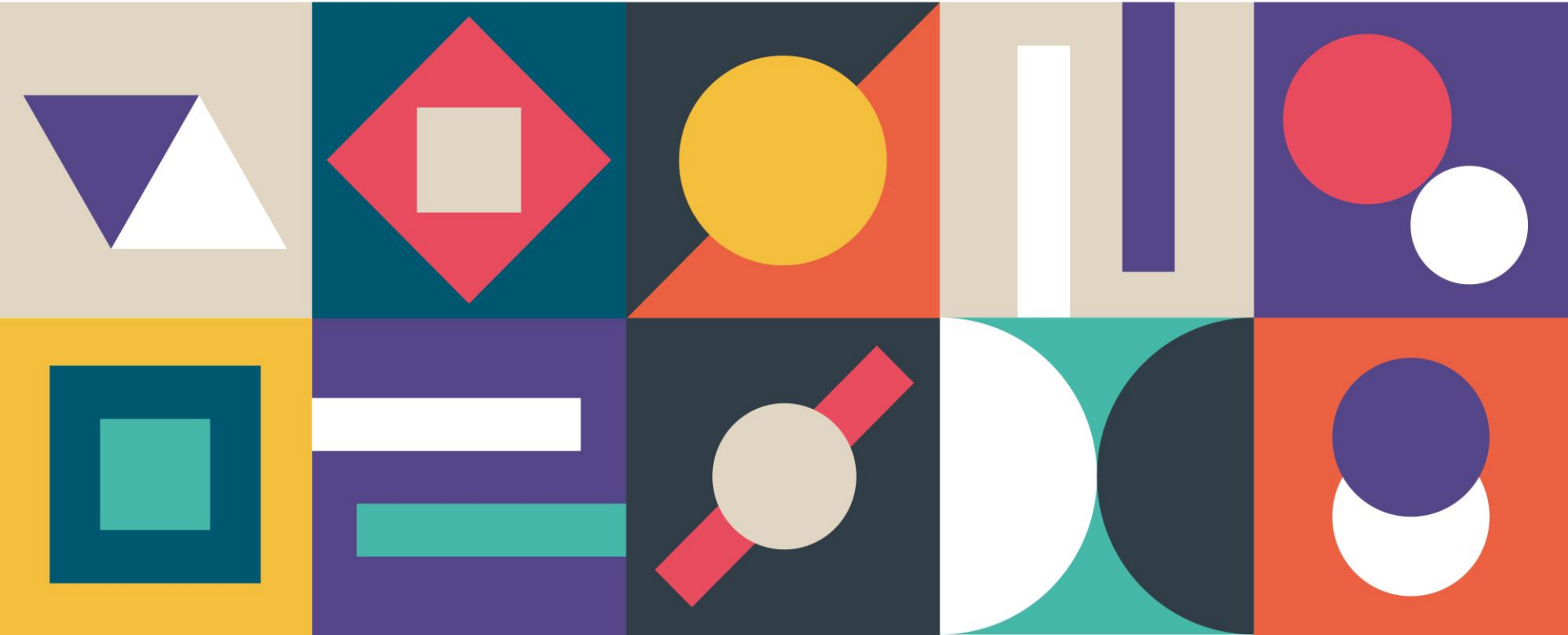


 **AdvanceHE**



The logo for AdvanceHE, featuring a small teal circle followed by the text "AdvanceHE" in a bold, black, sans-serif font.

**AdvanceHE**

## **Overview of UK higher education governance & conditions for effective boards**

Aaron Porter – Associate Director

[Aaron.Porter@advance-he.ac.uk](mailto:Aaron.Porter@advance-he.ac.uk)

@AaronPorter

# My background

- Associate Director (Governance), Advance HE supporting over 800 university governors across the UK each year
- Reviews of over 50 university governing bodies (including the UK, Republic of Ireland and Australia)
- Chair of Board, BPP University
- Council, Goldsmiths University of London
- Former President, National Union of Students UK

# Today

- What can HE governance systems look like?
- What levers can be used to drive progress?
- What do we know about good governance practice in universities?

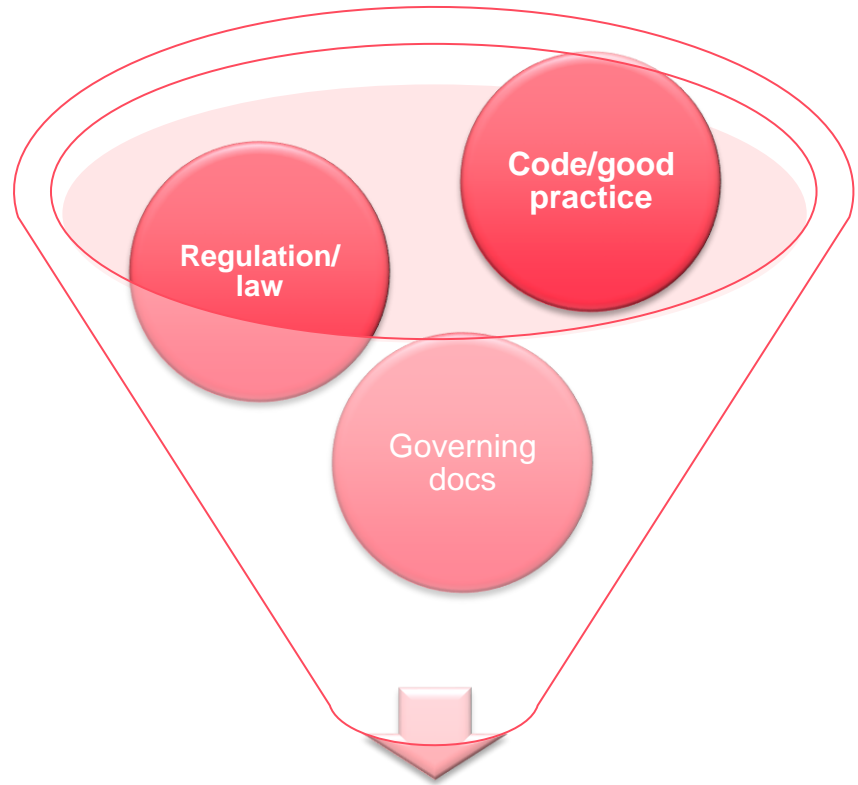
# What is the purpose of governance?

- To provide **confidence and clarity for all stakeholders**
- To ensure organisations and systems **deliver what they are meant to** e.g. financially sustainable and good student outcomes, the delivery of strategy, achieve performance measures

# A systems approach

Always a balance between

- Government & law
- Sector self-regulation
- Institutions



HE governance

# A diverging UK....

- **England** – increasingly led by market forces (£9250 fees for domestic)

Moved from system regulation to market regulation via Office for Students

Full freedom on governing body appointments (fit and proper persons declaration)

- **Scotland** – increasing government control (£0 fees for domestic)

Stronger governmental direction and direct block grant funding for Scottish students with number controls

Elected Chairs of governing body and mandated trade union representatives

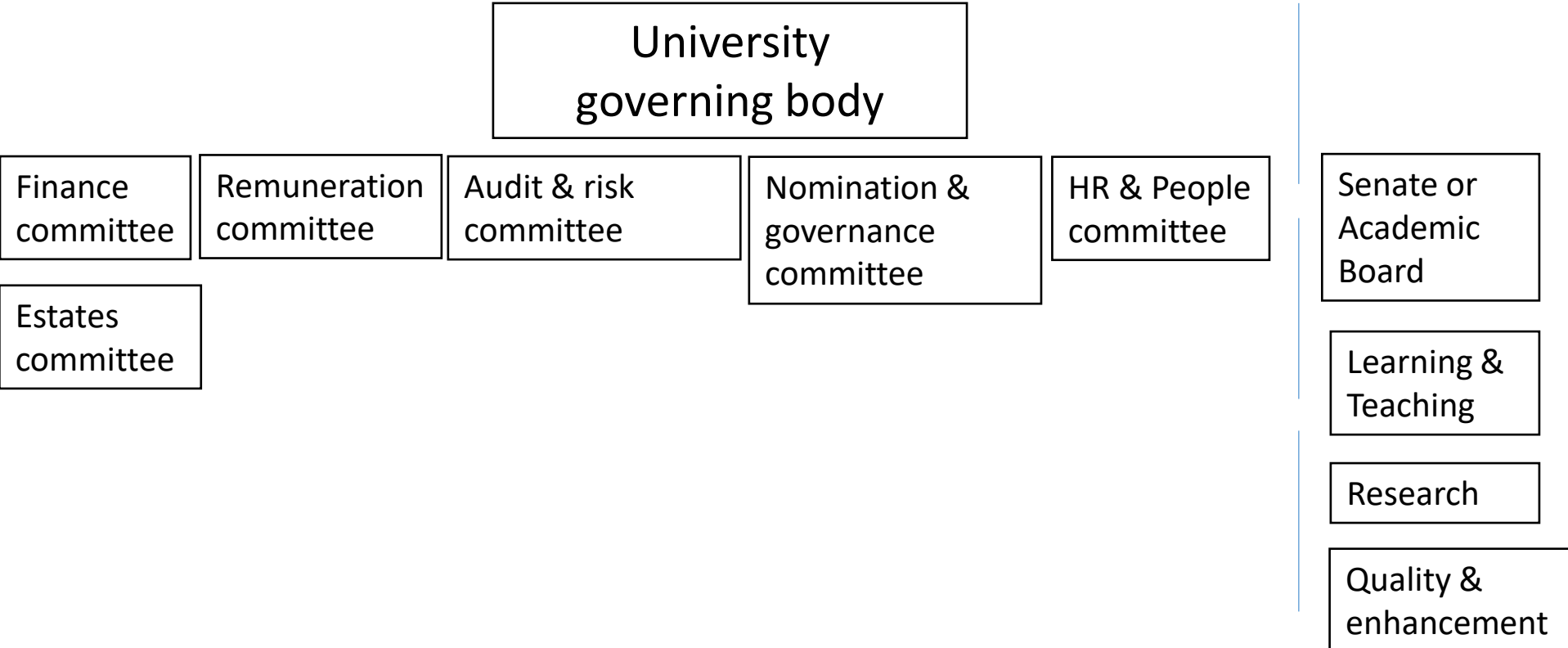
- **Wales & Northern Ireland** – somewhere in between England & Scotland!

- Around 400 higher education providers in the England (about 450 across UK)

- Around 175 universities in the UK (around 150 in England)

- Vast majority of universities are public not-for-profit

# A typical UK university governance structure





# Governing Body composition (England)

Origin	Avg # members	Avg # external	Avg # internal	Of these; avg # academics
Ancients	25.0	4.0	21.0	17.0
Earlies	19.0	11.3	7.7	5.3
Civic "Red Bricks"	21.1	12.5	8.6	6.1
Plate Glass/1960s	21.1	12.5	8.6	5.3
Former Polys	17.8	12.5	5.3	2.8
Cathedral	18.0	13.3	4.7	2.8
Specialist	16.8	12.1	4.7	2.8
Other new	16.9	12.4	4.5	2.5
<b>Total</b>	<b>18.7</b>	<b>12.2</b>	<b>6.5</b>	<b>4.1</b>

Source:

Alison  
Wheaton,  
UCL Institute  
of Education  
(2019)

# What is usual...

- 4-6 meetings per year & a strategy day
- Around 20 in size (range is 12 – 30)
- Vice-Chancellor is a member
- Staff and students as full members
- Independent majority, independent chair
- Unpaid (although some change)
- No government involvement in appointment
- Accountability to “arms length” regulator

# What informs governor recruitment...

## Skills

Desired/needed skills, experience, attributes	Director Names								
	A	B	C	D	E	F	G	H	I
International expertise	X								
Technology/digital media expertise				X	X			X	
Risk management expertise			X			X		X	X
Financial expertise		X	X		X				
Marketing expertise									X
Legal expertise		X							
Human resources expertise			X			X			
Operational expertise	X	X	X			X	X		
Industry expertise		X	X		X			X	X
Gender diversity				X			X		
Racial diversity				X					X
Regulatory expertise	X		X			X	X		
Board tenure (years)	15	15	10	8	7	7	4	1	8
Age (years old)	71	74	65	62	60	67	55	47	58

## Diversity

Board Diversity Matrix (As of March 14, 2022)				
<b>Board Size:</b>				
Total Number of Directors	9			
	Female	Male	Non-Binary	Did not Disclose Gender
<b>Gender:</b>				
Directors	3	6	0	0
<b>Number of Directors who identify in Any of the Categories Below:</b>				
African American or Black	0	0	0	0
Alaskan Native or Native American	0	0	0	0
Asian (other than South Asian)	0	1	0	0
South Asian	1	0	0	0
Hispanic or Latinx	0	1	0	0
Native Hawaiian or Pacific Islander	0	0	0	0
White	2	3	0	0
Two or More Races or Ethnicities	0	0	0	0
LGBTQ+	2			
Persons with Disabilities	1			

# 10 key features of the (HE) Board

- Agreeing strategy
- Vision, mission and values
- Monitoring performance
- Appointing head of institution
- Regulatory/legal compliance
- Financial (and wider) sustainability
- Helping to set the culture
- Considering the long term/big picture
- To be a critical friend to the Executive
- Oversight of quality and standards (link with Academic Board)

**How can you assure yourself this is done in 5 or so meetings per year?**

Agenda setting

Delegation

Some engagement outside meetings

Disciplined reporting

Effective sub committees

Data

Triangulation

# Regulatory choices

Hard

Transactional

Assurance

Data

Compliance

Sanctions

Soft

Strategic

Enhancement

Good practice

Commitment

Incentives

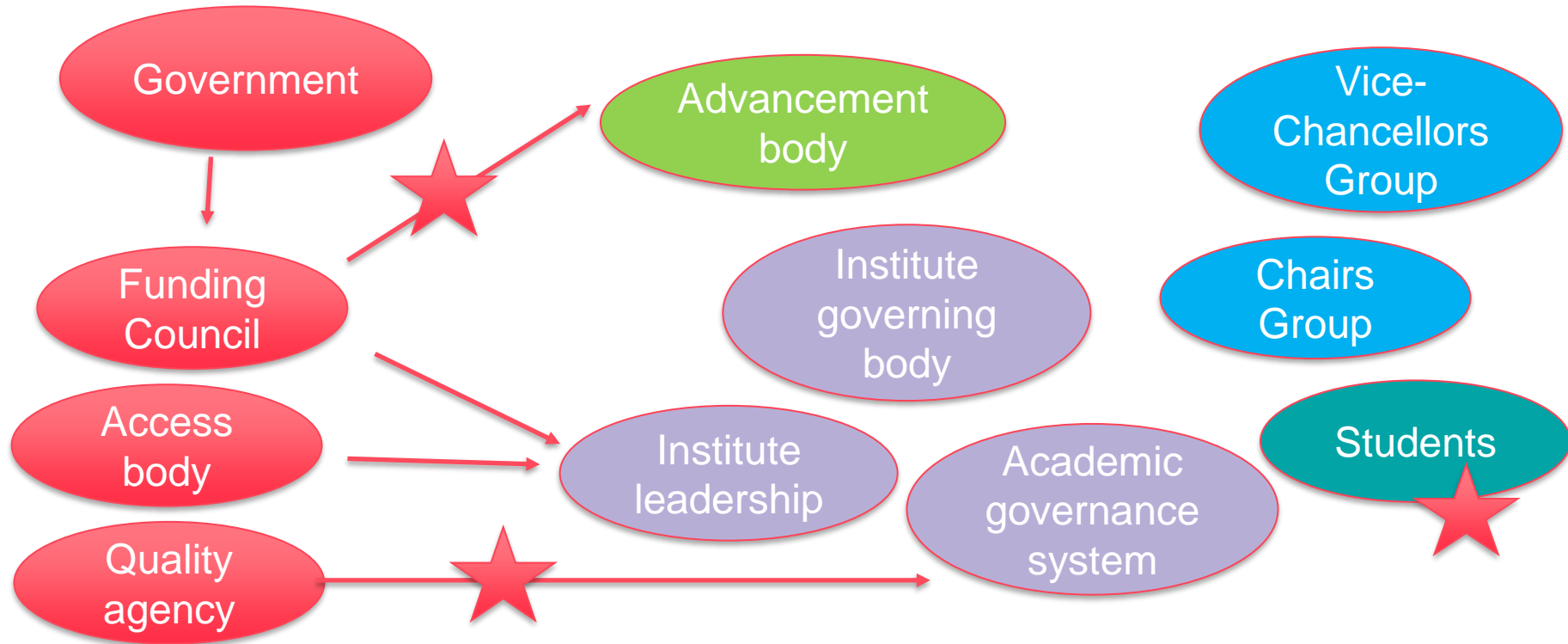
## **Co-regulation – in partnership**

- Respects and supports autonomy
- Uses soft power as much as sanction
- Based on trust
- The role of governance and opportunity to bring in industry/employers

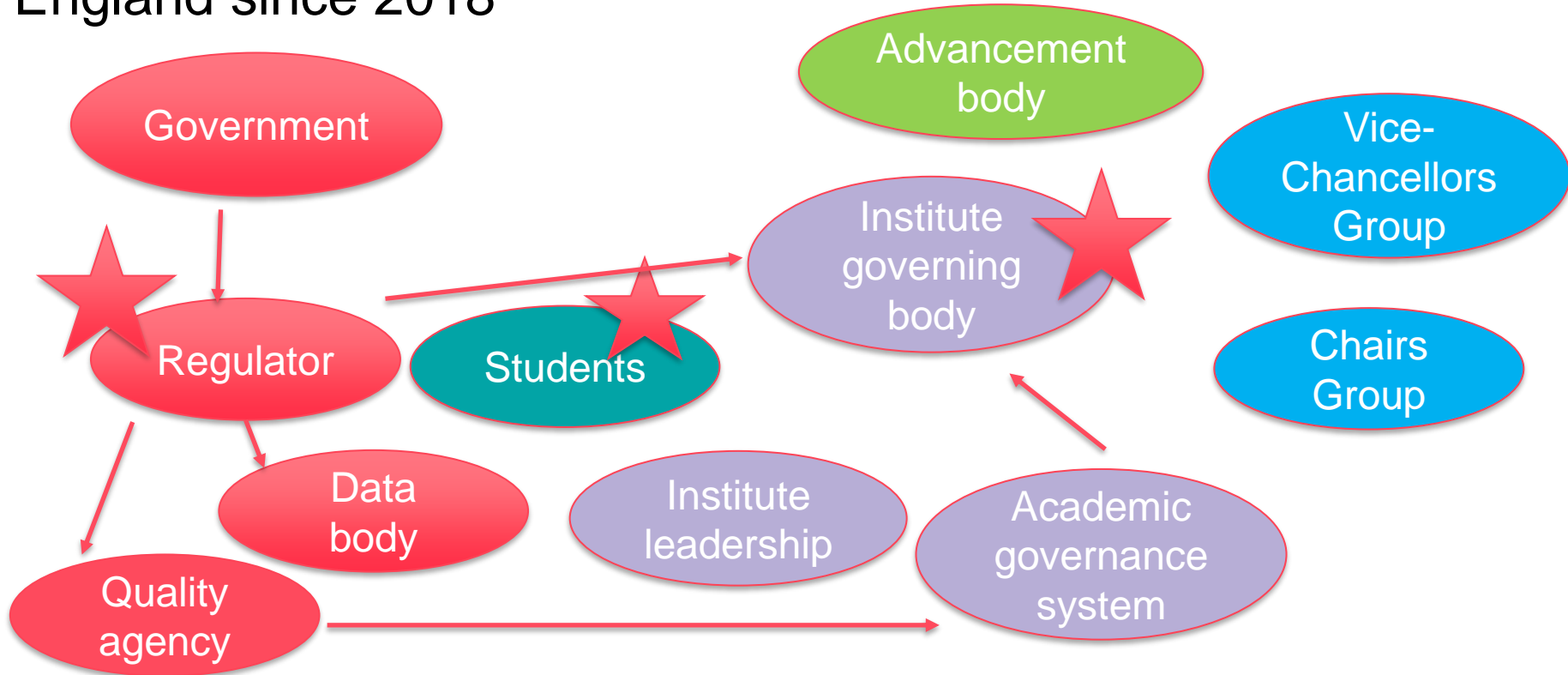
# What roles are there in UK governance?

- Government
- Regulator
- Sector organisations
- Institution governing bodies & Chairs
- Institution leaders
- Institution secretariat
- Students
- Staff, employers, communities

# Increase entrants and quality of student experience – England before 2018



# Increase entrants and quality of student experience – England since 2018





# The regulatory landscape (England only)



- Regulator, not buffer
- Focusses on the student, not the provider
- Principles, not rules-based, regulation – 'what' but not 'how'
- Risk-based (on outcomes)

Plus QAA, CMA, Charities Commission...

# OfS Conditions of Registration (166 pages)

**A: Access and participation for students from all backgrounds** +

---

**B: Quality, reliable standards and positive outcomes for all students** +

---

**C: Protecting the interests of all students** +

---

**D: Financial sustainability** +

---

**E: Good governance** +

---

**F: Information for students** +

---

**G: Accountability for fees and funding** +

---

<https://www.officeforstudents.org.uk/advice-and-guidance/regulation/registration-with-the-ofs-a-guide/conditions-of-registration/>

---

# The role of sector-led enhancement and self-regulation

## Chairs Group (CUC)

- Voluntary
- Membership group
- Independent
- Lobby government/regulator
- Convene
- Safe space
- Support each other
- Demonstrate leadership & fitness for autonomy
- CUC HE Code of Governance

## Vice-Chancellors Group (UUK)

- Voluntary
- Membership organisation
- Independent
- Lobby government/regulator
- Convene
- Safe space
- Support & inform practice
- Demonstrate leadership & fitness for autonomy
- Initiate/deliver policy programmes e.g. mental health

## Advancement body (Advance HE)

- Voluntary
- Membership organisation
- Independent
- Convene & share practice
- Provide standards/frameworks and accreditation to demonstrate performance
- Support & improve practice
- Evidence of reality for all
- Developing staff talent and capabilities - PEOPLE

# University-level governance

---

**CUC**  
Council of University Chancellors

The Higher Education  
Code of Governance

---

September 2010

Your constitution +

Regulatory requirements +

Voluntary Code +

**Culture**

# Features of good governance?

- Clarity of structures, roles and responsibilities
- Culture and values:
  - Trust
  - Transparency
  - Healthy challenge
  - Respect
  - Diversity of perspective & inclusion
  - Permission to take calculated risks and learn
  - Agility
  - Focussed on continuous improvement – looking ahead



**“Culture eats strategy for breakfast”**

# Diversity in leadership and governance matters

## Gender balance on Boards in UK HE = 41% female

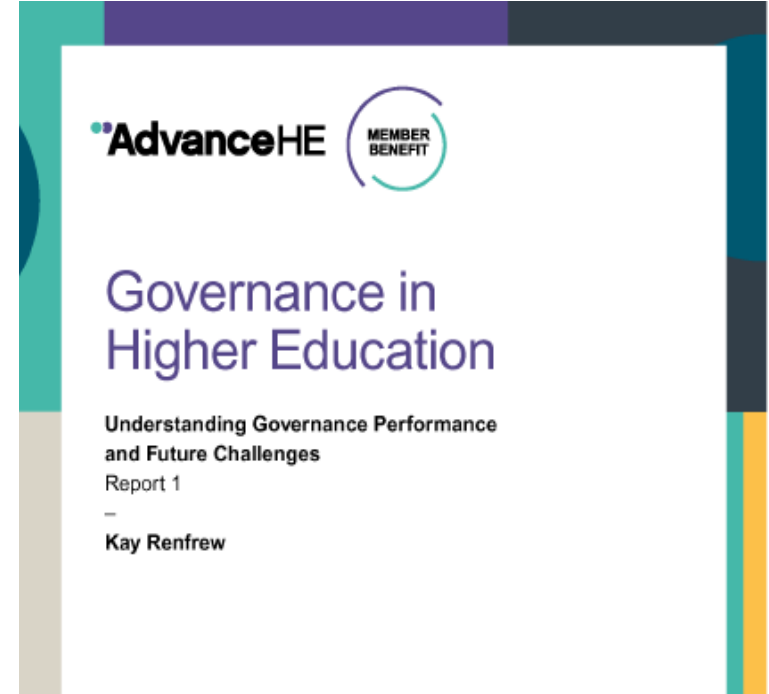
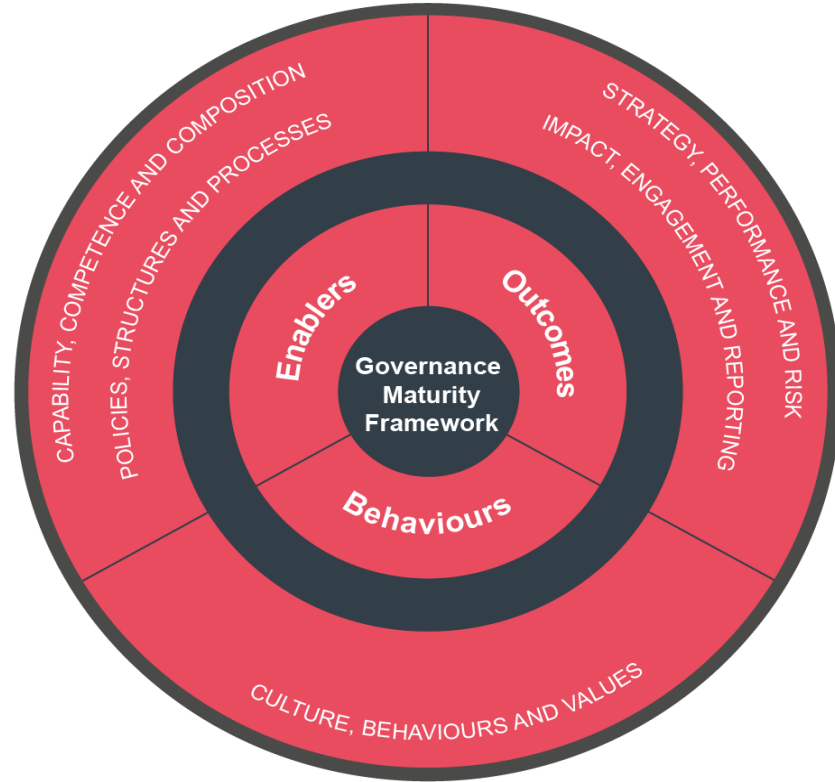
- The staff population in UK HE is over 50% female
- Even more work to do for others e.g. black and minority ethnic

## Not about numbers – its about avoiding ‘groupthink’

- Different perspectives to help solve problems
- Range of lived experiences informing and testing plans
- Closer to & more representative of your stakeholders

Levers include: Quotas, frameworks, development programmes, sharing practice

# Features of good governance?



# Emerging issues

- Increased responsibilities for governing bodies and governors
- Can the volunteer model sustain
- Governing body size
- Diversity of governors
- Balance between academic and business
- Role of governors in strategy development
- Use of technology



# References

Diversity of governors in UK HE <https://www.advance-he.ac.uk/knowledge-hub/diversity-governors-higher-education>

CUC HE Code of Governance <https://www.universitychairs.ac.uk/wp-content/uploads/2020/09/CUC-HE-Code-of-Governance-publication-final.pdf>

Advance HE governing body effectiveness framework <https://www.advance-he.ac.uk/knowledge-hub/framework-supporting-governing-body-effectiveness-reviews-higher-education> and

‘Governance in higher education: understanding performance and future challenges’ <https://www.advance-he.ac.uk/knowledge-hub/governance-higher-education-understanding-governance-performance-and-future>

‘Governing Higher Education Today: International Perspectives’ 2019, ed. Tony Strike (Routledge)

---

**AdvanceHE**

For more information  
[www.advance-he.ac.uk](http://www.advance-he.ac.uk)

 **in f** @AdvanceHE

