

5 July 2019

University and College Union

Meeting of Democracy commission

Location UCU, Carlow Street Head Office

Date 9 May 2019

Confirmed minutes

Present Caitlin Adams, Alan Barker, Vicky Blake (co-chair), Cecily Blyther, Sharon Broer, Douglas Chalmers, Martin Chivers, Rachel Cohen, Jackie D'Arcy (afternoon only), Jeff Fowler, Jane Harvey, John Hogan, Annie Jones, Chris Jones, Kerry Lemon, Jess Meacham, Denis Nicole, Keith Simpson, Sean Wallis, Saira Weiner.

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

1 Apologies for absence

1.1 Apologies were received from Mark Abel, Alison Chapman, Lindesay Dawe, Nina Doran, Geraint Evans, Ann Gow, John Hadwin, Brian Hamilton, Elane Heffernan (co-chair), Margot Hill, John James, Lesley McGorrigan, Rachel Minshull, Sam Morecroft, Christina Paine and Nita Sanghera.

2 Chairs' business

- 2.1 Vicky Blake, in the chair, welcomed Annie Jones, representing the women's committee, to her first meeting.
- 2.2 Three papers on the tables were noted: DC/35A, which added to the papers for discussion under item 6.2; DC/38A which replaced paper DC/38 (Discussion document); and NEC/1244 which had been passed to the commission by the NEC.
- 2.3 Douglas Chalmers raised the issue of an email expressing concerns about the running of the commissions' meetings, sent to the co-chairs on 22 March. The chair responded that she did not think this had been received; she undertook to look into this.

3 Minutes of the previous meeting held 8 March 2019 (DC/33)

3.1 Caitlin Adams proposed an addition to minute 5.1: 'The access difficulties raised by complex information being tabled was NOTED, as was the commission's wish

to avoid this where possible in future.’ This was AGREED.

3.2 Rachel Cohen proposed that the end of the final bullet point of minutes 5.5 be amended. After discussion, it was AGREED to delete ‘by petition of members’, and replace with ‘under some conditions’.

3.3 Subject to these two amendments, the minutes of the meeting held 8 March 2019 were APPROVED, as set out in paper DC/33.

4 Matters arising

4.1 Vicky Blake addressed the issue of the statement that it was agreed the co-chairs of the commission would put to the three candidates in the GS election. It was noted that the letter had not been sent, but would be sent immediately by the co-chairs.

4.2 Paul Cottrell noted that the responses of candidates to the letter should only be published if candidates gave their explicit permission for that to happen.

5 Timetable to special Congress (DC/34)

5.1 Catherine Wilkinson introduced paper DC/34, Timetable to special Congress. She reported that the special Congress date was 8 November 2019, a suitable venue having been confirmed for that date.

5.2 The commission discussed the option of moving its next meeting from 12 July to 5 July, noting that this date had now become free. This moved the meeting away from the Durham Miners’ Gala and away from a bank holiday in Northern Ireland.

5.3 On a vote, the move to 5 July was AGREED.

5.4 The likely deadline for delegate registration for the special Congress was noted. The administrative reasons for this were explained. The possibility of moving this closer to the special Congress date, even if only by a few days, was raised.

5.5 The difficulty of having meaningful consultation on recommendations with branches and regions, within the timetable available, was NOTED.

6 Papers for discussion, by working group

6.1 Working group A: Recall

6.1.1 The chair noted that there was no paper for discussion under this item. Sam Morecroft’s contribution to the discussion document (DC/38A) on this subject was NOTED. That was not a paper for the commission to vote on.

6.1.2 The chair summarised the position on recall (of the general secretary): Some work had been done on the commission’s agreed intention to present a rule change, including by Alan Barker and Sean Wallis. Further work was needed, to be presented to 5 July meeting, and other commission members were invited to involve themselves.

6.2 **Working group B: Accountability and transparency (DC/35, DC/35A)**

- 6.2.1 Denis Nicole spoke to introduce his proposal set out as paper 1 in DC/35, *Proposed recommendations for our democratic structures*, which amended the basis on which Congress was composed, shifting delegate entitlement towards a more proportional representation of larger branches. The rule changes had been put to Congress by the Southampton University branch.
- 6.2.2 The reduction in FE entitlement and the removal of delegates from regional committee was noted.
- 6.2.3 Disagreement with the proposal was expressed by several commission members. It was NOTED that the table explaining the impact of the rule change on delegate entitlement would be available to delegates at Congress in May.
- 6.2.4 The timing of Congress, and other factors affecting the ability of potential delegates to attend, was briefly discussed. The willingness of new delegates to return, having had the experience of a UCU Congress meeting, was also raised.
- 6.2.5 The questions about Congress attendance raised by Alison Chapman in paper 2 of DC/35, *Congress attendance data: Questions*, were NOTED.
- 6.2.6 The chair summarised: Congress would vote on the rule change in May. Information on the Congress attendance questions would be brought to the July meeting where possible. Members could bring other relevant proposals to that meeting.
- 6.2.7 Douglas Chalmers introduced paper 3 in DC/35, *Suggested position on electronic voting at sector conferences and Congress*. Rachel Cohen then spoke to her paper in DC/35A, *Contribution to discussion on e-voting at Congress*, which included potential questions for a report on the subject.
- 6.2.8 The meeting agreed to return to these papers after lunch. Following the lunch break, the chair reported that the email referred to by Douglas Chalmers at the start of the meeting had not been received due to the use of incorrect email addresses. The co-chairs would circulate the email after they had had the opportunity to consider it and respond.
- 6.2.9 The commission discussed the issue of electronic voting at length. The issues raised included:
 - a. The long-standing tradition of voting by show of hands (or voting cards), and the experience and engagement of delegates in this process
 - b. The time saved by electronic voting
 - c. The reported perception of some delegates that the visible voting on certain issues left them intimidated or bullied
 - d. The use of data, data security and security of systems
 - e. The need to be clear about the requirements of any system that might be considered, including meeting access needs

- f. The apparent lack of any system which recorded electronic votes but also made an individual's vote visible at the time of voting
- g. The possibility of card votes being conducted in a different way
- h. That Congress 2019 would make some kind of decision in considering motion R3, and the bearing this might have on any consideration of the issue in November.

6.2.10 Sean Wallis drew the commission's attention to two key questions:

- Should UCU move from public to private voting for Congress and sector conference votes?
- Should UCU move voting for Congress and sector conferences into the digital domain?

6.2.11 In discussion, the usefulness of a report on electronic voting was largely supported, and the following amendments to the description of points for a report (as set out in the latter part of DC/35A) was AGREED:

a. Opening paragraph, amend to read:

Without pre-empting the outcome of motion 79 to May Congress, the democracy commission has commissioned a report to investigate what is possible with the technology available and what we want it to be used for. That means providing the following information in the form of a report to the November Congress:

- b. Point D), add '- to ensure data security and address risk of hacking'
- c. Add new point G): What are the implications for access and equality of electronic voting systems?

6.2.12 It was AGREED to include in the discussion document:

- a. Douglas Chalmer's paper on proposed position on electronic voting
- b. Rachel Cohen's paper (first two sections – pros and cons of electronic voting)
- c. The commission's agreement, as a result of its discussions, to commission a report on electronic voting as described in the final section of Rachel Cohen's paper (as amended, 6.2.11 above).

6.2.13 It was hoped that the commission could consider the report at its July meeting.

6.2.14 Douglas Chalmers spoke to introduce paper 3 in DC/35, *Suggested position on video streaming of conferences and Congress*. Following a brief discussion, the commission AGREED to support this idea in principle. The chair proposed that something on this subject go to the July meeting, with a proposal then going to the November special Congress.

6.2.15 Douglas Chalmers spoke to introduce paper 4 in DC/35, *Suggested position on recording of NEC, HEC, FEC*. This was proposed to ensure the accuracy of reports of meetings could be checked.

6.2.16 Noting that minute-taking was a staff matter, it was suggested that this was a technical matter that might be referred to the incoming general secretary. The need to be clear about the purpose and availability of any recordings was NOTED.

6.2.17 Sean Wallis proposed that the matter was relevant to the NEC standing orders and not the core business of the commission. He moved next business.

6.2.18 The chair summarised that the commission would not take a position on the proposal, but the commission would ask the NEC if it wanted to consider this matter. This was accepted by the commission.

6.3 **Working group C: structural implications/issues, including the role of paid officials**

6.3.1 The ongoing work to produce descriptions of the roles of the union's officers was raised. Sharon Broer undertook to bring draft descriptions to the 5 July meeting. The need to include the honorary treasurer's role was NOTED. Rachel Cohen suggested that early circulation of the role descriptions would be useful.

6.4 **Working group D: Conduct of disputes**

6.4.1 There was no business to discuss under this heading.

6.5 **Working group E: Engagement and representation**

6.5.1 Vicky Blake withdrew paper 1 in DC/36, *Representation gaps: Migrant workers and international staff across post-16 education*, noting that relevant rule changes had been put to Congress by branches.

6.5.2 Vicky Blake opened discussion on paper 2 in DC/36, *Creating space for equality is a democratic act*, noting that its author, Elane Heffernan, was not present.

6.5.3 There was discussion of the issues raised, including how parity could be achieved in a practical sense, and whether the descriptions in paragraphs 1.5 and 1.6 were reasonable. It was noted that a change to procedure might be possible without a rule change.

6.5.4 Paul Cottrell read Congress standing order 34, which set out the existing power of the Congress chair to exclude members from business if they engaged in certain types of behaviour.

6.5.5 The commission AGREED that it would bring back proposals to further recommendation 3.1 (ways to achieve parity of speakers at Congress). In respect of 3.2, Congress standing order 34 was NOTED and the commission AGREED it was not necessary to explore additional measures.

6.5.6 Caitlin Adams spoke to introduce paper 3 in DC/36, *Improving national election procedures*. She noted that in the current GS election, information about hustings was not centrally collated or disseminated. This fell to various individuals.

6.5.7 The chair NOTED that Congress would vote on a rule change to create a

recorded hustings event for national officer seats. She suggested the commission return to the issue in July. The issue of how the engage members was also important.

- 6.5.8 Rachel Cohen raised the issue of matters which the commission may wish to make recommendations on that potentially impacted on the role of staff. She asked what could be done to ensure that any necessary communication with the staff union could be initiated before July.
- 6.5.9 Paul Cottrell noted that there were rule changes on the Congress agenda that would impact on staff (elected deputy general secretary; delegation of general secretary powers). The agreed negotiating machinery would need to be respected. It was noted that some of the JNC's members were members of the commission.

7 Congress, May 2019

7.1 Presentation of interim report (UCU/934)

- 7.1.1 Vicky Blake proposed that CBC be asked to allow each of the co-chairs to speak for five minutes to present the commission's report. She further proposed that two hours for the discussion of the report and the rule change section of the agenda might be sought, noting how closely the two were related.
- 7.1.2 Alan Barker noted that some of the discussion would come out in the rule change debates and further noted that the commission's work would have further time at the one-day special Congress.

7.2 Rule changes submitted to Congress (DC/37)

- 7.2.1 The rule changes submitted to Congress were NOTED; these had been referred to in earlier discussions and the outcome of various rule change motions would be reflected on by the commission in July.

7.3 Discussion document (DC/38A)

- 7.3.1 There was some discussion over the best way present this document to Congress. Potential for confusion was noted. After discussion, the commission AGREED the following three headings, with papers allocated to them as follows:

Section 1: Papers discussed since the commission's interim report was issued, including actions where agreed

- **Electronic voting:**

Suggested position on electronic voting at conferences and Congress by Douglas Chalmers

Contribution to discussion on e-voting at Congress by Rachel Cohen

Action agreed by commission

- **Creating space for equality is a democratic act:**

Paper by Elane Heffernan

Action agreed by commission

Section 2: Minority position papers on issues discussed by the commission

- The right of recall by Sam Morecroft
- Proposal to introduce elections for the four national officials whose posts hold responsibility for organisation, recruitment and mobilisation by Elane Heffernan

Section 3: Papers that have not been fully discussed or represent areas where there is ongoing work to be progressed

- Recommendations for our democratic structure by Denis Nicole
- Proposal for strike committees to discuss key decisions in strikes by Elane Heffernan

7.3.2 The commission AGREED that the papers should be described as information which it was hoped would stimulate discussion and feedback, which may include consideration of motions to the November special Congress.

7.3.3 The commission AGREED not to include Elane Heffernan's paper on delegation of general secretary powers, noting that this had become a recommendation in the interim report, and not to include John Hadwin's paper on Area Committees, noting its length and limited relevance to the commission's remit.

8 Date of next meeting

8.1 The commission would next meet on 5 July, as agreed earlier in the agenda.