

27 September 2019

University and College Union

Meeting of Democracy commission

Location UCU, Carlow Street Head Office

Date 5 July 2019

Confirmed minutes

Present Mark Abel, Caitlin Adams, Alan Barker, Vicky Blake (co-chair), Cecily Blyther, Douglas Chalmers, Rachel Cohen, Ann Gow, John Hadwin, Jane Harvey, Brian Hamilton, Elane Heffernan (co-chair), Margot Hill, Pat Hornby-Atkinson, Annie Jones, Chris Jones, Jess Meacham, Sam Morecroft, Denis Nicole, Christina Paine, Keith Simpson, Sean Wallis, Justin Wynne

In attendance Paul Cottrell (Acting general secretary), Catherine Wilkinson (head of constitution and committees)

1 Apologies for absence

1.1 Apologies were received from Alison Chapman, Martin Chivers, Jackie D'Arcy, Lindesay Dawe, Jeff Fowler, John James, Kerry Lemon, Lesley McGorrigan and Saira Weiner.

2 Chairs' business

2.1 From the chair, Vicky Blake noted the papers circulated late:

- Paper DC/44, Electronic voting: Catherine Wilkinson spoke briefly about the information set out in the paper, which addressed some practical questions relating to electronic voting, but not the questions of principle. Douglas Chalmers suggested additional information from the TUC and other relevant organisations be sought. Elane Heffernan suggested the disabled members standing committee consider the issue of accessibility. The committee AGREED to defer the substantive discussion on the issue to its next meeting.
- Paper DC/45A: Working group B: Further discussion papers: Rachel Cohen noted that the proposals in this paper were in part a response to paper DC/45 on the presidential team. The commission AGREED to consider the paper under item 6.2.

3 Minutes of the previous meeting held 9 May 2019 (DC/40)

3.1 The minutes of the meeting held 9 May 2019 set out in DC/40 were APPROVED.

4 Matters arising

4.1 Date of special Congress

4.1.1 Catherine Wilkinson spoke briefly to introduce the information set out in tabled paper DC/46. The NEC had decided that the special Congress must be held on a Saturday, and as a consequence, no call had been made for a special Congress (there being no venue booked other than on Friday 8 November, in line with the commission's previous decision).

4.1.2 Saturday 7 December had been identified as a date on which the existing venue was available, and that could be made to work with modest changes to UCU's calendar of meetings. The venue had agreed to waive the cancellation charge for the original date if the booking was moved to this date.

4.1.3 There was considerable discussion over whether 7 December was a suitable date for the special Congress, including:

- whether dates in January/February could be explored as alternatives
- unhappiness over the NEC's apparent disregard for the commission's long-standing decision in respect of the date - though the reasons for the NEC decision were noted
- possible issues with lower attendance due to the proximity to Christmas
- concern about any further delay to the date of the special Congress.

4.1.4 Alan Barker proposed that the 7 December date be accepted, and that the commission write to the NEC expressing its unhappiness over this decision in respect of the special Congress date. This was AGREED.

4.1.5 It was confirmed that attendance at the special Congress meeting would be on the same basis as attendance at any other Congress meeting. Sean Wallis suggested that the NEC be asked to allow the attendance, as an observer, of any member of the democracy commission who was not able to attend as a voting delegate.

5 Outcomes of Congress 2019 (DC/41)

5.1 Elane Heffernan, from the chair, introduced paper DC/41 which set out for information the outcomes from Congress 2019 in respect of the commission's interim report and all rule change motions.

5.2 Following discussion it was clarified that whilst all recommendations in the interim report were now policy, two of these formed complete recommendations by the commission which the NEC must now seek to implement (recommendation 3 on a searchable record of policy, and recommendation 4 on longer discussion papers for NEC meetings), whilst the remaining recommendations (such as recall and deputy general secretaries) referred to

further work being carried out by the commission.

- 5.3 Rule change motion 80, on the delegation of GS powers, which had been remitted, was raised. The chair reported that the co-chairs would write to the general secretary to seek a meeting with the general secretary and representatives of the staff union in order to allow the implications of the rule change to be discussed.
- 5.4 Rule change motion 82, *Creation of disputes committees for multi-institution disputes*, was raised. This had been put forward by the commission but lost. The commission AGREED that the matter should be re-examined with the intention of bringing forward a new proposal.
- 5.5 In response to a question, the chair suggested that those rule changes put forward by other bodies and remitted due lack of time, were not directly the business of the democracy commission, but the commission could choose to comment on those matters if it wished to do so.

6 Papers for discussion, by working group:

6.1 Working group A: recall

- 6.1.1 Vicky Blake took the chair. Paul Cottrell updated the commission in respect of the current position. He had discussed with Alan Barker ways to go forward with a recall proposal which maintained the central role of Congress. Further written legal advice was awaited; initial oral advice was not positive. In addition to advice on recall, further advice was being sought on the Congress standing orders in respect of criticism of the general secretary, and how criticism may be put forward without raising employment issues.
- 6.1.2 Paul Cottrell noted the commission's wish to see legal advice in advance and noted the access issues raised. However, it was detrimental to the union to allow into circulation legally privileged advice. He undertook to prepare a summary of the advice (when available) which could be circulated in advance. Caitlin Adams requested significant additional reading time be allowed immediately prior to that start of the meeting, which was agreed.
- 6.1.3 The issue of recall was briefly discussed.
- 6.1.4 Elane Heffernan raised the issue of the 6 month notice period for dismissal in the GS contract. The issue of fairness (of any dismissal) was raised. Elane Heffernan asked that the use of this clause be raised with the lawyers.
- 6.1.5 The commission AGREED to continue discussion of recall at its next meeting and after the receipt of further legal advice.

6.2 Working group B: Accountability and transparency

- 6.2.1 Elane Heffernan was in the chair. The discussion paper in DC/45, *The presidential team*, was NOTED. Rachel Cohen proposed, in the absence of the paper's authors, that the proposals in the paper be considered. She expressed support for:

- a role description for each position (paragraph 2.1)
 - mandatory training (paragraph 2.3)
 - a handover process (paragraph 2.4).
- 6.2.2 Some commission members noted that whilst useful, the information in DC/45 was not very detailed, which made consideration of some of the proposals in DC/45 and DC/45A difficult. It was AGREED that if possible the paper should come back to the next meeting with more detail on the roles carried out by the officers. It was reported that some of the union's officers had provided considerable detail on their own experiences of the roles.
- 6.2.3 Rachel Cohen introduced the discussion paper *The presidential team – response to paper DC/45* (paper 1, DC/45A). This proposed that the 'presidential team' be composed of three officers only: a president, a VPHE and a VPFE, without the honorary treasurer or the immediate past president.
- 6.2.4 The proposal was discussed. Points included the need for members to have a clearer understanding of the roles of their elected officers, and caution over the strict sectoralisation of the VP roles, noting that they are elected cross-sectorally, and may represent on cross-sectoral issues from time to time, before progressing to the cross-sectoral presidential role.
- 6.2.5 Noting that final proposals would need to come back to the commission, the chair asked the committee to vote on some matters in principle.
- 6.2.6 The commission AGREED in principle that the presidential team should be reduced from 5 to 3 (13 votes in favour, 5 against, 3 abstentions).
- 6.2.7 The commission did not agree in principle with the idea of sector specific VP roles and titles (7 votes in favour, 10 against, 3 abstentions). Noting this decision, the commission agreed to return the proposal in section 4, on allocation of activities, at its next meeting.
- 6.2.8 Rachel Cohen introduced the discussion paper *Transparency of elected members' activities* (papers 2, DC/45A), proposing regular reporting by the president, vice-president and officers on the UCU activities they undertook.
- 6.2.9 The proposal was received positively. Different ways of recording activities were noted including blogs, diaries, spreadsheets and tables. Accessibility was noted as an issue in respect of some formats, as was the amount of work required, and consideration about what should be in the public realm, noting that anything available to all members was available to employers. It was noted that there were areas in the union where there was some ongoing or previous good practice.
- 6.2.10 Rachel Cohen suggested a more detailed proposal could come back to the commission. The commission unanimously AGREED in principle the proposal that the president, vice-presidents and general secretary should report on the activities they engage in for UCU.

6.3 Working group C: Structural issues/implications, including the role of paid officials (DC/43)

- 6.3.1 John Hadwin introduced the paper *Area committees: implementation of agreed policy* (DC/43) on the implementation of the ongoing work reported in the commission's interim report, that area committees should be able to exist where these continued to be useful, and should have standing orders.
- 6.3.2 Discussion followed which highlighted that the definition of area committees was not widely understood. Paul Cottrell explained their historic link to the local education authorities prior to the incorporation of FE colleges in 1993.
- 6.3.3 The commission concluded that standing orders for area committees could be agreed by regional committees.

6.4 Working group D: Conduct of disputes

- 6.4.1 In the chair, Elane Heffernan noted that the rule change on dispute committees put forward by the commission had not been carried by a two-thirds majority, and proposed that a proposal be re-worked for the final report, with suggestions considered by email or via the Sharepoint site ahead of the next meeting.

6.5 Working group E: Engagement and representation

- 6.5.1 No matters were brought forward under this heading.

6.6 Motions from branches (NEC/1244)

- 6.6.1 The commission discussed paper NEC/1244 which has been referred to the commission by the NEC. It included a draft NEC standing order regulating the submission of motions to NEC, HEC and FEC by branches and regional committees.
- 6.6.2 The difficulty of predicting the likely number of motions was NOTED. The need to ensure the inclusion of devolved nation bodies alongside regional committees was also NOTED.
- 6.6.3 Following discussion, Elane Heffernan, from the chair, summarised that:
 - there should be no NEC 'sponsor' required for a branch motion
 - a relevant NEC member must move a branch motion
 - there should be a standing item for branch motions on relevant agendas
 - there may need to be a system for the triage or rationing of the number of motions to be debated.
- 6.6.4 In respect of prioritising motions, options included recommendations from the relevant committee chair, and the on-line balloting of members to determine which motions from branches were most important.
- 6.6.5 The commission AGREED to return to the issue at its next meeting.

7 Any other urgent business

7.1 No other business was raised.

8 Date of next meeting

The commission voted to change the date of its next meeting to **Friday 27 September.**