

**Commission
on Union
Democracy
Report of
Commission**

Introduction

Background

The Commission on Union Democracy was established by Motion 62 at Annual Congress in 2012. The text of this motion can be found in Appendix 1 (see page 15).

Members of the Commission were elected by delegates to that year's Annual Congress. A list of commissioners is given in Appendix 2 (see page 16).

At its first meeting after Annual Congress 2012, the NEC passed a motion establishing a sub-committee to look into the future size of the NEC. This immediately raised a number of issues for the Commission, in particular that of the relationship between the two bodies and the extent, if any, of co-operation between the Commission and the sub-committee. At our first meeting it was agreed that we should explore ways of working with the sub-committee; at a subsequent meeting between the chair of the Commission and the President as chair of the NEC sub-committee, it was agreed that we would exchange documents and explore the possibility of producing a joint report. In the main, however, the two bodies have worked independently of each other and this report is solely the outcome of the work undertaken by members of the Commission.

Underlying considerations and principles

We started out from the position that there are two major issues that need to be taken into account:

- the structure of the NEC and the role of its members
- the representativeness of the NEC and the need for members to be confident that it represents their views.

The function of the NEC is set out in the Rule 18.1 of the Union's rules:

"The National Executive Committee shall be the principal executive committee of the Union, and shall be responsible for the execution of policy and the conduct of the general business of the Union between meetings of National Congress, and shall abide by decisions passed at National Congress, subject to the Rules. The HEC and FEC shall abide by and implement the decisions passed by their respective Sector Conferences."

In order to fulfil this function, members are required to attend four cycles of meetings of the NEC and its committees in the course of a year, as well as attending Annual Congress and any Sector Conferences that may be convened between Annual Sector Conferences. Members in Equality seats also attend the annual conference for their constituency and meetings of the relevant Equality Standing Committee. The majority of members undertake valuable work in addition to their formal NEC commitments. This includes visiting branches and attending meetings of Regional Committees, and the preparation of reports and other communications. This work is unpaid, other than the reimbursement of expenses, and done largely in members' free time. This contrasts with the position in some unions whose NEC members are on virtually full-time remission, whereas our NEC members are juggling the demands of union work with those of their employment at a time when employers are cutting facility time to a minimum or abolishing it altogether. As a result, conscientious NEC members may make considerable sacrifices in carrying out their work for the Union. Were this work not to be carried out by NEC members, or by a significantly smaller number of

NEC members, it would either remain undone or be done by paid officials of the Union, thereby calling into question the extent to which a substantial reduction in the size of the NEC would create significant financial savings.

We also held to the principle that the future size of the NEC should be determined by its breadth of representation, and not the other way round. It is the view of the Commission that the NEC should continue to be representative of as broad a range of the Union's membership as possible. We feel that this breadth of representation gives the NEC validity among members and helps to ensure a degree of confidence that the NEC is a properly representative body. It is a view which enjoys a large degree of support in the membership at large, as evidenced by the consultation process.

Consultation

We decided on an initial consultation process consisting of two stages. Stage one consisted of a fairly random survey undertaken via the Union's website and open to any members who wished to respond. This produced around 550 responses, from which we were able to identify a number of areas to pursue in the second stage. In this stage we concentrated on the various constitutional committees of the Union and asked them to comment on five areas. These areas, together with a summary of the responses received, can be found in Appendix 3 (see page 17).

This process has given us valuable insights into the way that members feel the NEC should be constituted and the range of representation it should contain. To a lesser extent it has given us ideas as to the numerical values that would best reflect that degree of representation. It is true to say that, in general, members would not welcome a radical reduction in the size of the NEC if that were to entail a significant loss of representation.

In the light of this we have decided to provide a number of illustrative examples of how the NEC might look over a range of sizes. These form the main body of this report (see pages 4-14), and are intended to facilitate debate within branches and the Union at large.

Financial aspects

We have focussed our discussion on the structure and representativeness of the NEC and have deliberately not examined the financial implications of different illustrative examples owing to lack of time and resources. We are aware that since the Commission began its work last autumn, concerns about the financial situation of the Union have been raised.

We wish to note that the correlation between reducing the size of the NEC and saving money might not be as clear cut as it appears at first sight. The responses to the Commission's consultations suggest that representativeness within the Union's structure remains a key priority for members, as is the need to have structures which enable UCU to effectively represent members and carry out campaigning work.

In conclusion, the members of the Commission wish to express their gratitude to Alan Scobbie for his excellent administrative support and to Andrew Fall for presenting our findings in an eye-catching and readable format.

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For the purposes of illustration there is an assumption that cross sectoral seats (shown as ● in the examples that follow) would be filled by candidates from FE and HE on an equal basis.

NEC illustrative example A

- FE and HE have separate representation
- Representation by region
- Reserved seats for equality strands and those on casualised contracts
- Regional seats are not allocated in proportion to membership
- Does not mirror the ratio overall between FE and HE membership
- Does not distinguish between pre and post-92 in HE
- Increased workload and commitment for individual NEC members - for example to serve on sub committees
- No provision for representation from prison education, adult and community education, academic related, pre-92, post-92 and land based education

NEC illustrative example A

KEY ● HE seat ● FE seat

COMMENTS



Totals by sector: HE 13 FE 12

National Officers: President, President Elect, Vice President, Immediate Past President and Honorary Treasurer. There are two per sector each year however the Hon Treasurer may be in either sector.

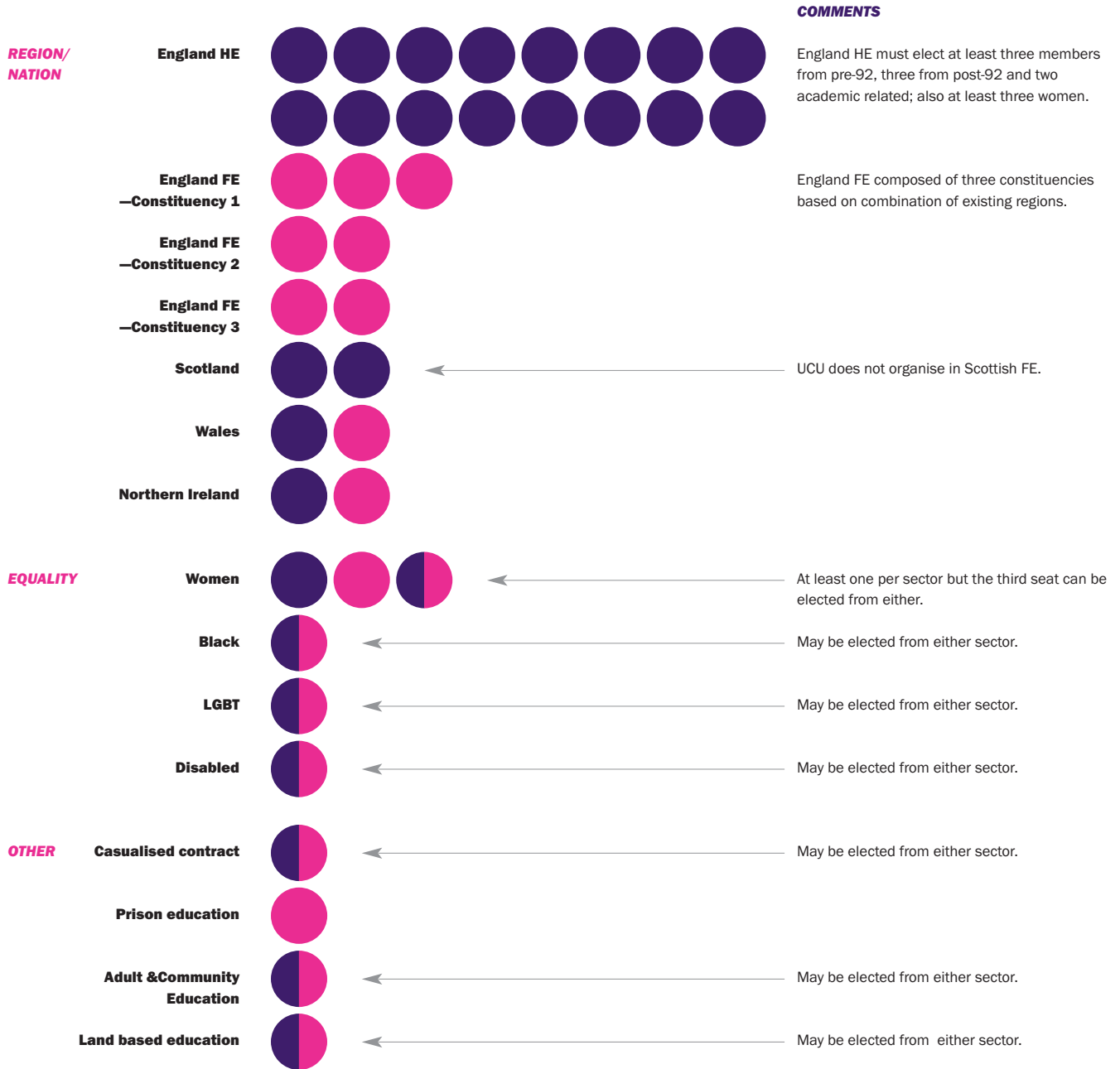
Overall size of NEC 30

NEC illustrative example B

- Multi member constituencies
- Single constituencies for nations in HE with no regional structure in England
- Constituencies in FE for Wales, Northern Ireland and three new geographical constituencies in England
- Representation from prison education, adult & community education, academic related, pre-92, post-92 and land based education
- Equality seats (except for women), adult & community education, land based education and casualised contract seats are cross sectoral

NEC illustrative example B

KEY ● HE seat ● FE seat
 ● Seat to be filled from either sector



Totals by sector: HE 24 FE 15

National Officers: President, President Elect, Vice President, Immediate Past President and Honorary Treasurer. There are two per sector each year however the Hon Treasurer may be in either sector.

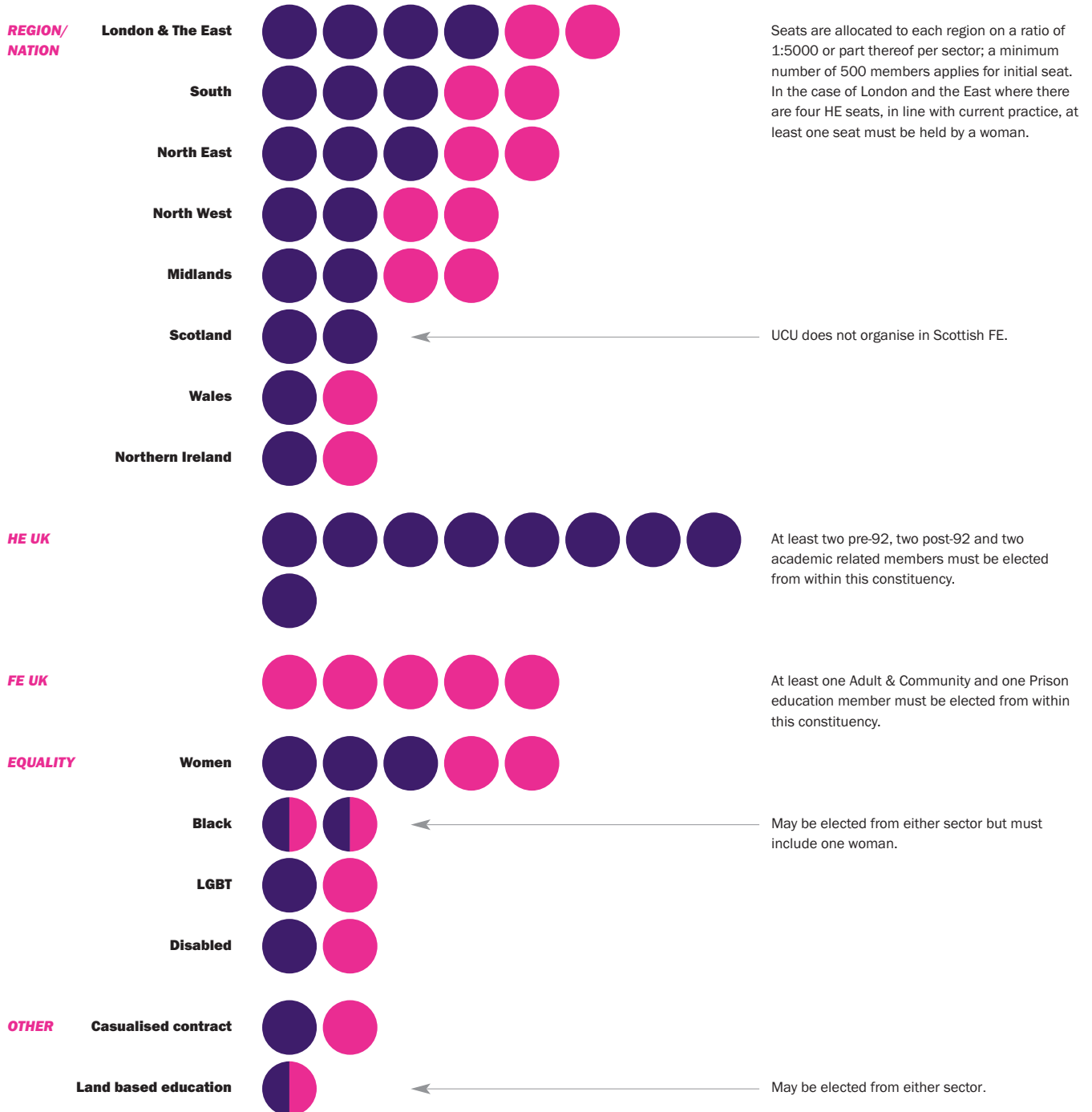
Overall size of NEC 44

NEC illustrative example C

- Regional and national seats
- UK elected seats
- Reserved seats for the four equality groups, members on casualised contracts and land based educators
- Election process for UK elected seats enables representation from prison education, adult & community education, pre-92, post-92, academic related
- Election process enables representation for women in UK elected seats, large regional constituencies and black members' seats

NEC illustrative example C

KEY ● HE seat ● FE seat
 ● Seat to be filled from either sector



Totals by sector: HE 34 FE 24

National Officers: President, President Elect, Vice President, Immediate Past President and Honorary Treasurer. There are two per sector each year however the Hon Treasurer may be in either sector.

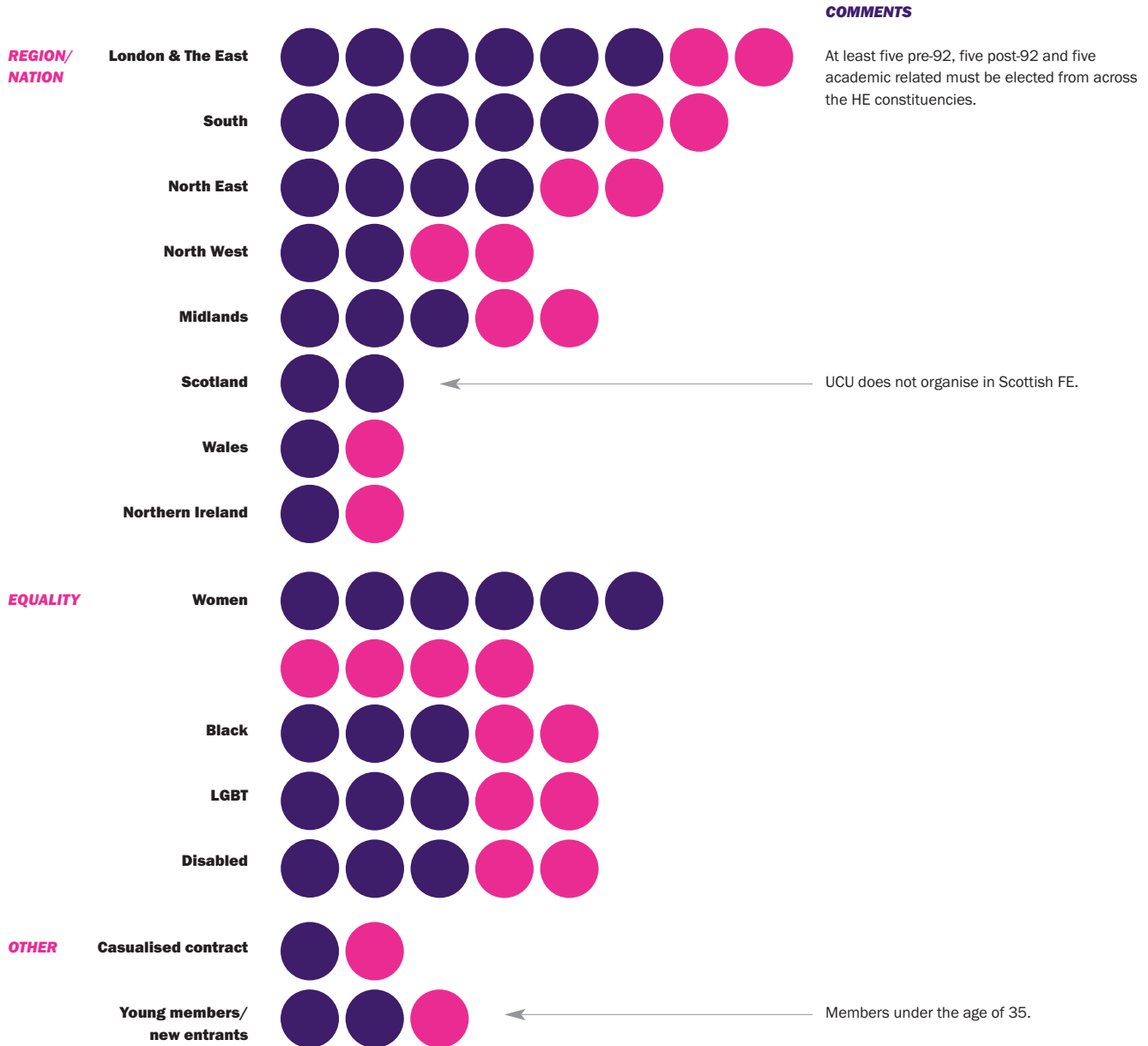
Overall size of NEC 63

NEC illustrative example D

- Multi-seat constituencies
- Geographical representation
- More representation for equality groups than status quo
- Specific representation for young/new-entrant members
- Election process enables pre- and post-92 representation
- Geographical seats allocated in proportion to membership in each sector
- No election process to enable representation of adult, prison or land based within FE

NEC illustrative example D

KEY ● HE seat ● FE seat



Totals by sector: HE 42 FE 24

National Officers: President, President Elect, Vice President, Immediate Past President and Honorary Treasurer. There are two per sector each year however the Hon Treasurer may be in either sector.

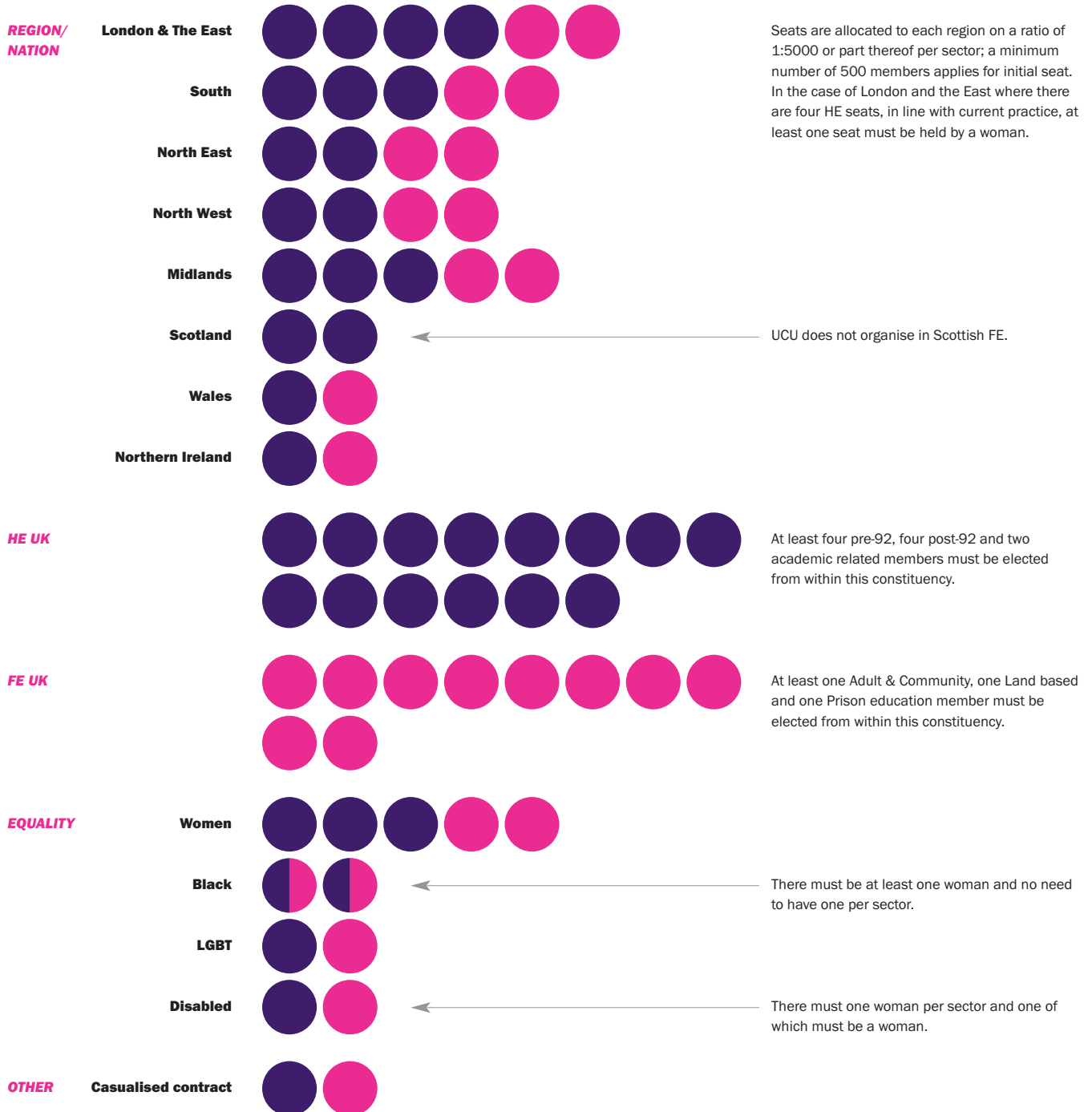
Overall size of NEC 71

NEC illustrative example E **(current NEC structure)**

- Regional and national seats
- UK elected seats
- Reserved seats for the four equality groups and members on casualised contracts
- Election process for UK elected seats enables representation from prison education, adult & community education, land based education, pre-92, post-92 and academic related
- Election process enables representation for women in UK elected seats, large regional constituencies and black members' seats

NEC illustrative example E (current NEC structure)

KEY ● HE seat ● FE seat
● Seat to be filled from either sector



Totals by sector: HE (39) **FE** (28)

National Officers: President, President Elect, Vice President, Immediate Past President and Honorary Treasurer. There are two per sector each year however the Hon Treasurer may be in either sector.

Overall size of NEC (72)

Summary of illustrative examples' key features

	ILLUSTRATIVE EXAMPLE				
	A	B	C	D	E
FE & HE representation	✓	✓	✓	✓	✓
UK-wide HE elected seats	✗	✗	✓	✗	✓
UK-wide FE elected seats	✗	✗	✓	✗	✓
English regional representation HE	✓	✗	✓	✓	✓
English regional representation FE	✓	✓	✓	✓	✓
All England representation HE	✗	✓	✗	✗	✗
Devolved nation representation	✓	✓	✓	✓	✓
Equality seats - Women, Disabled, Black and LGBT	✓	✓	✓	✓	✓
Pre-92 university representation	✗	✓	✓	✓	✓
Post-92 university representation	✗	✓	✓	✓	✓
Academic related staff representation	✗	✓	✓	✓	✓
Casualised contract representation	✓	✓	✓	✓	✓
Prison education representation	✗	✓	✓	✗	✓
Land education representation	✗	✓	✓	✗	✓
Adult & Community Education representation	✗	✓	✓	✗	✓
Number of seats linked to membership	✗	✓	✓	✓	✓
Number of seats linked to ratio between overall FE/HE membership	✗	✓	✓	✓	✓
Young member representation	✗	✗	✗	✓	✗
Increased number of equality seats	✗	✗	✗	✓	✗

Appendix 1 Congress motion 62

Congress notes:

1. UCU's NEC consists of lay members representing all sections of UCU's diverse membership.
2. UCU's branch/regional officers are lay members with minimal facility time in most cases.

Congress believes:

1. UCU's branch/LA and regional structures are the sound democratic foundation of the union.
2. Annual Congress and annual sector conferences are indispensable sovereign decision making forums.
3. Regional committees play a crucial role in ensuring experiences are generalised, members' attitudes gauged, and branches mobilised to support the UCU's policies and resist the austerity agenda
4. Surveys may be useful campaigning and mobilising tools but are no substitute for active debate at branch, regional and national level when deciding matters of strategy.

Congress resolves to:

1. prioritise training and support aimed at ensuring branches can function in ways that allow maximum participation of members
2. actively encourage all branches/LAs to send delegates to their regional committees and affiliate to local trades union councils
3. elect from delegates at Congress 2012 a Commission on Union Democracy, to report to Congress 2013. The Commission shall consist of 5 FE and 5 HE representatives, elected from within each sector. It shall consult widely with Branches, Regions and other constitutional committees, such as the Equality Committee, and consider, among other matters, the composition and size of the NEC. The Commission shall elect one of its members to act as its Chair.

Appendix 2 Members of the Commission

FE members

Caroline Gray (*City College Birmingham*)

Jude Letham (*Sunderland College*)

Alan Whitaker (*Oxford and Cherwell Valley College*)

Angie McConnell (*Wigan & Leigh College*)

Peter Jones (*Wales FE Central Group*)

HE members

Elizabeth Lawrence (*Sheffield Hallam University*)

Catherine Pope (*University of Southampton*)

Liza van Zyl (*Cardiff University*)

Roger Walters (*Open University*)

Jean Crocker (*Teesside University*)

Appendix 3 Summary of second stage consultation

We have tried, as far as possible, to highlight some of the trends and tendencies emerging from the responses to the Consultation. Some of these emerge strongly, others less so, but there is, it seems, a considerable degree of agreement across the responses. The consultation questions can be found online at www.ucu.org.uk/media/pdf/n/h/CUD5_Further_consultation_views_from_committees.pdf.

Representativeness

The following considerations emerge very clearly:

- Breadth of representation is more important than size.
- There is a need to retain seats by employment status and sector.
- There is a strongly expressed desire to retain seats for equality strands and members on casualised contracts.
- There is less enthusiasm for retaining nationally elected seats, although one response says that it is important to preserve the principle of nationally elected seats and another doubts whether regionally elected members do any more to link to regional structures than nationally elected ones
- Support for the continuance of the equality standing committees, employment special interest groups and related annual meetings was evident.

Connecting the membership

Points to note:

- Members are likely to become involved if the Union is seen to be campaigning on their behalf, therefore reports of successful campaigning and action need to be disseminated.
- There is a general lack of enthusiasm for the use of e-ballots and referenda. The use of electronically conducted surveys has more support, though in general it is felt that these ought to be conducted in association with debate and decision making at branch meetings.
- There is a split on the usefulness and desirability of blogs and social networking sites. Some see these as a useful potential campaigning tool, and also useful for disseminating information. There is, however, a general feeling that NEC members and UCU staff members should not be required or expected to use these.
- There is support for regional networks for equality groups and those on casualised contracts.
- The importance of support from NEC members and paid officials is stressed, as is the use of regional networks for areas such as Equality. There was a feeling that there should be more of a connect between branch officers and their geographically elected NEC members, also that these NEC members should ensure that they attended Regional meetings and also that each branch should be visited by one of its geographically elected NEC members each year.

Sub-groups

This section produced the largest diversity of response, and also some degree of confusion about what was meant by these, what relation they would have to the NEC and how they might function within the decision making processes of the Union. The following points seem to be common to a large number of the responses:

- Sectoral groups need to remain.
- There needs to be representation on the NEC for staff on casualised contracts.
- If such sub-groups were to be formed, it is important that they should be directly elected, rather than co-opted.
- What would be the relationship between sub-groups and the NEC?
- How would the creation of sub-groups affect the role of the NEC as the sovereign decision making body of the Union between one Annual Congress and the next?

Size of the NEC

It is worth noting the following:

- None of the replies positively advocates a reduction in the size of the NEC.
- There is a large measure of support for the retention of geographically elected seats and equality seats.
- There is concern that the NEC should continue to reflect the diversity of the membership.
- There is concern that all NEC members should be accountable to a constituency of the membership.
- In cases where a reduction in the size of the NEC is suggested, it is the UK-elected seats which are considered the most expendable, subject to the preservation of the constraints contained within the elections to these seats.