

Governing Bodies and equality and diversity in higher education



Nicola Dandridge
Chief Executive, Equality Challenge Unit



Equality Challenge Unit

Leadership is pivotal to equality and diversity. In very broad terms, where leaders

are committed their organisations will be diverse, where leaders are not committed their organisations will not be.

Leaders need to take diversity seriously because there is a compelling case for maximising performance and overcoming skills shortage in an

ever more competitive world. As demonstrated by large-scale research carried out by the European Commission in 2005 [The Business Case for Diversity, Good Practices in the Workplace, European Commission 2005], there is a demonstrable correlation between successful private sector businesses and a commitment to diversity, even though the exact chain of causation may be difficult to prove.

It is therefore unsurprising that the role of governing bodies is increasingly in the spotlight when considering what it is that makes organisations successful in implementing effective equality and diversity practice.

It is not just that governing bodies, and in particular chairs of governing bodies, play a central role in overseeing senior appointments. They also are responsible for safeguarding the economic, strategic and reputational well-being of the institution. Further, it is the governing body that carries



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specific legal responsibility under equality legislation of ensuring that unlawful discrimination does not take place within their institution. In particular they are responsible for ensuring compliance with the extensive positive action duties required in relation to race, gender and disability.

This does not mean that governors will necessarily be personally liable for any breaches, but it does mean that staff and students can quite legitimately look to them for assurance that equality and diversity are being properly dealt with in their institution.

These are not straightforward issues. Gone are the days when equality just meant ensuring that women were not deliberately excluded from certain jobs. Equality and diversity, as a matter of law, now encompass a range of separate equality categories including gender, race, disability, sexual orientation, religion and age, and apply to the entire staff and student experience. Higher education institutions now have to work out how they can play their part in overcoming the deep-rooted and culturally engrained social inequalities that affect all of society.

What should institutions do when faced with the stark statistics showing that both race and gender are significant predictors of degree results? Should more female and ethnic minority staff be appointed to senior positions, and if so how can that be done? How can institutions prevent the high drop-out rate of disabled students? What is the relationship between race and internationalisation? How can institutions promote good campus relations and integration between different communities, including relations between different faith groups, different nationalities and between religious and lesbian and gay groups?

There are no easy answers to any of these questions, but they are nonetheless critically important and governing bodies need to be confident in engaging with them alongside their other responsibilities.

This is why Equality Challenge Unit and the Leadership Foundation, working closely with the Committee of University Chairmen, are developing a project that will support governing bodies in addressing these issues.

The project is directed by a steering group whose members include Russell Seal, Chair of the University of Exeter (who is chairing the group), James Foulds, Chair of the University of Bristol, Simon Fanshawe, Chair of the University of Sussex, Barbara Bond, Chair of the University of Plymouth and Roger Thomas, formerly Chair of the University of Glamorgan. In addition, UUK have nominated Paul O'Prey, Vice Chancellor of the University of Roehampton to join the steering group, and the Association of Heads of University Administration have nominated Dr Philip Harvey, Registrar and Secretary at the University of Sussex, and Alison Wild, Pro Vice-Chancellor (Admin) & University Secretary at Liverpool John Moores University.

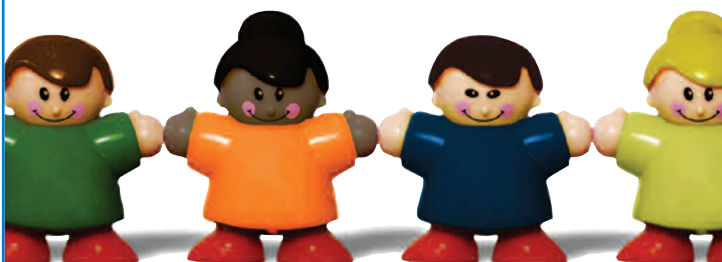
Initially, the project will commission research that will look at examples from both the higher education and private sectors where governing bodies have developed effective working models for dealing with issues of equality and diversity from a governance perspective. Although not the primary focus of the project, the research will also be looking at the diversity of governing bodies themselves to see what can be done in the future to ensure that governing bodies better reflect their communities (in the broadest sense of that word). This will then lead to the development of concise and workable tools that will assist governing bodies in discharging their responsibilities in this area.

The UK higher education sector is outstanding in so many areas. The aim of this project is to support governing bodies to ensure that higher education institutions are also outstanding in relation to equality and diversity and are truly forward-looking, transparent, competitive, flexible and fair.

Equality Challenge Unit supports the higher education sector in promoting equality and diversity for staff and students. Its current programme of projects for 2008 is available on its website. The governance and equality project is managed by Dr Diane Bebbington from the Leadership Foundation and Nicola Dandridge of Equality Challenge Unit.

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http://ec.europa.eu/employment_social/fundamental_rights/pdf/events/busicase_en.pdf
EC Report, 'The Business Case for Diversity', 2005



Internal Audit in Higher Education



Anthony Garnett
Chairperson,
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Internal audit has undergone a revolution in the last 10 years, with the pace of change much increased in the last five. As the current elected chairperson of CHEIA (the Council of Higher Education Internal Auditors) a key part of my, and CHEIA's, role is to highlight this change to the HE internal audit profession's key stakeholders. This is relevant following the recent publication of the CUC *Handbook for Members of Audit Committees in Higher Education Institutions*.

The HE sector faces a challenging strategic outlook: more concentrated and metrics based research funding, increasing regulatory demands and requirements, the future *de facto* de-regulation of undergraduate fees, marketisation of student demand and true internationalisation of the UK HE sector. Institutions are responding by becoming more business-like, developing more efficient and effective back office processes, increased specialisation and professionalisation of support services, web-enabled processes and improved data. The sector has seen evolution towards an increased 'managerial' and 'corporate' style of operations.

Internal audit has responded to this challenge. There has been a move away from compliance testing and concentrating on operational financial controls towards providing wider business assurance. Auditors now start with the institution's objectives and analyse how the business risks relating to their achievement are managed. This is the much talked about 'risk based auditing' approach.

Internal auditors aim to complement the governance arrangements within an institution by providing the governing body, through the Audit Committee, with assurance over strategic, institution-wide business risks. Internal audit also supports senior management by reviewing operational risks. Recommendations are made when appropriate to suggest ways to mitigate existing business risks and / or identify opportunities to achieve greater efficiency or effectiveness in how the processes or procedures operate.

Audit now asks not just 'is the University doing things right?' [compliance / operation of controls], but is it doing the right things? [effectiveness / design of controls]. The objectives (policy) are not challenged; this is to preserve the independence of the auditor. Audit becomes less of a science, 'this is wrong, this is the only solution', much more a professional dialogue with management. Assurance, based on a combination of quantitative and qualitative data in this setting, is collaboratively co-produced between the auditor and the manager. This role requires auditors to be credible, experienced, multi-skilled, professionally qualified and intellectually capable.

So, given the increased complexity of HE operations and markets, increased demand for business risk assurance both by HE managers and governing bodies and increased assurance required by the sector's external stakeholders, how should the sector and its auditors be responding?

First, governing bodies should be sure that their internal audit function is fit for purpose. This means sufficient resource, in both quantity and quality, to provide an intellectually robust challenge to ask difficult, searching and relevant questions.

Second, a periodic, fundamental, review of how the assurance arrangements are provided should be undertaken. CHEIA represents all internal auditors, whether in-house, provided by professional services firms, consortia or a hybrid arrangement; the different models each have their own merits. CHEIA considers that all methods of service delivery are capable of providing efficient and effective business assurance arrangements. When reviewing institutional arrangements all models should be considered even where, historically, one method has predominated.

Third, the internal audit function should demonstrate appropriate quality assurance and performance review. In order to preserve its independence, internal audit is not 'managed' in the same way as other functions of an institution. It is therefore imperative that suitable performance measures and independent quality assurance arrangements are put in place to ensure accountability and help maintain a quality service. CHEIA, with the support of the HEFCE's leadership fund, has piloted an internal audit 'self assessment' tool in 2006/07; this will be rolled out from 2007/08. It will provide a means of benchmarking service delivery against recognised best practice and help achieve and maintain an even higher quality internal audit service in the sector.

So why should the sector make an effort to enhance the quality of its internal audit provision? A good internal audit service can provide that knowledgeable critical friend, that push for ongoing performance development and enhancement, and comfort that can only be gained from truly independent review to push the sector to be world class and world leading. An investment by the sector in internal audit will ultimately lead to greater confidence from external stakeholders, enhance sector performance and allow the sector the 'light touch' regulation and autonomy it both demands and deserves.

'Enhancing institutional governance and accountability through more effective internal audit'

CHEIA has been funded by the HEFCE Leadership Fund to deliver a project to enhance governance and accountability through effective internal audit. CHEIA is tackling this through its strategy, the key objectives of which are to:

- Develop and promote the role and status of internal audit in higher education;
- Encourage professional development;
- Help our members achieve the highest standards in the provision of effective, value-added and cost-effective internal audit, which will meet the needs of their institutions and provide assurance for the multiplicity of stakeholders of the HE sector.

The CHEIA Executive has set four work streams to deliver these objectives:

- To engage with the internal audit provider or manager of internal audit provision in every Higher Education Institution in the UK;
- To benchmark internal audit provision (including resourcing, quality and effectiveness);
- To provide intellectual leadership: to comment on key issues for the sector and profession; to provide representation and leadership to third parties on issues affecting the sector and the sector's institutions;
- To encourage and support professional development.

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CUC Handbook for Members of Audit Committees in Higher Education Institutions



Ninian Watt

*Chair of the Audit Committee Development Group
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The Handbook for members of Audit Committees in H.E.I.'s is the product from research into existing policies in H.E.I.'s in the U.K. and overseas. It also draws on experience in

both the public and private sectors and encompasses views of some Vice Chancellors and Audit Committee chairmen.

It is not surprising, given the diversity of H.E.I.'s, that there is a wide variety of ways in which Audit Committees undertake their work. This handbook seeks to draw out best practice and to guide Audit Committees in areas where they may be able to improve their work for the benefit of their governing body and university.

Guidance is given on every aspect of audit committees and the work they carry out. These include, the skills that are required from members of the committee, terms of reference, processes, policies and approaches that work, whilst recognising that these will vary dependant on each university's nature and needs. Inter alia guidance is given on such areas as professional development, oversight of financial reporting, fraud, whistle blowing, risk management, value for money and assessing the effectiveness of the internal and external auditors as well as the audit committee itself. Supplemental guidance and suggestions are set out in a wide range of appendices.

It should be emphasised that this handbook is neither a novel nor mandatory but a reference guide as to perceived current best practice. Its objective is to help Audit Committees to review and if possible improve the manner in which they fulfil their role.

Further information:

W: Publication download: www.hefce.ac.uk/pubs/hefce/2008/08_06/



Taking forward the enhancement-led approach in Scotland: emerging approaches to the management of assurance and enhancement

Thelma Barron
Assistant Director, QAA Scotland



**QAA
Scotland**

In 2003 Scotland adopted a new approach to managing quality and standards in higher education. This enhancement-led strategy is now attracting significant international interest. Its key features include:

- a focus on improvement;
- important roles and responsibilities for students; and
- partnership working between the universities, QAA Scotland, NUS (Scotland), the national independent student development service, Student Participation in Quality Scotland (sparqs), the Higher Education Academy and the Scottish Funding Council.

In addition to Enhancement-led institutional review (ELIR), the framework comprises:

- a rolling programme of national enhancement themes;
- institution-led review at the subject level;
- student engagement in quality management, including support provided through sparqs; and
- the inclusion of student reviewers as full members of institutional review teams.

Since the inception of the enhancement-led approach, Scottish HE institutions have made significant progress in developing their own approaches to the management of assurance and enhancement. Institutions' success is apparent in the 20 published ELIR reports from the first cycle, 2003-07.

Individual institutions have taken the enhancement agenda forward according to their particular strategic priorities and mission within a common framework which provides support for the sector. With growing insight into the management of enhancement institutions have made very effective structural and systemic changes designed to encourage a culture of critical reflection on learning and teaching, and the wider aspects of the student experience. The emerging connectivity of quality systems, better linkage between quality processes and strategic planning processes, and increasing alignment between institutional and college/faculty/school planning processes are all indicative of the extent to which the enhancement-led approach is now becoming embedded within institutional quality systems.

The evidence of the ELIR reports indicates the following as key developments within institutions across Scotland which are supporting the enhancement of the student experience:

- institutional enhancement strategies being used as developmental tools, linking separate strategies for specific topics, as well as strategies at faculty, school and department level to drive change, support innovation, manage risk, and measure progress;
- the importance of leadership at different levels in the institution, addressing both the strategic and operational perspectives, combined with greater cross-institutional dialogue and discussion;
- alignment of institutional strategic planning and college/ faculty/ school / department strategic planning;
- a balance of top-down and bottom-up initiatives within agreed strategic parameters;
- the nurturing of a culture of critical reflection, focusing on the student experience, exemplified by more reflective, forward-looking quality processes at every level;
- the reform of committee systems, and committee remits, to enable a holistic (and sometimes more streamlined) approach to the student experience, improve the flow of quality-related information, and more effectively support the enhancement-led approach within the whole institution;

- changes to management structures, including restructuring and reconfiguration of central services, for example, combining pedagogy, technology and staff development to provide more effective integrated support;
- greater alignment of staff development with quality processes and strategic planning, including reward and recognition of excellence in teaching, and encouraging wider staff engagement with enhancement, through internal conferences, workshops, open fora and on-line networks for practitioners;
- effective engagement with student representatives, and the wider student body, combined with strategic partnerships with student associations;
- connectivity between different aspects of institutional quality assurance and strategic planning frameworks, and support services, to create a synergy which reinforces and strengthens the drive for enhancement.

Across the Scottish HE sector, the momentum for enhancement is gathering pace, with systems, processes and structures geared to work together to support the enhancement-led approach, and enable a sharper focus on the student experience. The recent (2007) independent external evaluation of this Scottish Quality Enhancement Framework (QEF) stated that the QEF: '...brought right to the fore the simple and powerful idea that the purpose of quality systems in higher education is to improve student experiences and, consequently, their learning.' and concluded '...the approach to quality that we review(ed) here is ambitious, distinctive and, so far, successful.'

QAA Scotland will commence the second cycle of ELIR this autumn using a revised method which will build on these achievements in a number of ways:

- integrating ELIR more fully with other aspects of the Quality Enhancement Framework;
- sharpening the focus on the enhancement of the student learning experience, through three fundamental principles of quality culture, student engagement and high quality learning; and
- drawing more on good practice, not only across the UK, but internationally (future ELIR review teams will include an international member).

As governing bodies of Scottish HE institutions prepare to assume a greater role in the future oversight of, and reporting on, institutional quality assurance and enhancement, QAA Scotland will be issuing a pamphlet to key stakeholders this autumn to help promote understanding of the management of enhancement in the Scottish higher education sector.

Further Information

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Reports: Managing assurance and enhancement: evolution and progress (part of the 'Learning from ELIR' series)
updated version available on the QAA website in May 2008



Student complaints increase

The Office of the Independent Adjudicator for Higher Education (OIA) has announced that the number of complaints it has received by students against universities has risen for the third consecutive year.

Professor Rick Trainor, President of Universities UK, said:

“The rise in the number of complaints to the Office of the Independent Adjudicator (OIA) can in large part be attributed to an increased awareness of this complaints procedure. Clearly the OIA is fulfilling its role.”

At a conference organised by the OIA in April 2008 (on behalf of the European Network of Ombudsmen in Higher Education) the OIA called for universities to make adjustments to cater for the new student population, which is older, more likely to be graduates and from overseas, and less familiar with university life.

W: www.oiahe.org.uk
www.oiahe.org.uk/docs/OIA-Annual-Report-2007.pdf
(Annual Report 2007)



The Higher Education Academy (HEA)

What is it?

The HEA is owned by Universities UK (UUK) and GuildHE (formerly SCOP). The business of the Academy is managed by the

Board of Directors with individual Directors also trustees of the charity.

Who's in it?

All staff who teach and/or support learning at HE level or in an HE institution. There are three categories of professional recognition:

- Associate of the Higher Education Academy (AHEA)
- Fellow of the Higher Education Academy (FHEA)
- Senior Fellow of the Higher Education Academy (SFHEA)

The HEA works with institutions, individuals and groups and has formed many networks in order to coordinate the work of those groups and discuss and debate.

What does it do?

The Academy's mission is to help institutions, discipline groups and all staff to provide the best possible learning experience for their students. The Academy supports the higher education sector in England, Northern Ireland, Scotland and Wales through its UK-wide services, direct work with HEIs and close relations with higher education organisations and groups.

Strategic aims and objectives:

- to be an authoritative and independent voice on policies that influence student learning experiences
- to support institutions in their strategies for improving the student learning experience
- to lead, support and inform the professional development and recognition of staff in higher education
- to promote good practice in all aspects of support for the student learning experience
- to lead the development of research and evaluation to improve the quality of the student learning experience
- to be a responsive, efficient and accountable organisation

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Higher Education Statistics Agency (HESA)

What is it?

The Higher Education Statistics Agency (HESA) is the official agency for the collection, analysis and dissemination of quantitative information about higher education in the UK.

Who's in it?

HESA was set up by agreement between the relevant government departments, the higher education funding councils and the universities and colleges in 1993, following the White Paper “Higher Education: a new framework”, which called for more coherence in HE statistics, and the 1992 Higher and Further Education Acts, which established an integrated higher education system throughout the United Kingdom.

What does it do?

The mission of the Agency is:

- To provide a system of data collection, analysis, and dissemination in relation to higher education in the whole of the United Kingdom that:

- delivers, on a charitable basis, the information required by Higher Education Institutions for their planning and development;

and, operating on behalf of the higher education sector,

- supports and enhances the ability of Government and its Agencies to determine higher education policy and allocate funding;

and does all this to standards of quality that assure fitness-for-purpose, at costs that provide best value, and in a manner designed to minimise compliance burdens on institutions.

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News in Brief

Consultation on high level skills

A consultation to build stronger and more flexible links between business and universities has been launched by Minister of State for Higher Education, Bill Rammell.

Key areas of the consultation include:

- How business, trade unions, employers and employees can work better together to encourage demand for high level skills;
- What incentives are working/required to encourage colleges and universities to be more responsive to business and employer demand;
- What support or incentives would help colleges and universities extend access to work placements to all their students;
- How employers can become more involved in providing careers information, advice and guidance for pupils during their entire education; and
- How to increase the number of people with the specialist qualifications that many businesses desire such as languages and science, technology, engineering and mathematics (STEM).

W: www.dius.gov.uk/press/14-04-08.html

New Adjudicator for student complaints

Rob Behrens, presently the Complaints Commissioner to the Bar Standards Board, and previously a Cabinet Office Senior Civil Servant and Secretary to the Committee on Standards in Public Life, will become Independent Adjudicator and Chief Executive at the Office of the Independent Adjudicator for Higher Education (OIA), replacing Baroness Ruth Deech.

W: www.oiahe.org.uk

Green Gown Awards 2007-08

Universities and Colleges are Creating Greener Buildings, and Responding Positively to Environmental and Social Issues.

Professor Peter James, Co-Director of the Higher Education Environmental Performance Improvement (HEEPI) project, commented that:

This year's Awards demonstrate that many institutions are responding well, and highlight many innovations to create

greater environmental awareness amongst students, and the communities which they and staff live within. The Awards also show that many universities are building impressive track records of continuous improvement of performance, and demonstrating a commitment to greener buildings."

W: www.heepi.org.uk

Improving HEFCE engagement with institutions

From 1 September 2008 HEFCE will replace its existing regional teams with three institutional teams. These will be called:

- North (including institutions in the North East, North West, and Yorkshire and the Humber regions)
- Midlands and South (including institutions in the East Midlands, West Midlands, South East and South West regions)
- London and East (including institutions in the London and East of England regions)

HEFCE intends that these changes, together with its revised directorate structure announced on 1 February 2008, will enable it to manage its relationship with higher and further education institutions and stakeholders within regions more effectively. The changes will also enable HEFCE to respond positively and creatively to the policy environment, and improve its dealings with government departments, in particular the Department for Innovation, Universities and Skills.

New Chairs at HEFCE and HEFCW

Roger Thomas OBE has been appointed as new Chair of the Higher Education Funding Council for Wales (HEFCW). He will take up his new role on 5th May 2008. Mr Thomas was Chair of Chairs of Higher Education Wales (CHEW) and Chair of the University of Glamorgan.

Tim Melville-Ross, CBE, has been appointed Chair of the Higher Education Funding Council for England (HEFCE) from January 2008 - December 2010. Mr. Melville-Ross previously chaired the Council of the University of Essex.

W: www.hefcw.ac.uk
www.hefce.ac.uk

CUC Update

April 2008 Plenary Meeting

The Plenary meeting received presentations from:

- Professor Sir David Watson of the Institute of Education and formerly Vice-Chancellor of the University of Brighton on strategic planning issues for the HE sector.
- Lord Adonis, Parliamentary Under Secretary of State for Schools, on the Government's strategy on links between schools and higher education.
- Jocelyn Prudence, Chief Executive of UCEA, and Jim Foulds, CUC representative on UCEA, provided an update on industrial relations issues.

Future Plenary Meetings

Future CUC Plenary Meetings are scheduled as follows:

DATE	VENUE
2008 October 23-24	tbc
2009 April tbc	tbc

Comments & Suggestions

Comments or suggestions about the Newsletter are always welcome. Please contact either Lorna Cocking, Chair of the Newsletter Steering Group: lorna.cocking@btinternet.com

or Jeremy Hoad, Newsletter Editor: jeremyhoad@btinternet.com

