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Externally Facilitated Governance Review for the University of Aberdeen

Final Report and Recommendations

Adopted by the University Court 29th September 2021

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Review Focus and Timeline

Focus for the review

- Advance HE Governance Effectiveness Framework of Enablers, Behaviours, Outcomes

- The governance / management boundary

- The relationships between Court, SMT and Senate

- Governance culture

- And the approach and outputs to be **developmental** for UoA

Timeline for the review

- Work commenced late May 2021

- Fieldwork concluded early July

- Planning for workshops on 16th August (SMT) and 26th August (Court and SMT)

- Draft report 2nd August / G&N Committee 6th September

- Formal adoption by the University Court 29th September 2021

Steering Group

- Tracey Slaven, University Secretary and Chief Operating Officer (TS)

- Keith Bartlett, Advance HE (KB)

- Jan Juillerat, Advance HE (JJ)

Evidence Base

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- Document review – agreed selection

- Interviews/focus groups with 26 people:

    - 9 x 1-to-1 interviews with members of Court incl. SMT

    - 5 x small group interviews: independent members (2 groups), SMT, staff, students

- Meeting observations: ARC, PaRC, Court

- Steering Group discussions: KB, JJ, TS

- Drawing on Senate Effectiveness review

Evidence Base – e-survey

- Link sent to 23 Court members, incl. 1 also an SMT member
- Plus 10 other SMT members = total 33

- **23 responses, a response rate of 70%:**
- 8 independent members
- 1 executive/senior manager members of the Court
- 8 executive/senior managers (not members of the Court)
- 6 staff members (including Senate representatives)

- NB: Student members did not respond to the e-survey, perhaps because it took place in run-up to handover to new SOs

Headline Findings

Headline Findings

- Based on evidence, **there are no issues with compliance; effective risk management;** potential for refresh on risk appetite

- UoA has emerged well from the challenging pre-2018 period & there is widespread support and respect for the outgoing Interim Senior Governor, the Principal, the University Secretary, and the wider senior team

- Governance is 'on a journey' – the **atmosphere** is better, **trust** is improving, although virtual meetings create challenges to this

Headline Findings

- A **lack of confidence** is still "hanging over" the University from the pre-2018 era…

- In one narrative about Court culture, independent members & staff members have different priorities - **this is unhelpful** because **all members** have **the same level of** responsibility for **acting in the best interests of UoA**

- UoA needs to generate a **new narrative** which puts aside the past & captures the University **moving forward, into its future**

- **New Senior Governor** - a very important development, & great opportunity for refresh of the Court, its role, & **boardroom culture**

Headline Findings

- Estates and Facilities Review - a cathartic experience for UoA, & we saw clear evidence of willingness to learn & for mechanisms to ensure such episodes cannot occur

- We saw real appetite for embedding enhanced practices initiated by the new leadership, which place value upon **people**, and collegial spaces to speak and voice opinion

- Relationships between the Senate & Court are improving from a period of low trust and disconnect - more work needed to develop the value and opportunities of both (academic governance, oversight and assurance)

Headline Findings

Overall we saw variable understanding of…

- The **boundary** between governance & management, the respective responsibilities & accountabilities for corporate governance, academic governance & executive management, & the ways in which these interact

- The **role** of a Court member & the need to act in the University's best interests, which supersedes those of particular membership groups

Headline Findings

…and also

- The **differences** between the business which should be addressed by each of the key bodies (Court, Senate, SMT), including the Court sub-committees

Headline Findings

And finally…

- Induction was criticised by a range of Court members including students (although students did not respond to the e-survey)

- Protocols for independent members to build their connections with stakeholders & awareness of how the UoA community functions more broadly

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Recommendations

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6 Recommendations to help the University to strengthen

- Understanding of the governance / management boundary

- The relationships between Court, SMT and Senate, and

- The University's governance culture

Recommendation 1

A redefinition of the **roles**, **responsibilities and accountabilities** of the three key bodies – Court, SMT and Senate; including the **number and purpose** of the sub-committees of the Court and PaRC; and **phasing out** the joint Court/Senate committees

Recommendation 1 Background

- Responds to a sense of ambiguity in the relationships between the 3 bodies – Court/Senate/SMT

- A re-set with all members re their role and where Court sits in the governance structure

- Among the various membership categories, there are some differences in interpretation of the governance role – what it means to be a governor, and what it involves

Recommendation 1 Background

- The committees have mushroomed – need to re-set and relocate responsibilities back with key bodies and a manageable number of sub-committees

- Streamlining e.g. PaRC & its sub-committees…?

- Clarity re what is within the discretion of Court and matters on which Court should seek advice or escalate, e.g. to regulator

- Clarity re when SMT is acting as an executive group and when it is acting as a governance group

Recommendation 1 Background

Additional context from the e-survey results:

*Q9: The scheme of delegation is clear & well understood & applied consistently & correctly (70% score, **12% below benchmark**)*

*Q10: The respective responsibilities & relative accountabilities of the Court & Senate are appropriate, clearly defined & mutually understood (70% score, **14% below benchmark**)*

Q14 Court has an effective relationship with the Senate to the extent that both bodies understand & respect the role of the other, communicate clearly with each other, & work together to support the sustainability & reputation of the organisation (43% score)

Recommendation 2

Building on Recommendation 1, a redefinition of the **business** of the Court, its sub-committees, SMT and Senate

Recommendation 2 Background

- Court and sub-committees had to become a bit "operational" under the previous leadership. This continues to an extent - a re-set would be valuable and would enable SMT to focus on executive/operational business and Court to focus on strategy

- Focus / clarify the allocation of responsibilities & upward reporting/assurance requirements for:

  - Strategic business
  - Executive / operational business
  - Academic governance

Recommendation 2 Background

- Refresh/redefine the purpose of Court and its business, and likewise for the sub-committees, Senate and SMT

- Should some of PaRC's business come back to Court? Some to the SMT? E.g. people strategy to PaRC / people management to SMT

- Focus on getting Court business/content right, including delivery and presentation, and maximising digital solutions for info-sharing / pre-meeting discussions, etc.

- Distinguish more clearly the academic business which is the domain of Senate and that which should come to Court

Recommendation 2 Background

Additional context from the e-survey results:

*Q6: Mechanisms are in place for the Court to be confident in the processes for maintaining the quality & standards of teaching & learning & the standard of awards (65% score, **19% below benchmark**)*

Recommendation 3

The development and agreement of a set of expected governance **behaviours**, together with a continuing focus on mechanisms which build **transparency** and

+ **Trust** between Court members, and between Court, SMT, and Senate
+ **Understanding** of governance and management among the wider staff and student community

Recommendation 3 Background

- Key theme here is need to build **trust**, **understanding**, and **effective communications**

- Court and the Senate were both said to be "intimidating" in two senses – volume of business, and certain behaviours

- Some "quite destructive political behaviours" were evident in previous years, but this has begun to change

- An atmosphere of trust has begun to return between Court, SMT, Senate – this will be helped by Recommendations 1-2 and agreement about expected behaviours

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Recommendation 3 Background

- SMT can help Court more strongly in understanding the future challenges and opportunities for the University

- Engagement between the Court & heads of academic & support departments on the tier below SMT, & the development of their understanding of the University's operating environment?

- Dissemination of information about governance proceedings to the wider community will build awareness and a sense of transparency. Raise awareness re the challenges UoA is facing…

- Re-think the format of the annual stakeholder meeting (Code of Good Governance, para. 43)

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Recommendation 3 Background

- What happens outside formal meetings of the Court, and the approach to and regularity of interactions? Positive references to the "Court Briefings" which are held on the afternoon and evening before Court meetings

- Support also expressed for the strategy events – joint off-site meetings which had taken place between the Court, Senate and SMT. Consider formalising these on the governance calendar as annual or twice-yearly events

- Potential value of 1-2-1 dialogues between independent members & heads of academic & support departments, & "buddying" between new staff & independent members, but recognition of the need for careful observation of the governance/management boundary

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Recommendation 3 Background

- The pandemic, virtual meetings, and impact on mutual understanding –

"The pandemic has meant that new members of Court have not been effectively integrated into the Court, and there has been no opportunity to develop a more detailed knowledge of the work of each individual committee, other than in general terms, and the individuals involved. A process of rebuilding Court should begin, developing and strengthening relationships between members and with stakeholders, both inside and outside the University."

Recommendation 3 Background

Additional context from the e-survey re the need for more effective communication from the Court to the wider University community and other stakeholders:

*Q11: Court understands the institution's key stakeholders and what is material to each stakeholder group in the context of its strategy (74% score, **15% below benchmark**)*

*Q26: The Court communicates transparently and effectively with its stakeholders (52% score, **25% below benchmark**)*

Recommendation 3 Background

"More could be done with stakeholders to understand the role of Court and its importance to institutional decision making. For many staff and students it is not understood and is seen to be too distanced and disconnected with their daily working life. It has been traditionally very difficult to engage the wider community in the work of Court."

"Not sure that 'Court' ever really communicates with stakeholders directly and this is mainly done via the SMT executive. I feel more visibility from Court as a whole, not just the SG, would be useful in opening up conversations with staff and students on a regular basis."

Recommendation 4

Review and redevelopment of the programme of **induction and ongoing development** for Court members, which will also act as an aid to building a new culture of awareness and transparency

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Recommendation 4 Background

- Induction for Court members was criticised by interviewees, including students; this also comes across strongly in the e-survey results, although neither of the students submitted…

- See induction as the **initial** stage in a **continuum** of briefing and development for members about their roles, HE governance in Scottish/UK contexts, & the UoA's evolving external environment

- A programme of **"continuing governance education"**…

- Perhaps also a need for some **"retro induction"**…?

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Recommendation 4 Background

*Q18.1: The induction of Court members is: Effectively managed (57% score, **20% below benchmark***)*

*Q18.2: The induction of Court members is: Relevant (65% score, **12% below benchmark***)*

*Q18.3: The induction of Court members is: Periodically evaluated (22% score, **19% below benchmark***)*

*Q18.4: The induction of Court members is: Tailored to individual need (30% score, **22% below benchmark***)*

Recommendation 5

In addressing the **diversity of the Court membership**, the University should take account of the results of the e-survey

Recommendation 5 Background

- In the results of the e-survey, Court membership is regarded as having an appropriate range of **skills and experience**. However, membership scored low in terms of **diversity**:

*Q19.1: Court membership: Reflects the diversity of the organisation (in terms of gender, age and ethnicity (22% score, **33% below benchmark**)*

*Q19.2: Court membership: Reflects the organisation's key stakeholders (65% score, **6% below benchmark**)*

*Q19.3: Court membership: Provides a range of approaches to problem solving (74% score, **7% below benchmark**)*

Recommendation 5 Background

"The Court body lacks diversity and therefore while the Court has a strong range of skills, by the very nature of the lack of diversity it means the experiences brought to the table are not necessarily reflected of the challenge which is needed. Consideration could be given to the expertise needed for Aberdeen 2040 e.g. expertise on sustainability would be an example."

- Support for creating an environment in which those from under-represented groups with more diverse lived experiences can contribute to governance – perhaps extending memberships or co-option opportunities to <u>include</u> less experienced people? Perhaps an apprentice model, below Court level – sub-committees?

Recommendation 6

In order to appropriately support the evolving governance arrangements, consideration should be given to investment in, and development of, the **secretariat team**

Recommendation 6 Background

- Secretariat currently comprises just two individuals - this presents a **significant risk** to UoA's ability to move forward with its enhancement agenda for governance

- Invest in building a governance **team** under the University Secretary - strengthening governance **capacity and bandwidth**, promoting **consistency** of approach, & enabling the team to develop as an **authoritative source of advice and professional development** on governance and regulatory requirements for UoA

- This combination of **increased resource** and **consolidation of reporting lines** will enable better delivery of the day-to-day and help to drive forward the enhancement agenda

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Recommendation 6 Background

"It would be helpful if all committee clerks were independent of the SMT and they should be part of the Secretary function. The combination of the Secretary and COO role can be problematic in this regard; however, the combining of the roles has advantages. To ensure robust independence the Secretary's team should be independent of the COO and SMT activity."

SOME CONCLUDING COMMENTS FROM E-SURVEY

"The Court membership includes a broad range of stakeholders and skills. The management team appear unified and present a strong and clear vision which has the support of the majority of staff. This provides a firm foundation to move forward."

"Improvement is a continuous process with no destination. There is always more that can be done to enhance performance."

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