

27th of August 2020

Board Review Working Group

Via email; [REDACTED]

Re: Board Review

To Whom it may concern,

The trade unions in college would like to register our disgust at our lack of inclusion on the Board Review Working Group. We have written to the chair of the Working Group requesting representation but were ignored. We appear to be treated as any other individual in the review process rather than representatives of a significant number of staff.

We do not intend to legitimise a process which has purposely excluded staff representatives, but we wish to put our views on public record.

Timing

Considering:

1. The potential for new legislation that affects the governance of the University as repeatedly mentioned in the review.
2. The current ongoing pandemic.
3. The possibility of the newly created Department for Higher Education, Innovation and Research wishing to change the governance of the University sector.
4. A new Provost is due to be elected in 2021. The campaign for that election is likely to commence soon and this review will undoubtedly emerge as an issue of controversy.
5. And it is likely the incoming Provost will be the person responsible to carrying through this review, without having the opportunity to put their own stamp on it

We believe there is a very strong case to wait until the new Provost is in place before implementing such a wide-ranging change.

Board Chair

The roles of Board Chair and Provost should only be separated on the basis that the Chairperson is appointed by consensus by the Board. If the Provost is to be accountable to the Board it makes the Board's ability to hold them to account much harder if the Provost is also the chair of the Board, they report to.

We would be worried about the selection mechanism used for an external chair. Currently while the dual mandate of the Provost as chief executive and chair of the board is flawed, the Provost's mandate is somewhat democratic and representative, if not entirely so as only certain classes of employee have the franchise in their election. An external chair, who is decided upon by unclear mechanisms internal to

the Board as suggested lacks any such credibility. There is no assurance they would be truly independent. If the role of chairperson of the Board is to be separated from the role of Provost, a process should be put in place where the chairperson is appointed by the Board itself through a formal selection process, in which Board members may put forward candidates.

Group think and insider concerns

It is our fear that a combination of the proposed competency framework, reduced membership and inbuilt selection biases will increase the risk of group think by a board populated with insiders. While some may see the size of a body as being “*unwieldy*”, others may see it as being more representative of varying views and helping to reduce group think. An internal selection committee responsible for searching for and appointing external members is not as representative as the current election mechanisms to board.

The proposed appointment of a substantial cohort of external members (which could be up to 30-40% of the Board) is a retrograde step which would change radically the governance of Trinity College. The addition of a significant group of external members on the Board was proposed by departmental officials in the 1990s and was rejected by the leadership and Board of Trinity College at the time. Trinity has traditionally maintained a more collegial approach to governance and been less influenced by government by other HEIs, which would include, for example, county councillors as Board members. No adequate rationale is given for such a significant infusion of external members, which would alter fundamentally the composition of the Board and dilute dramatically the representation of academic, administrative and support staff. This proposal for a large-scale expansion of external membership should be dropped from any proposals for reconstitution of the Board. If external members are being sought, it would be a much better solution to allow the Board to add or co-opt a limited number of graduates of the University at its discretion, thereby adding alumni who would have a sense of commitment to the institution.

Reduced pluralism

We note and welcome the repeated use of the word pluralism in the review. Unfortunately, the final version fails to ensure a plurality of views and indeed is inferior in this respect to the current board. We were very disappointed there was no staff representative on the working group that wrote this review. Had there been then administrative and support staff would have been better represented.

We note with disappointment that the proposals do not include representation for alumni as many other Universities do.

The headhunting of external members runs the risk of only selecting from a shallow pool who already fit in. This may lead to the selection being limited to insiders and a favored few. The focus on reducing the size of the board and the type of business it transacts will reduce the range of opinions and experiences around the board table.

In all illustrative scenarios presented, (11, 13 or 15 Board members), administrative and support staff only have 1 Board representative. This significantly reduces the proportion of representation such members of the College community have to the Board.

Members	Percentage of staff representation
---------	------------------------------------

3 of 27 (current)	11%
1 of 15	6.6%
1 of 13	7.7%
1 of 11	9%

The representation of non-Fellow academic staff on the Board will also be dramatically reduced. There is no adequate rationale for this other than that fewer internal members are needed to make way for more external members and a smaller committee is assumed to be more efficient. The review unfortunately follows the logic of public management ‘reforms’ in other jurisdictions, which seek to reduce the representation of staff, add external members chosen largely by the college administration and increase the power of the Provost and college administration.

We do not think it is appropriate for the review group to tell the student bodies how to select their candidates for SU and GSU elections using a competency framework that only benefits the perceived interests of the Board and not necessarily their electorates.

Incremental changes that could happen immediately

It seems that much of the problem the review attempts to address is a lack of time to debate “*strategic issues*”. While simultaneously proposing to reduce the number of annual meetings of the Board. It seems to us there are two smaller changes that could be implemented without the necessity of more wide-ranging changes to the Board.

1. Better agenda setting to allow better interaction on the strategic matters.
2. More effective subcommittee work could alleviate enough of the operational burden which the review worries about in order to allow the Board to focus more on strategic matters.

New Principal Committee or Sub-Committee of the Board

Section 3.4.8 of the report proposes the creation of a new Principal Committee or Sub-Committee of the Board to address categories of business to do with governance and administration, (e.g. Governance, Administration, HR and Financial Administration). Such a sub-committee would have considerable power over the terms and conditions of our members and as such staff representation on any sub-committee is an absolute necessity. We would be opposed to the creation of such sub-committee without engagement with Trade Unions as is required in the Universities procedures dealing with industrial relations and the national stability agreements. It is unclear what if any representation staff would have on such a proposed sub-committee.

We would welcome structured consultation with academic, support and administrative staff on College strategy as outlined in section 3.6.6.

We look forward to the views of our members being taken into account in this matter.

In Solidarity

[Redacted] (Chairperson, IFUT TCD),
 [Redacted] (TCD SIPTU Co-Organisers),
 [Redacted] (TCD UNITE The Union Organisers).

CC: Trinity College Dublin Students Union President, Trinity College Dublin Graduate Union President.