

UNIVERSITY OF WARWICK

For the meeting of the Senate to be held on 14 June 2017

Subject: Report from the Assembly Working Group (S.58/16-17, attached)

Prepared by: Mrs Philippa Glover, Secretary to Council

Presenter: Mrs Philippa Glover, Secretary to Council

Purpose of the paper: To brief members of the Senate on the Assembly Working Group

Key Points

1. The Assembly Working Group was formed to consider the functions and the membership of the University Assembly and to make suggestions regarding the organisation of the All Staff Meeting. The drivers behind this work were:
 - (a) To address feedback from the University community through the 2016 Pulse Survey as part of the Speak up and Challenge work stream;
 - (b) To address concerns that have been raised about the exclusion of staff on grades 1-5 from Assembly membership.

Recommendations

The Senate is invited to:

1. Note the report from the Assembly Working Group (S.58/16-17, attached)
2. Recommend to the Council that the Assembly be retained as a statutory body
3. Recommend to the Council that the current provisions of statute 20 (5) that require the Vice-Chancellor to summon an extraordinary meeting of the Assembly on the requisition in writing of no fewer than twenty-five members of the Assembly stating the purpose for which the meeting is to be called, be retained in statute;
4. Approve in principle that the membership of the Assembly be extended to all staff employed on level 1-9 terms and conditions from the date of their employment;
5. Recommend that the Assembly considers the report on Assembly Processes, as set out in Appendix C of the Assembly Working Group Report (S.58/16-17, attached)
6. Recommend to the Council that the Statutes are amended to reflect the current constitution of the Senate regarding the representatives of the Assembly.

Route Map for this Report		
Committee	Date	Action Requested/ Taken
Senate Steering Committee	5 June 2017	<u>Noted.</u>
Senate	14 June 2017	<u>To consider.</u>
Council	12 July 2017	<u>To consider.</u>

For the meeting of the Senate to be held on 14 June 2017

Report from the Assembly Working Group

1) Introduction

The Assembly Working Group was formed to consider the functions and the membership of the University Assembly and to make suggestions regarding the organisation of the All Staff Meeting. The drivers behind this work were:

- (a) To address feedback from the University community through the 2016 Pulse Survey as part of the Speak up and Challenge work stream;
- (b) To address concerns that have been raised about the exclusion of staff on grades 1-5 from Assembly membership.

The membership of the Assembly Working Group is set out in Appendix A.

We approached our work by considering first the purpose of the Assembly, recognising the context of the University as a particular type of entity, and taking into account other staff engagement and representation mechanisms. This in turn informed discussion about whether the current membership is appropriate.

As part of this work, we identified some questions about matters of Assembly process, which we agreed would be most appropriately considered by the Assembly itself in the first instance. These are listed in Appendix C.

2) Function of the Assembly

The definition and purpose of the Assembly is set out in the University Charter and Statutes (Appendix B). There are two specified purposes, and we looked at each in turn:

- (i) *To appoint to the membership of the Senate six permanent full-time members of the academic staff employed by the University¹*

We looked at the constitution of Senates and Academic Boards across the sector. Staff representation on the Senate/ Academic Board (in addition to members who represent Faculties) is very common. Where there is no Assembly, broader staff representation on the Senate remains common, sometimes differentiating between staff categories, and with such members being appointed by election.

Therefore we concluded that this particular function is not of itself a critical purpose in determining the future existence and membership of the Assembly. However we recommend that the Assembly retains responsibility for appointing members to the Senate.

The group identified some questions about the appointment and role of Assembly members on the Senate (Appendix C).

¹ The statute is at odds with the current published constitution of the Senate, which says “Six members appointed by the Assembly of whom not more than two shall be Professors” (paper S.36/16-17 refers). This disparity is thought to date from the broadening of the membership of the Assembly. The working group noted with concern that the adopted constitution of the Senate is out of line with the statute.

The group also noted that the Assembly does not currently have a role in the appointment of internal members on Council. However this matter was considered to be beyond the scope of the working group.

- (ii) *To make recommendations to the Council or the Senate on any matter whatsoever relating to the University and including any matters referred to it by the Council or the Senate*

We noted that the Assembly has considered a wide range of topics in recent years. Some meetings have been called by the Vice-Chancellor, and have been primarily for information sharing. Others have been called by members of the Assembly under the provisions of Statute 20 (Appendix B).

We concluded that using the Assembly for information sharing and as an informal feedback mechanism does not constitute a unique purpose. Other staff engagement mechanisms, such as the All Staff Meeting, provide more straightforward and flexible ways of achieving this aim. We concluded that the All Staff Meeting is working well at present, and we do not wish to recommend any changes to its operation. However, we note that it is not a body which is established by the University's Charter and Statutes, and therefore its future existence and operation is not defined.

We also agreed that the purpose of the Assembly is distinct from that of the Trades Unions, which represent staff as employees.

The group agreed that the nature and function of the Assembly was different from those staff engagement and staff representation mechanisms outlined above, which would be typically found in any large organisation. To understand the purpose of the Assembly, the group considered the nature of a university.

Universities have always been corporate bodies of scholars and their support staff, seeking to preserve and extend the tradition of learning. Given this, they must promote a strong sense of ownership by and commitment from the Academy and its support staff.

We concluded that the Assembly embodies a consensual approach to leadership, is the natural counterpart to public/all staff meetings and represents the primary means whereby the body of scholars (and those acting in the interests of this enterprise) may address the Senate, Council and the University's senior management.

We noted that the statutory mechanisms underpinning the operation of the Assembly are critical to this purpose:

- (a) members of staff are able to requisition a meeting;
- (b) the Assembly can make recommendations to the Senate and the Council, so by taking a vote on a motion the Assembly can speak with a collective voice and be heard at the most senior levels of University governance.

We concluded on this basis that the Assembly does have a unique purpose that is separate from other staff engagement mechanisms. Whilst few Russell Group universities appear to have retained an Assembly, we feel that the Assembly continues to play an important part in the governance of

this University, and is a core component of the success of our “flat” structure.

We recommend that the right of staff to call a meeting of the Assembly should continue to be enshrined in statute. We also noted that the effectiveness of the Assembly to fulfil its unique purpose depends in large part on the spirit in which meetings are managed.

We noted that attendance at Assembly meetings at Warwick is consistently around 4% of the membership. Whilst this level of attendance is consistent with engagement with other staff communication channels, including staff meetings, we recommend that the Assembly considers further potential mechanisms to increase staff engagement, including the possibility of holding online votes following meetings (Appendix C).

3) Membership of the Assembly

The Assembly is defined in the University Charter as “*a meeting of members of the academic staff of the University*”. The constitution of the Assembly is set out in Statute 20, and includes the academic staff, together with “*such other members of the University as may be nominated by the Senate.*”

At its meeting held on 26 January 2011 the Senate resolved that the criteria for membership of the Assembly be amended as follows (minute 38/10-11 refers):

- (i) *All staff employed on Academic, Research only and teaching only terms and conditions shall become members of the Assembly from the date of their appointment;*
- (ii) *All staff employed on level 6-9 terms and conditions shall become members of the Assembly from the date of their appointment.*

We noted that the decision of the Senate in 2011 to extend the membership beyond academic staff suggests that the University no longer views the Assembly to be a forum for the Academy in particular.

Questions of equity have been raised in relation to the exclusion of staff on grades 1-5. On previous occasions staff on grade 5 who would be affected by USS pension changes have been invited to attend meetings where USS was discussed.

Given the broad remit of the Assembly to make recommendations on any matter relating to the University, we felt that the distinction between staff employed on level 6-9 terms and conditions, and those employed on level 1-5 terms and conditions is unjustifiable. We recommend that membership of the Assembly should be widened to all those staff who can reasonably be expected to demonstrate commitment as participants in the “collegiate body” of the University. In practice, this means all staff employed on level 1-9 terms and conditions from the date of their employment.

We also noted that there may be matters of business that could legitimately be regarded as being primarily of concern to one particular staff group. We recommend that the Assembly determines a protocol for calling meetings of particular categories of staff (Appendix C).

4) Conclusions

The Working Group concluded that the Assembly provides a unique and valued mechanism for informed debate that enables staff to influence decision making in the University. The Group recommends that the Assembly be retained as a statutory body. In addition, we recommend that the provision for 25 members of the Assembly to requisition a meeting is retained in statute.

The Working Group wished to recommend that membership be extended to include all staff employed on level 1-9 terms and conditions from the date of their employment.

The Working Group noted that the effectiveness of Assembly does depend in part on the spirit in which it is managed, though there are some opportunities to improve the operational reach and impact of the body, which the Assembly may wish to consider.

Recommendations

The Senate is invited to:

- 1) Note the report of the Assembly Working Group;
- 2) Recommend to the Council that the Assembly be retained as a statutory body;
- 3) Recommend to the Council that the current provisions of statute 20 (5) that require the Vice-Chancellor to summon an extraordinary meeting of the Assembly on the requisition in writing of no fewer than twenty-five members of the Assembly stating the purpose for which the meeting is to be called, be retained in statute;
- 4) Approve in principle that the membership of the Assembly be extended to all staff employed on level 1-9 terms and conditions from the date of their employment;
- 5) Recommend that the Assembly considers the report on Assembly Processes, as set out in Appendix C;
- 6) Recommend to the Council that the Statutes are amended to reflect the current constitution of the Senate regarding the representatives of the Assembly.

Appendix A: Assembly Working Group

Terms of Reference

To consider the functions and the membership of the University Assembly and to make suggestions regarding the organisation of the All Staff Meeting.

Membership

Dr Jonathan Davies (Chair)
Alicia Calvert
Philippa Glover
Professor Saul Jacka
Dr Justine Mercer
Daniel Pearson
Julia Rogers

Meeting dates

Monday 16 January 2017
Tuesday 7 March 2017
Friday 31 March 2017

Appendix B Extracts from University Charter and Statute: The Assembly

Charter 15

There shall be an Assembly of the University, which shall be a meeting of members of the academic staff of the University.

Statute 20 The Assembly

(1) There shall be an Assembly of the University consisting of:

The Vice-Chancellor.

The Deputy Vice-Chancellor

The Pro-Vice-Chancellors.

The Professors, Registrar, Readers and other members of the academic staff.

The holders of such other academic, research and administrative posts as may be designated by the Senate.

Such other members of the University as may be nominated by the Senate.

(2) The Vice-Chancellor shall be the Chair of the Assembly.

(3) The Assembly shall appoint to membership of the Senate six permanent full-time members of the academic staff employed by the University as provided for under Statute 19(1).

(4) The Assembly may make recommendations to the Council or to the Senate on any matter whatsoever relating to the University and including any matters referred to it by the Council or the Senate.

(5) The Vice-Chancellor may at any time at his/her discretion and shall upon the requisition in writing of not fewer than twenty-five members of the Assembly stating the purpose for which the meeting is to be called, summon an extraordinary meeting of the Assembly.

Appendix C Assembly Working Group: Observations on Assembly Processes

The Assembly may wish to consider the following observations made by the Assembly Working Group:

- 1) Membership and matters of business
 - (a) Should there be a mechanism to limit attendance or voting to particular categories of staff, depending on the business to be considered? If so, who should decide?
 - (b) Should there be timetabled meetings of the Assembly? If so, how often should these take place?
 - (c) Might the Assembly debate strategic discussion topics that are scheduled to be considered at Senate/ Council?

Durham University has a statutory Academic Electoral Assembly, which may discuss *“any matter of interest to the University... and recommendations may be made to such one or more of the Statutory Bodies as the Assembly considers appropriate.”*

Membership includes all members of staff performing academic or academic-related roles (normally taken to mean staff on Grade 7 or above. The following caveat is applied: *“All members of staff, however, are very welcome to attend general discussion meetings. Formal items of business, if there are any, will be conducted at the end of the meeting, at which time non-AEA members will be invited to leave.”*

The Assembly is required to meet *“as often as is necessary to nominate members to the appropriate vacancies in the Senate.”* The Chair has discretion to call additional meetings and is required to do so if requested in writing by at least twenty members of the Assembly.

There is also a Standing Committee of the Academic Electoral Assembly, constituted of the Assembly-elected members of the Senate. The role of the Standing Committee is to consider items for inclusion on the agenda of meetings of the Academic Electoral Assembly, including considering *“any matters which may be drawn to the attention of the Committee by any member or members of the Academic Electoral Assembly, and “deciding whether such matters should be brought to the attention of the Assembly, with or without a recommendation from the Standing Committee.”* However, this remit *“shall in no way infringe the right of any member of the Academic Electoral Assembly to submit an item to the Secretary for inclusion on the agenda of the Academic Electoral Assembly at any time, nor shall it inhibit the right of the Chair or any member or members of the Standing Committee from taking such informal action as they may see fit in connection with any such matter.”*

2) Procedure and Voting

- (a) Should the Assembly simplify and modernise its standing orders?
- (b) Should the Assembly introduce online voting? Should an online vote on motions (as amended by the Assembly meeting) take place following the meeting, to enable more staff to participate?

The Students' Union has introduced online SU Referenda which take place following All Student Meetings:

5.3.6 There will be All Student Meetings for all members to debate and discuss all business going to an SU Referendum. These meetings shall take place prior to voting opening in an SU Referendum and no business may proceed to an SU Referendum without being on the agenda and discussed at the corresponding All Student Meeting.

Extract from SU By-laws

3) Appointment of Senate members

- (a) Could the process by which Assembly elects members to the Senate be improved?
- (b) Should those members of the Senate who are appointed by the Assembly have the opportunity to canvas the views of the Assembly on Senate business?