wish to support the proposal for external membership of the Council and for the appointment of an external chairman. Our own experience of running an independent HEI at Homerton until August last year is that the presence of external members among the Trustees brings a wide and varied set of skills and experience to the governing body, which has proved to be of great value to Homerton and has made a considerable contribution to the College's success in recent years. For my own part as a chief executive I have found that having an independent chairman for advice and support has been invaluable in my dealing with College business and particularly with external agencies. These experiences lead the Trustees to support the proposals for external membership and an independent chairman.

The Trustees feel that the proposed size of the Council is too large and that the addition of the six Chairs of the Schools as members may not be necessary if some other device could be found to keep them informed about Council business. On the other hand the Trustees note that there is a general concern about the proposal to reduce the number of College representatives and feel that there would be value in maintaining the number of College members but perhaps varying College membership to allow for representation from Senior Tutors. Those of us who have served on the Council feel that College representation need not be secured solely by the presence of Heads of Houses.

Homerton welcomes the opportunity to take part in the consultation since the College converged with the University last year.

Yours sincerely



Dr Kate Pretty
Principal



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14 March 2002

The Registry
University Registry
The Old Schools

Dear Registry

This document constitutes this College's response to the consultation paper on University Governance published in the *Reporter* on February 6th. The University has a long history of excellence based on academic freedom and we regard the latter as central to the very existence of the body of scholars involved in teaching and research, of which we are a part. The issues on which we comment have been discussed at College Council and Governing Body, though not as fully as we would have wished. We would observe, first, that the paper seems to be reacting to the undoubted weaknesses of the system of accountability brought into focus by two well-known and specific problems by suggesting changes to the democratic structure of the University rather than addressing the specific causes of the cases themselves. In a spirit of constructive criticism we have tried to arrange our further comments in the order in which issues are arranged in the consultation paper.

3.0. Need for change

We agree that the University is a complex institution requiring careful management of change and that there is a need for efficient, effective executive decision.

[To this end we note the unified Administrative Service and the action plan concerning CAPSA.]

Six problems are specified which the proposals on governance seek to resolve and we concur with that assessment.

4.0. Principles

We concur with the four guiding principles stated, with the observation that executive responsibility for decisions (ii) entails accountability under (iv) and that this should be made explicit.

We would also add two further principles: consensus and transparency. These are the principles which in any community should govern the appropriate balance between central executive power and the interests of the constituent parts. Without

these the proposals emphasise the requirements of executive government rather than governance.

The principle of consensus requires that decisions should not only take into account the varying interests within the University but should also proceed by building prior support among these groups. Without this little can function and the proposals need to incorporate clearer thoughts on how to combine the best features of ground-up consensus with top-down executive management without the undesirable features of either.

The principle of transparency is essential if responsibility is to be matched with accountability. In the context of the University it requires that executive members of council work within a plan supported by the University as a whole so that decisions and performance are made known.

It is sometimes difficult to see how the four guiding principles have been applied in formulating the proposals and it would help if this was stated explicitly.

5.0. Vice Chancellors and Pro Vice Chancellors

The formal recognition of the authority of the Vice Chancellor merely reflects the reality of the current position under Statute D.III.3. If it is necessary, it would be helpful if the proposals could be more explicit as to the modes in which this authority is to be exercised and whether they will operate to draw additional authority at the expense of other university personnel or adversely impact on existing checks and balances.

We believe that the current terms of the Vice Chancellor's appointment are sufficient and that an initial period of tenure allows the University to object to a particular style of leadership without the necessity of invoking Statute U.

We believe more thought should be given the recruitment of Pro Vice Chancellors. If they are to give two thirds of their time, recruitment would effectively rule out Heads of House. Although this may enable some representatives of schools to hold office, substitution can be disruptive. It is likely that future Vice Chancellors will emerge from the pool of Pro-Vice Chancellors and accordingly some thought would be useful about the qualifications and qualities applicants wanted.

6.0. Council & General Board

We are concerned about the potential transfer of resources from education to administration, particularly in the areas of salary differentials and the level of support staffing. We feel that any reform in this area should usefully provide some guiding linkages whereby overall budget demands are kept in balance.

It is important that the objectives of the various university managers be specified and in addition the reporting structure beneath them be made clear.

7.0. Composition of Council

The University is accountable to two distinct groups: the Regent House, however defined, internally and to the public at large externally as a consequence of its funding and charitable status. It is appropriate that accountability exists in both cases and that resulting checks and balances should be detailed more explicitly.

The Chairman of the Council is of great importance in building consensus and managing the agenda. Some of us feel that any external appointee would lack both the necessary knowledge and experience, and, perhaps the necessary time commitment. Some of us feel the position would be best filled by rotating Heads of House, or better the Chairman of the Colleges' Committee *ex officio*.

The key role of colleges is acknowledged in the paper; however, this would appear inconsistent with the reduction of college representation from 4 to 3.

We are undecided about the need for external Members to possess a vote.

9.0. The Regent House

The notion of broadening of the membership of the Regent House fits in well with the principles of transparency and accountability. It will also address a number of existing anomalies. The position of the staff merits further consideration.

Even recognising the increase in the size of Regent House, any raising of the number of signatories required to request discussion seems excessive and against the principles of self government and accountability. Academic freedom cannot be taken for granted and the proposals should provide more comfort that this will not be subject to administrative or executive erosion. For example it is surely absurd in a Collegiate University that the University be able to legislate in the face of either a unanimous vote of all 32 Senior Tutors, or of all 32 Bursars or of all 32 Heads of House.

Dissent by itself should not be discouraged. On the contrary, it should be a stimulus to debate and effective self government. This need not conflict with the needs of efficient decision making and thought should be given to an effective mechanism for reconciling the two.

What is important is that views get aired and addressed. This should be possible without encouraging endless meetings.

For the above reasons we have grave concerns that, in an effort to prevent abuse, our democratic safeguards and rights to propound minority views are being placed in jeopardy by the proposal to increase the voting threshold. We would suggest that it would be better to identify and deal with the problems which have caused some to resort to alleged abuse of process than to undermine our fundamental values.

10. Audit Committee

Following the ENRON saga, there should be a strict separation between the functions of auditors and management accountants so that the former can provide a critical check on the recommendations of the latter.

11. Consultation & implementation

The College attaches considerable importance to this matter and would have benefitted from more time to enable debate to proceed over a full term. It is hoped that this can be accommodated within future consultation exercises.

Yours ever

A handwritten signature in black ink, appearing to be 'P. ...', written in a cursive style.

President

University Governance

I must apologise for the delay in sending you a response from King's. Unfortunately, because of the pressure of other business, we have not yet had a discussion of the proposals for a change in University governance at our College Council. I have, however, talked to my College Officers and send you a preliminary response.

In general, we strongly support the moves to change the governance of the University. The existing structures have become unwieldy, opaque and falling between every possible stool ranging from efficiency to transparency. What is worse, the current processes of government are all too evidently subverted by tiny minorities and the time of senior administrators is incessantly diverted to matters that should not concern them.

We appreciate that the tensions between efficiency and transparency are not easily dealt with and are sceptical that a Council attempting to represent most of the interest groups within the University is a body that would be able to do any useful work. For example, while the principle of having Assistant Staff representatives is admirable, this seemingly correct approach could generate members who see themselves as having to fulfil the mandate of their electorate rather than bonding into a team that helps to run the University. This point applies equally strongly to Council members who represent the Colleges. As many people have already pointed out, it is not a happy solution to the poor governance of a Collegiate university to increase the size of the Council and decrease its College membership. On the other hand, to go the other way would be to anticipate the worst type of sectional bargaining. Moreover, under the existing proposals, there would be no representation of contract researchers, currently some 2500 members of the University. If representation was one aim of the current proposals, then fuller consideration of who should be represented is needed. This would include College Senior Tutors and Bursars, a point that has been raised by many other Colleges.

We feel that more thought needs to be given to what the Council will actually do. Its proposed size is far too large for an executive body and it is not necessarily representative. Yet crucial details on what might constitute an effective executive structure are not part of the proposals offered for comment. They are hinted at in Annex 2, but much is left inchoate. Before anything else is done, we very much hope that these ideas will be developed and clarified and the proposals offered for further discussion. As things stand, the present document must surely be seen as only a first step and a good deal of more thought and explicit comparisons with other institutions are still needed.

Yours sincerely

Patrick Bateson
Provost of King's College

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Professor Patrick Bateson
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From The President Dame Veronica Sutherland



LUCY CAVENDISH COLLEGE

14 March 2002

Dr Tim Mead
Registrary
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Dear Dr Mead,

University Governance

I am responding to the invitation in the Vice Chancellor's circular memo of 5 February to submit comments on the consultation paper on governance issued by the Council of the University. The following thoughts have been agreed by the Governing Body Fellows of Lucy Cavendish College.

The Governing Body welcomes the initiative in presenting the consultation paper. They applaud the purposes stated in the first section of the paper, and the analysis of the need for change presented in the third, the urgency of which is underlined by the outline draft of the University's Strategic Plan, recently circulated to the Senior Tutors' Committee: if the ambitious aims and objectives of the Plan are to be achieved, and Cambridge University is to retain its place as a world class University, its decision making processes must be at once nimble and democratic.

The proposals in the consultation paper take important steps in that direction. The role, responsibilities and accountabilities of the Vice Chancellor and pro-Vice Chancellors do indeed require more careful definition, and we look forward to receiving more detailed clarification on these issues. The increase of pro-Vice Chancellors from 2 to 5 seems long overdue, and selection rather than appointment will enhance democracy. However, the load on these officers will need particularly careful evaluation to ensure that they have sufficient time for the tasks devolved to them, bearing in mind the need to ensure that senior members of the University should remain in close touch with academic research. Were these posts to become to all intents and purposes full-time administration posts, the repercussions on the University would be considerable, and almost certainly undesirable.

The composition of the Council presents a range of complicated issues, two of which are of particular importance. The first is the inclusion of people external to the University. This is an arrangement which has worked well in other universities, and should present the opportunity for this University to

Cont'd...

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tap into outside expertise, including from successful British businesspeople in the private sector, (and the University has had the privilege of hearing two of them speak at different colleges only recently). In this context, a study of the experiences of the richly endowed American universities would no doubt be instructive. It would also be important to define clearly the roles and responsibilities of any such appointees to avoid ambiguities or conflicts of interest. Additionally, very careful thought needs to be given to the background of an external Chairman to guarantee that he or she can chair this major University committee effectively.

The second issue of critical importance is that of achieving the correct balance between the role of the central university authorities, and that of the colleges. The paper emphasises that it is vital for the University's constitutional arrangements to secure representation of college interests, but does not appear to follow this through with practical suggestions designed to achieve this end. Indeed the reduction of the number of college heads on Council, while understandable in the terms argued in the paper, seems to serve the precisely opposite purpose. The paper thus leaves the impression that the new arrangements are intended to strengthen the centre at the expense of the colleges.

Some new thinking seems called for here. It is essential to preserve college autonomy, for it is the colleges that play such a vital role in admitting students and educating them in the broadest sense of the word. Colleges play an equally pivotal role as centres of academic research, especially in the humanities. It is thus all the more important to devise a system whereby the inter-relationship between the centre and the colleges is strengthened, so that college interests are not inadvertently ignored or impaired.

The existing model of the Colleges' Standing Committee which draws together Heads of House, Senior Tutors and Bursars, suggests that any new governance proposals for the University should include clear lines of communication between the enlarged Council and the Senior Tutors' Committee and the Bursars' Committee. Could the pro-Vice Chancellors for Finance and Education play an important role in this by attending meetings of these Committees? Or should they attend meetings of the Standing Committee? Should the Council include a Senior Tutor and a Bursar, and not just three Heads of House? Should Heads of House and, if included, Senior Tutors and Bursars, speak as delegates for their constituencies? Ideas like these might serve to overcome any over-centralising tendencies implicit in the current proposals. It is also worth commenting in passing that a mechanism or mechanisms along these lines should also ensure that college interests are taken into account on such significant issues as the Resource Allocation Model which has potentially wide-ranging implications for colleges.

These comments are designed to provide constructive suggestions on the way forward, and to complement the work of those who deserve congratulation for undertaking the complex task of producing the consultation paper.

Yours sincerely,

Veronica Sutherland

Dame Veronica Sutherland



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*From the Senior Bursar and Development Director
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14 March 2002

Dr T J Mead PhD
The Registry
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Dear Tim,

UNIVERSITY GOVERNANCE

I write, as Secretary of the Governing Body of Magdalene College, to let you know the outcome of the recent Governing Body discussion on the issues raised in the consultation paper on Governance circulated by the Vice-Chancellor.

The proposals were, in general, accepted without undue comment, with the exception of paragraph 9.2 of the paper, which proposes that the number of members of the Regent House required to call for a ballot on a Grace, for an amendment to a Grace or for a Discussion should be raised to 50. Some Fellows were concerned that this increase could damage University democracy and there was a particular worry that such a change would work against the interests of small departments, which might have difficulties in mustering the number of signatures required.

However, such concerns were voiced by a relatively small minority and, overall, the Governing Body resolved to support the principal proposals contained in the consultation paper.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Thompson', written in a cursive style.