

AGENDA

August 2006 Issue 85



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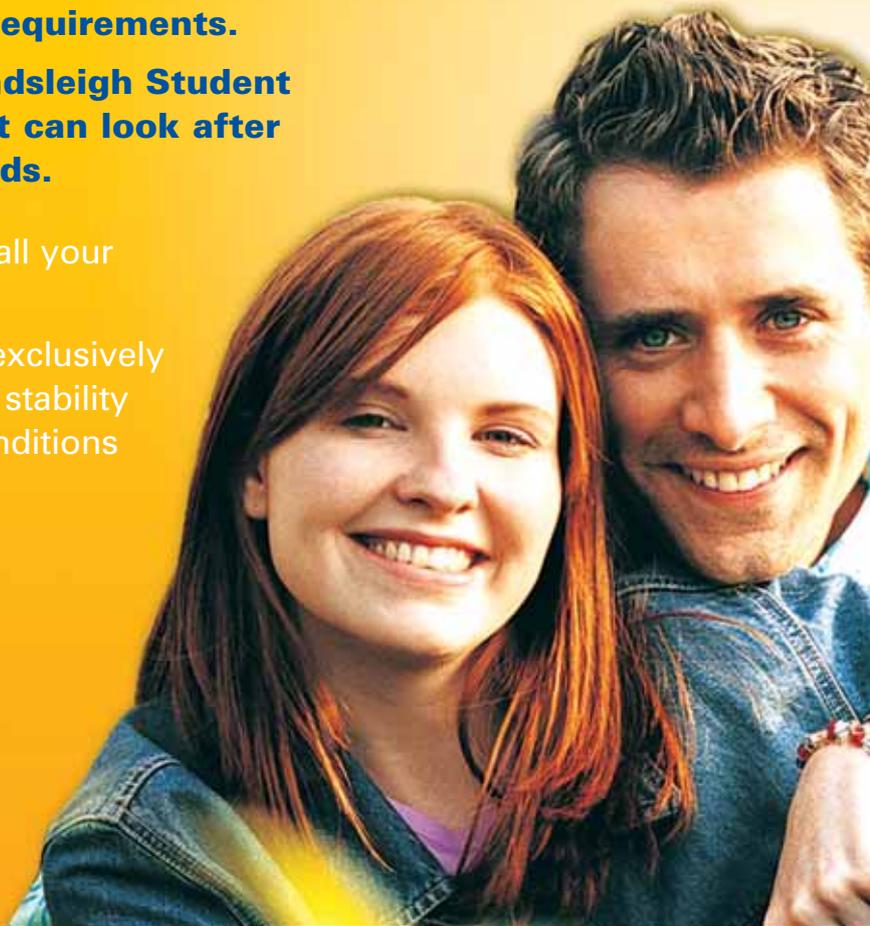
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AGENDA

Association for Managers in Students' Unions

PO Box 311, Snape Road
Macclesfield, SK10 2XL

Tel: 01625 413243

Fax: 01625 413256

Web: www.amsu.net

Editorial Board

Michael Baron
(Heriot-Watt University SA)

Nick Berg
(University of London Union)

Mal Edgson
(Buckinghamshire Chilterns SU)

Matt Hyde
(Goldsmiths College SU)

Contributors

The Editorial Board welcome submissions of articles – if you have a contribution please send it to any member of the Editorial Team.

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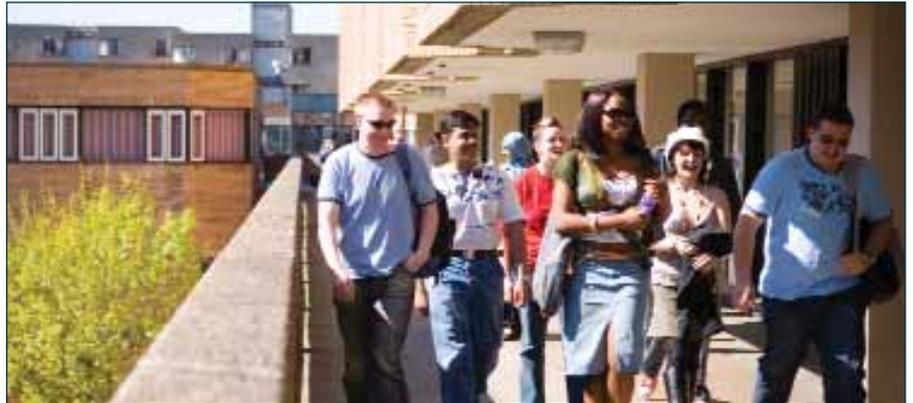
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It ain't what we do, it's the way that we do it



Author:

Mark Grayling
AMSU Chair



NUS and AMSU have launched a booklet **Trustee Responsibilities & Governance Models for Students' Unions in England and Wales**. Produced by, the leading voluntary sector solicitors, **Bates Wells & Braithwaite** and endorsed by the Minister or State for Lifelong Learning, Further and Higher Education it is authoritative and of huge significance for the SU

Students' Unions in the UK are once again under scrutiny, a growing number of Unions are examining governance arrangements and when the legal framework within which we operate is about to change. Apart from producing a technical/legal publication it was vital to counter some of the less than helpful, pseudo-legal, advice circulating ahead of the current Charity Bill completing the Parliamentary process.

In my opinion in the past fifteen years there have been three significant political events that have impacted on our Unions. In 1993/4 we saw off an ideological assault on our collectivism and ended up with the first, codified, legal definition of a Students' Union. In 1996/7 the Dearing process led to the 50% participation target, the QAA, the notion that HE teaching should be regulated and the

adoption of the ombudsman concept in the subsequent formation of the Office of the Independent Adjudicator. This second event secured important gains for our members whereas the first was a battle for survival. The role that NUS played in the successes in the 1990's should not be forgotten and the recent joint work between NUS and AMSU should create the opportunity for Unions to remain, largely, in control of our own destinies rather than allow others to set the agenda.

As we endeavor to prove that our democratic membership organisations can deliver as well or better than private and public sector bodies it was a pleasure to have had bit parts in 1993/4 and again in 1996/7; real highlights from a career in our rather obscure "industry". Now we are living through the third of these pivotal moments episodes AMSU and NUS have tried to get ahead of events rather than just react. This has led to several initiatives in recent years designed to raise standards & thus increase legitimacy creating the opportunity for this moment to be another highlight for SUs if we get it right.

UK Students Unions are special because of our model of service and activity provision combined with collective representation and advocacy for members. It represents a form of social provision drawing on mutualism, co-operation, common ownership, political

radicalism and the traditional democracy of the academic community that our HEI's grew out of. It makes our organisations difficult to pigeonhole and explain to others but it also makes a career in the movement worthwhile; demonstrating that we have a successful alternative to either the shareholder owned enterprise, the public sector or traditional charities.

The challenge now is to show that we can apply this model to work for an increasingly diverse mass membership with partner HEI's that are more and more sensitive to consumer pressure and the scrutiny of the quality assurance regime. There is a growing understanding that we have a major contribution to make in recruiting and retaining students and we can also work with Universities to counter the anti-studentification (sic) agendas emerging in a number of towns and cities.

Reviewing service provision and activities and reform of governance arrangements will be necessity over the next few months and years. However, this time let's do it on our terms and not based on either dubious legal advice or the opinions of consultants who do not value our collectivism, democracy or the educational experience that accompanies our members involvement in running their own organisation. This is why the national student organisations (AMSU, NUS & NUSSL) have worked so closely together recently and need to continue to do so in years to come.

No more civil servants fronted by elected cheerleaders? – why and how nus supports debate about su governance & standards



Author:

Kat Fletcher
Nus President

This article is adapted from a speech given by NUS President, Kat Fletcher in January 2006 to mark the publication of the NU & AMSU guide to good governance. She talks about her own experiences and growing awareness of the importance of good governance to enable SUs to turn their values into reality. She talks about the importance of improving officer accountability alongside improvements in the accountability of senior staff and their relationships with elected officials as is common in local government and the voluntary sector. She discusses the need for more open debate about standards and “sacred cows” and lists a number of steps that NUS are taking to better equip officers for their role in SU governance after the Charities legislation is promulgated.

I hope that you will find the document we have produced with AMSU and BWB useful and informative and that it will assist you over the coming months and years when reviewing and analysing your governance structures. I also welcome this as a positive example of the increasing collaboration between NUS and our sister organisation AMSU, I hope we can continue to build upon that relationship over the coming months and years.

Now I have to admit, when I stood as a candidate for NUS President two years ago governance was not the first thing on my mind. I was interested in the bigger picture, campaigning, NUS reform, the fight for free education and creating a movement where students were activists again. I would never have thought that governance played any part in any of that. In fact I would never have thought about governance. I was wrong.

Good governance is about enabling, it is about giving people the tools, the knowledge and the support to achieve their aims. In the context of the student movement it is about having vibrant local unions who's structures are apt for modern campaigning and capable of engaging an ever evolving student demographic.

A lot of people have grumbled and despaired at the introduction of the new Charities Bill, but I think it's been quite refreshing. The uncertainty about its implications have forced us to challenge some of the sacred cows from our past, such as the assumption that all trustees must be students if an organisation is to be student led and focussed. We have had to think creatively about what it means to empower officers as trustees and deliver effective unions.

In my view, good governance is about three things; first of all it is about vision. Whether strategic, tactical or ideological it is essential that students' unions have a vision of what they are about. A well governed students union will have a clear vision, not only of what it wants to achieve but how it is going to

achieve it.

Secondly, it is about structural stability. The values of the student movement are strong and universal, they may manifest themselves in different ways but they will never change. Local Students Unions are the guardians and executors of those values and as such we must ensure that they survive to fight for those values. A well-governed students union will have strong, identifiable structures that are flexible and always evolving to fit the needs of the student body and the political culture of the time.

Finally, good governance is about democracy and accountability. Democracy in students unions is something we all value and cherish and something to which all officers must submit themselves. Democracy is never perfect but it is available in abundance within our unions to hold officers to account and these structures have existed for decades and exist to this day making sure that officers are accountable for every decision they make.

But we all know that this is not always the case, officers can lose focus, commitment and motivation, left to their own devices and distant from their members because these devices to hold them to account are not used properly or are too cumbersome. This is nothing new, we discuss it regularly and I'm pleased that we have always had an open and constructive debate about it.

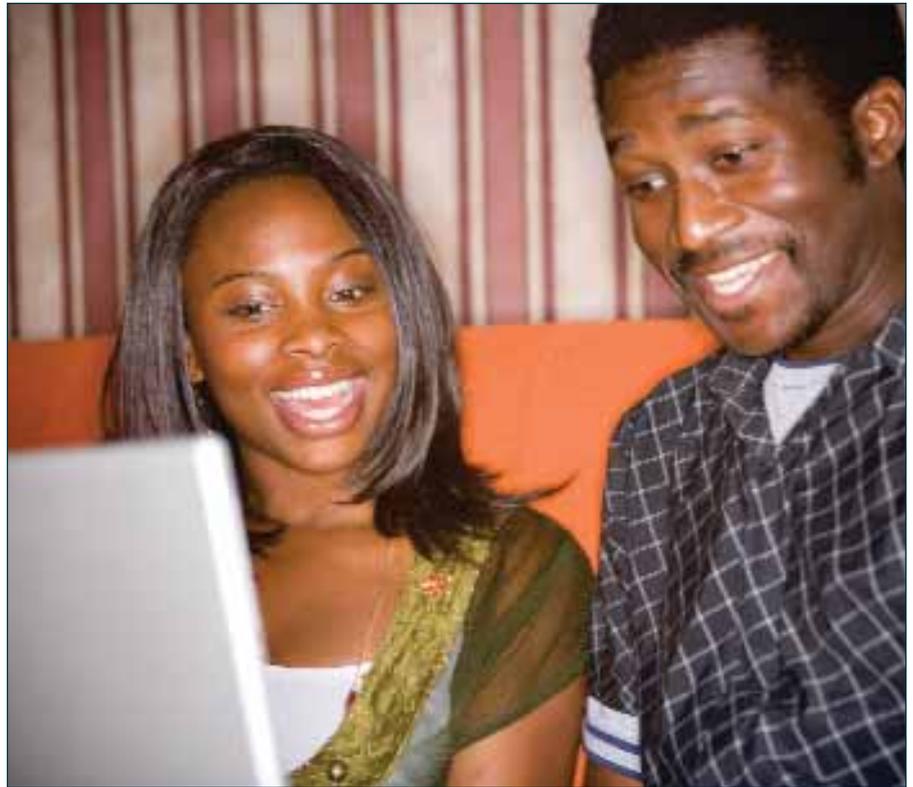
But can we say the same thing about the management of students unions? Fourteen months ago I made a speech at a seminar for Senior Managers and officers where I highlighted what I believed were the weaknesses in the role of senior managers within students unions. I expressed concern at the number of bars strategies I have come across but a complete lack of strategic vision when it comes to representation structures. I challenged the old fashioned concept of union staff as civil servants and proposed a model where they should be harnessers of ideas and energy from officers.

Fourteen months later and having visited so many unions I have also had the pleasure of meeting some fantastic Senior Managers, people who have committed their lives to the student movement, supporting and motivating officers to ensure they take ownership of their roles and achieve their goals, and are as passionate as any student about the values and ideals we hold dear. They are an inspiration to me and many other officers who have passed through their unions.

Good managers are the constant, reliable stalwarts of the movement, officers have a relationship of absolute trust with them, they seek advice and support from them on everything from representation to the price of a packet of crisps. But occasionally I see problems in that relationship. Because accountability extends to managers too. Officers in a well governed union will not only be held to account for their own work, but will be able to hold its permanent managers to account as well its students leaders. Just as we expect our politicians to be accountable for the work of civil servants and Local Government staff, so students expect their elected officers to be accountable for the whole of the union. Too often we separate out the work of council, or executives or officers as being separate from the work of staff and managers. And that has to change.

That's not to say that I want officers to become managers- far from it. But I want a culture of openness and trust that respects respective roles. And there are those unions, and they are an inspiration, with innovative campaigns, empowered students and a strong vision and understanding of education, but the danger is that this work will be lost because we are only ever as strong as our weakest member.

It breaks my heart to see a creative welfare officer unable to run an effective sexual health campaign or a committed



education officer unsupported when trying to fight their institution because they do not receive any support from their managers. I heard one General Manager refer to the officers at his union as the "optional extra", another as "expensive cheerleaders"- denying them not only their real role as leaders of the Union and the opportunity to change their institution for the better and effectively represent their members. I have seen Presidents using up all their time line-managing difficult staff rather than do their job and fight for students' rights not because they are what some call Sabbagers, but because they had no other choice.

That is why the launch of this booklet is only the start of a whole package of resources designed to dramatically improve the governance of our unions in all aspects. Alongside the legal guidance published today is a guide to understanding union governance that

will give officers a thorough, inspiring and insightful guide to the governance debate. We will publish a package of resources devoted to assisting officers to assess, analyse and hold to account managers for finance, legalities and compliance without becoming managers themselves- striking the balance between governance and management. We have also published today online a guide to charity registration and next week we launch our "appraising your General Manager" course, developed in conjunction with AMSU & using a model developed by the Association of Chief Executives in Voluntary Organisations. We are also developing an online training strategy for trustee training- so that every officer from the day they are elected in February and March work at their own pace to get up to speed on the issues of governance before they all take office in July and August.



“ I have met some fantastic Senior Managers who have committed their lives to the student movement, supporting and motivating officers and as passionate as any student about the values and ideals we hold dear. They are an inspiration to me and many other officers who have passed through their unions.”

But I have always known that to make change, you have to challenge taboos. In our “Understanding Union Governance” document you’ll find some of that - we discuss the notion of non student trustees as a way to improve governance in the sector for example. But it also means taking on bad practice on behalf of the vast majority. Sometimes, that’s uncomfortable. The easy thing would be the old way, for NUS to ignore exasperated officers calling upon us for help and support or NUS Services to ignore erratic patterns emerging from commercial activities, because we are afraid to challenge or offend our own members.

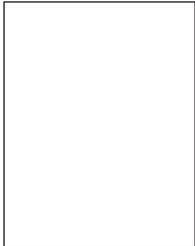
I would never propose to see NUS strong-arming Unions to comply with its directives and dictates, what I envisage is a more pro-active National Union. Students Unions are under more scrutiny than ever before, the Charity Commission’s new powers and

“A well-governed students union will have strong, identifiable structures that are flexible and always evolving to fit the needs of the student body and the political culture of the time..”

jurisdiction, increasingly aggressive institutions eyeing up our commercial services and a more consumerist attitude amongst our members, and we are going to have to adapt, seek creative solutions to long ignored problems and stop burying our heads in the sand when were faced with difficult choices. Well informed, trained and dedicated officers have made brave choices to move with the times at some Unions but we need all Unions to engage with this difficult process.

NUS has a role to play in this, I don’t propose to throw a cat amongst the pigeons and state that something must be done to tackle poor managers, to prepare for increased external scrutiny and to adapt to changing demands from our members, then walk away regardless. I believe that it is NUS’ job to Train officers and unions to be confident and sure-footed in their decision-making, campaigning and management roles, using the intelligence and information we have at our disposal to pinpoint where problems might arise. Local Unions – their officers and managers – face a challenging future as they wrestle with a changing sector and declining incomes. NUS will offer better practical support to SUs making that change and will encourage a genuinely open debate about how best to deliver on our long standing values in a rapidly changing world.

A quality standard for students' unions is launched



Author:
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In the last edition of Agenda Derfal Owen, (NUS National Executive Committee member) called for a regulatory body for Students' Union to raise standards, improve legitimacy and help all SUs respond to the many challenges that SUs are facing (including the charities Act) . In early 2006 two events occurred that might become very significant in the development of Students' Unions in this regard.

On January 18th at Portcullis House, Westminster, Bill Rammell (the Minister for Higher Education & Lifelong Learning) helped launch the booklet "Trustee responsibilities & Governance Models for Students' Unions in England & Wales" . This has been published jointly by NUS & AMSU using material from Bates, Wells & Braithwaite (one of the UK's leading charity law specialists who were integral to the Kings Governance review). Elsewhere in Agenda, Mark Grayling (Chair of AMSU) and Kat Fletcher (NUS National President) have written about this and its wider significance.

The other important launch event was held



at ULU on February 2nd, of the Students' Union Evaluation Initiative, developed by Di Boston & John Windle . This is a project to develop an effective, credible tool for measuring the effectiveness of Students' Unions, from which a quality accreditation scheme can develop. It may also provide a way of meeting the likely requirements for a regulated sector after October 2007 when the Charities Act takes affect and SUs become subject to direct regulation for the first time.

2. What is the students/ union evaluation initiative?

The Evaluation Initiative is an assessment model that assists in improving the services and activities delivered to members of the Union by indicating areas of continuous improvement.

The Students' Union Evaluation Initiative aims to:

- Increase the effectiveness of Students' Unions

- Improve the services offered to the members of Students' Unions
- Increase the trust and confidence in Students' Unions from all in the education sector and beyond
- To promote the legitimacy of Students' Unions to members, funders and stakeholders,
- To encourage learning within and amongst Unions by identifying good practice from within and without the sector
- To promote increased collaboration
- To enable new developments designed to enhance effective management
- To promote effective governance

STUDENTS' UNIONS	UNIVERSITIES	SU OFFICERS	SU MANAGERS
Provides a model for quality outputs	Provides a model for quality SUs	Help, Support and Assistance	Help, Support and Assistance
Provides Improved Governance	Scrutiny	Being able to see the Big Picture	Model of Aspiration
Promotes Legitimacy	Measurement of Performance	Model of Aspiration	Enhanced Staff Motivation
Improves Accountability	Reduction in Risk	A Union Template	Conduit for change
Provides Challenge by being a Catalyst for Change	Benchmarking	Benchmarking and Networking	Benchmarking and Networking
Provides Strategic Focus	Marketing Aid	Specific Strategic Objectives	Specific Performance Objectives
Ensures Responsiveness	Focus on Outputs	Security	
Ensures Continuous Improvement	Confidence in long term	Measurement of Managerial Performance	Measurement of Managerial Performance

3 What are the benefits of the evaluation initiative?

Quality models bring benefits to a variety of the organisation's stakeholders and this would be no exception. The table below gives some indication of what these are likely to be for our stakeholder groups.

4. What makes a good su?

Historically a barrier to improving self-regulation of Students' Union has been agreeing a definition of what a Students' Union is for and what characterises a good one. Of course, different SUs have different memberships, different circumstances and different resources, but this is probably true of any individual units in any sector. Is variety an argument against effective regulation of other public bodies such as Councils, charities, housing associations, care homes, hospitals, schools and universities? Yes, there are some important innate differences between SUs and yes any quality or regulatory process needs to adapt to reflect genuine differences. However, I believe that this will only be resolved by establishing a real method and developing it in practice. SUs have been

talking about quality for years, including working groups and schemes but really we need to get down to implementation.

One of the points of distinctiveness for Students' Unions lie in some of their values and the influence those values have on activities, services, operations, systems & processes and organisational culture. The Evaluation Initiative works to reflect this and ensure that this aspect is central to the model.

SUEI core values

- **EMPATHY** Reflect the interests of all sections of the membership
- **DEMOCRACY** Consistently connect with the membership
- **DIVERSITY** Apply the principle of equality of opportunity
- **LEARNING** Learn and listen
- **OPENNESS** Always work in an open and transparent way
- **BEHAVIOUR** Promote a high standard of behaviour amongst elected representatives and staff

The SUEI approach is one based upon critical enquiry, that is using questions to probe to find

demonstrable evidence that quality is embedded into the organisation and reflected in all that it does. This approach also encourages simplicity of language and method that prevents a quality model become too conceptual and thus rather hard to use in practice with staff. SUEI uses just 5 questions as its root for the whole process.

Key lines of enquiry

- What's so special about the Union?
- What is the Union aiming to achieve?
- Is there quality stewardship?
- Are there quality outputs?
- What underpins this quality?

These lines of enquiry are then developed into sub sections as shown in the table below, which also illustrates how the whole model and its component parts fit together.



These elements are then used to outline a series of standards around those topics that define what an effective Students' Union is about.

What's so special about the union?

1. Participation

Encourages democratic participation with close and regular contact between the Union and its members

2. Representation

Representation perceived as a key activity that is pursued effectively with desired results

3. Governance

Governing document reflects reality; regularly reviews roles and responsibilities, decision-making processes and accountability to ensure they assist satisfying member needs

What is the Union aiming to achieve?

1. Vision

Is forward thinking, innovative and has a clear long term vision of its role in ensuring the wellbeing of all its members

2. Objectives and yearly plans

Has specific objectives and comprehensive planning arrangements for all services and activities

3. Customer focus

Has a strong membership focus; identifying

their needs and taking appropriate steps to satisfy them and its component parts fit together:

Is there quality stewardship?

Well managed

Operates as a total entity recognising and demonstrating the inter-relationship between all the Union's activities and services

2. Effective performance

Sets specific objectives based on member needs and undertakes rigorous performance review and outcome measurement

3. Political management

Has defined the roles and responsibilities of elected representatives and staff which allows challenge, including political dialogue, promoting a strong and sustainable partnership

Are there quality outputs?

1. Impact

Contributes positively to all its members time at University – is appreciated by them as a valuable organisation to which they belong.

2. Reputation

Is well regarded and has positive local impact, identifying and using opportunities to influence

3. Services

Provides all its services and activities to meet

member needs effectively and efficiently

What underpins this quality?

1. Communication

Has a communications strategy that ensures accurate and timely information is given to members and other stakeholders

2. Finance

Sets and achieves challenging financial targets within an established long-term plan. Has rigorous financial procedures

3. Partnerships

Works to be a good partner and is open to partnership working; Regularly considers delivery of current and future services through a range of partnerships

5. The suei assessment process

The assessment process takes 2 years initially to reflect the time it is expected to take to work through the key Lines of Enquiry, and thereafter Unions are reassessed on a 2 year cycle and can seek to retain or improve their recognition status. The assessment process involves providing evidence for the 15 Key Lines of Enquiry.

Students' union evaluation initiative assessment process

The first Cohort to undertake the process will be assessed by Di and/or John, the second Cohort by Di or John and other 'outside' assessors and subsequent cohorts assessments may involve Union Officers / Staff who have been through the process and been trained as assessors.

6. Support for sus undertaking suei

Participating Students' Unions will receive support in seeking to meet the standard and also to ensure that the process develops learning for the participating organisations and their people. Registration will bring the following benefits in this regard:

- Access to the SUEI framework for initial self-assessment
- 3 one day workshops to develop and support the cohort, provide supporting information or skills and to support the evidencing process
- A visit and report from a consultant to advise as to the size and nature of the work to be undertaken
- A visit prior to the audit taking place to highlight any outstanding aspects
- Access to a dedicated website with resources and good practice information
- The freedom to use the SUEI logo as an indicator of the SU's commitment to the process and subsequently as a quality badge
- A 2 day audit visit and written report
- Award validation

Those participating in the first cohort (likely to be from 10 to 15 Students' Unions) will be taking an important step for the student movement. These pioneer Unions will be taking a risk, but will also get the benefits soonest, including the ability to use the logo and project to demonstrate a further commitment to quality to stakeholders, and have the opportunity to influence its development. This is likely to be supported by media coverage in the HE specialist media that pioneer Unions can build on locally. The Evaluation Initiative process can be an ideal way to focus and motivate managers, staff and elected officers in a Union to get to grips with the need for continuous improvement. The process will create opportunities to learn through sharing and discussing problems with others and thus should be excellent Continuous Professional Development for those most involved.

1st year	2nd year	Ongoing
Start Work on Model	Continue work on Model	Re-Audit every two years
Attend 'Getting Started' Workshop	Attend Workshop 3	Blue /Silver / Gold Awards
Consultant Visit to Advise	Pre Audit Visit	Access to Website
Attend Workshop 2	Audit Visit	Apply for SUEI Status

However, the pioneer group of SUs will need to show leadership in taking this on. They will need to get agreement from decision makers to proceed, commitment from staff and officers in terms of time and priority and find the money to pay the programme fees (£8,000- £9,000 – half of which need to be paid up front). The first cohort will start in May 2006 with the introductory workshop in June and a second cohort due to start in September.

Clearly the fees represent a significant sum for Unions to find, especially for smaller Unions and with many Unions facing significant financial pressures. However many SUs pay about this amount or more for their annual financial audit in professional fees and this is how this cost should be viewed. As with other quality marks such as Investors in People, there is no escaping that they require resources (both financial and human) to be devoted to them. It may not be easy to find the money but it is about priorities and for SUs locally and nationally at the current time the benefits of extra legitimacy that this could bring should translate into benefits that justify the costs.

7. What happens next?

The first cohort is due to commence in May 2006 with a 'Getting started' workshop scheduled for June 2006 with the second cohort commencing in September 2006. Each

cohort will be made up of a maximum of 15 - 20 Unions, which means that almost a quarter of AMSU's 130 or so member Unions could be involved in this process in its first year alone and if successful potentially all AMSU members could be operating within this framework within the next five years.

Conclusions

After many years of talking about the need for real change in Students' Unions, it appears to be happening due to a confluence of external and internal factors. Many recognise the need for change and wish to see SUs properly evaluated using an appropriate set of standards and measurement tools. This should bring the benefits of greater legitimacy at a time when SUs need to demonstrate this against the new criteria of a changing HE sector and when there will be opportunities for the development of Unions if they can increase the confidence of key stakeholders. The difficulty is not in the imagining but in the practical doing, and it is easy to reach "paralysis through analysis" when seeking to define what actually makes a good SU. But we will only overcome this and move forward by committing to a process and then working through the issues and practicalities through piloting, experimentation and adaptation. This requires leadership from SU officers and managers -Now is the time to not just "talk the talk but walk the walk."

The concept of legitimacy is critical to much of the current debates about the future of Students' Unions, their governance and regulation. An excellent starting point is: Are Students' Unions legitimate organisations? Windle, Agenda 71 p14-19, available to officers & staff at www.amsu.net See A regulatory body for SUs? Owen, Agenda 84 p9-11

Widely circulated to SUs, extra copies are available from NUS and it is also available with some extra new commentary & discussion papers at www.amsu.net or nus.org.uk

For more on Governance reform at Kings see Tackling Governance: A case study of the Governance Review at Kings. L.Hyde, Agenda 82, p25-29. This forms part of a section of 8 articles about governance reform including two articles about the Audit Commission Good Governance Standard for Public Bodies.

Diane Boston has worked in and with Students' Unions since 1975, firstly as a General Manager (Exeter Guild) and, since 1990, as a freelance trainer and management developer both alone and latterly with Jackie

Hunt. She was a founder member of what became AMSU and was the elected Chair of the Students' Union Purchasing Consortium when it became part of what is now NUS. She has trained hundreds of SU managers through AMSU's training programmes. After leaving Exeter Guild, Diane worked for the Housing Corporation, the government and Charity Commission regulator for social housing, and has been a Housing Association Board member since 1998.

John Windle is a freelance consultant working with public and not for profit bodies in the areas of Chief Executive recruitment and Governance. From 1981 - 2004 he was General Manager of Sheffield University Students' Union. John was an active participant in the work of AMSU, including membership of the Standing Committee, and led the AMSU Quality Project. John is on the Board of Sheffield International Venues.

John and Diane are currently running their second set of Leadership and Management Masterclasses for General Managers.

AMSU/NUS 2006 survey



Author:

Jon Berg
AMSU Treasurer and
General Manager of the
University of Teesside Students' Union

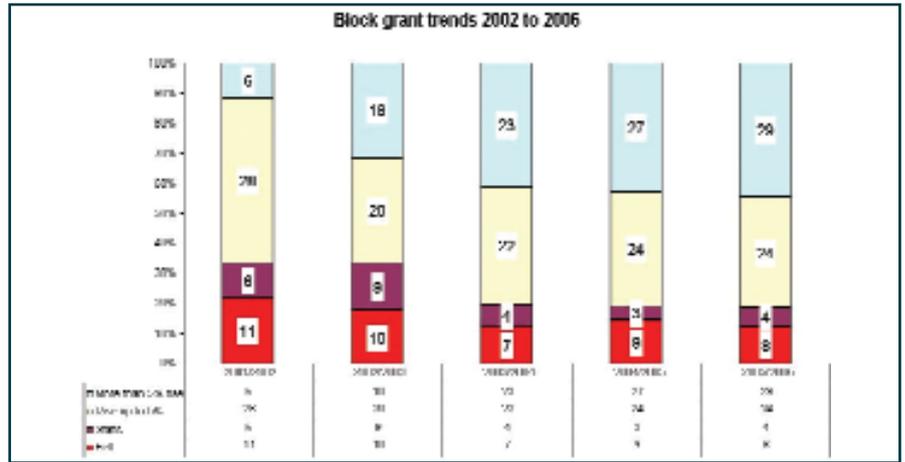
This article is intended to give an overview of the major financial changes across our sector, looking at major sources of income and the balance sheet position of students' unions which were in the AMSU/NUS Survey by mid-February 2006. It follows similar themes to previous articles but updated for the latest results

Trends and comparisons

The Survey results include totals and averages which can be compared, but it is more revealing to look at the variety of results for a given year. An average increase of 3% in block grants may hide a minority of students' unions that have seen no increase, or a fall in funding. In this article I have tried to show the spread of experiences using tabular and graphical presentations

Sources of income

The main source of funding for most students' unions is received from the parent institution, the block grant or subvention. The total for the "tracker unions" in 2005/06 is about £40,300,000, with an average increase well

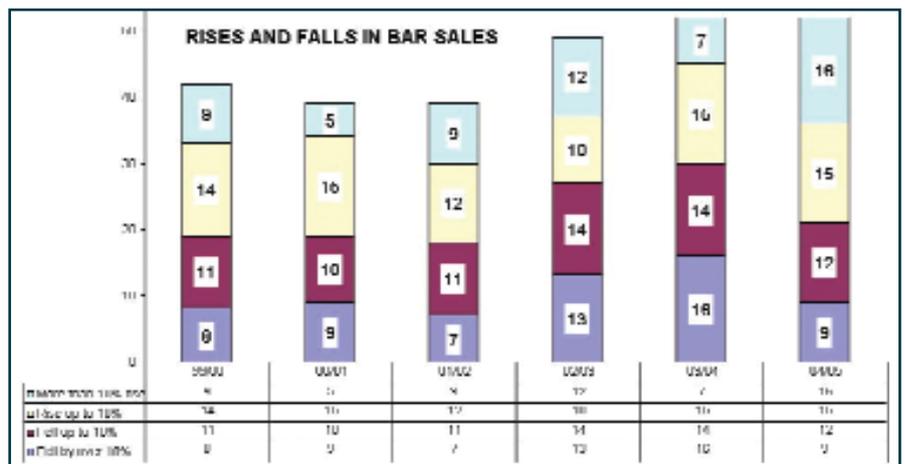


above the current rate of inflation. The graph below shows that more students' unions (29) received increases of over 5% than in previous years. It also shows that over 10% saw a fall in block grant.

This rise in block grants has addressed a general decline in income from students' unions' trading activities. Costs have increased due to the levels of investment required (more on this later in the article), increases in salary and wages rates, and rising pension costs. 2004/05 saw a fall nationally in students' unions' bar sales, however this was not the same in every

students' union as the next graph shows.

In 2000/01 and 2001/02, sales rose in more than half of the students' unions. There was a dramatic reversal in 2002/03 with sales falling by over 10% in a quarter of the students' union, and over half the unions seeing a fall in sales that year. The following year was worse with falling bar sales in nearly 60% of the students' unions, 30% seeing falls of over 10% in 2003/04. Fortunately last financial year saw an improvement with 60% of the 52 students' unions in the group seeing an increase in sales.

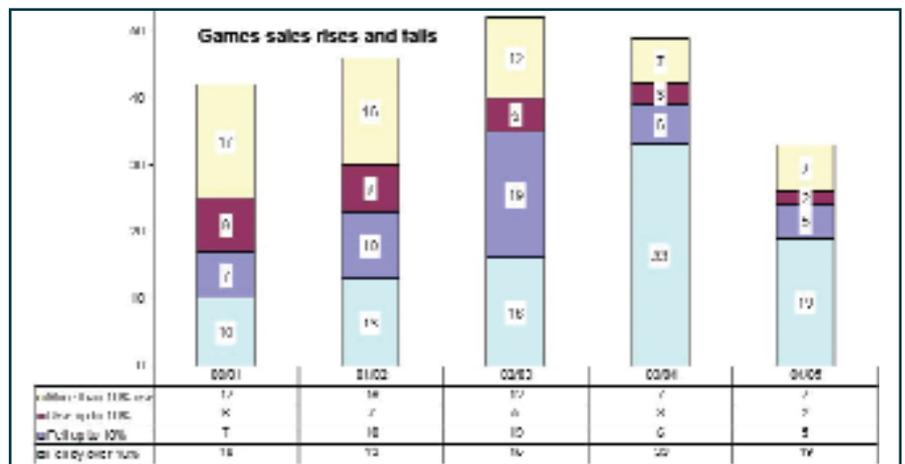
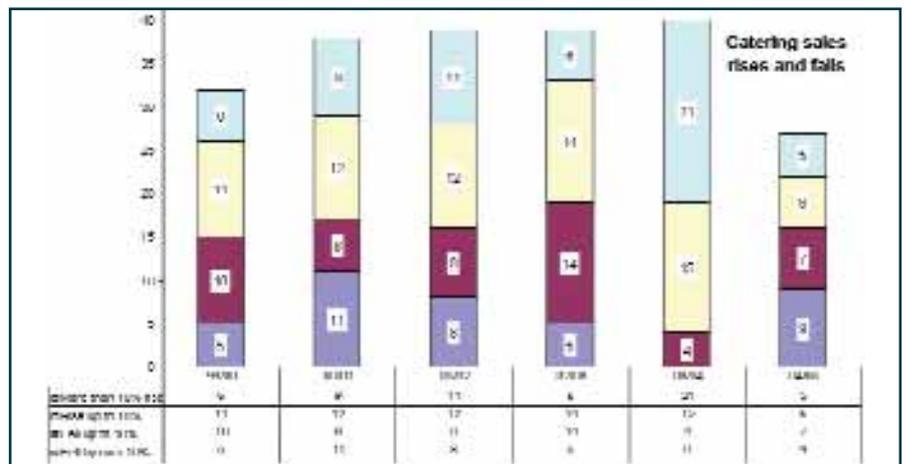


Average shop sales rose slightly in 2002/03 2003/04, echoed by the tracker unions where over half saw increases in sales. However the initial results for last financial year 2004/05 suggest this growth has slowed down with 58% seeing a drop in shop sales.

Catering sales have followed a similar pattern over recent years with last year seeing a fall in sales or just over half the tracker group. The previous two years, 2002/03 and 2003/04, both saw increases in catering sales in over half the tracker unions.

Games sales have fallen for the average students' union from 2000/01 onwards. Although 2002/03 saw falling sales for two-thirds of the students' unions, this rose to three-quarters in 2003/04 with over 60% seeing a fall in sales of over 10%. Although there are fewer games figures in the 2004/05 data available at this time, 72% have seen a fall in sales, suggesting a similar pattern of decline to the previous year.

The 2004/05 balance sheets show the bank balances, stock, and borrowings of students' unions are broadly similar to the previous year end. This suggests that the growth in block grants and cost controls have offset the falling income from trading in many of the students' unions. There has been a significant amount of investment as shown in the graph below:



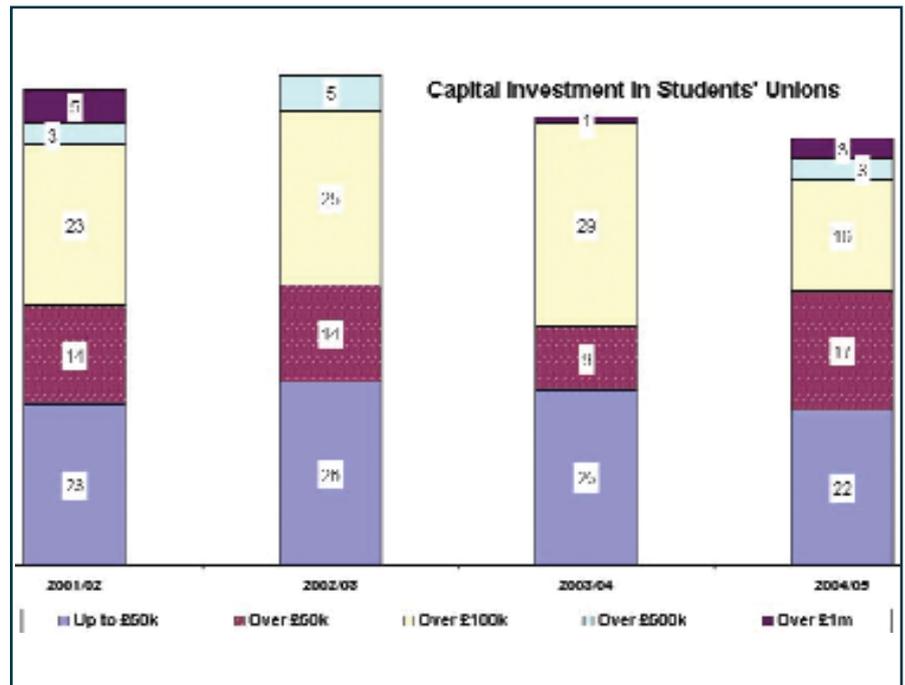
Total investment in 2001/02 was about £22.7 million but included 5 students' unions with major building works of £2.5m each. 2002/03 and 2003/04 each saw about £10m of capital expenditure, with over £100k being spent in 25 and 29 unions respectively. Last year saw about £16 million of capital expenditure with 3 unions spending over £1/2 million and 3 spending over £1 million, including major building projects funded by parent institutions.

Summary

Most, but not all, students' unions are struggling to maintain net income from trading due to increasing competition and rising costs. Many institutions have provided more funding to fill this gap and support students' union services, as well as investing in major improvements to facilities.

Conclusion

Most, but not all, students' unions are struggling to maintain net income from trading due to increasing competition and rising costs. Increasing competition is forcing high levels of investment in venues, funded by grants or soft loans from the parent institution or by bank borrowing. Some institutions are willing to provide this funding but this is likely to depend on a good relationship with the students' union and may bring some other considerations. Loan repayments will probably put pressure on the students' union cashflows and funding for other services, and bring increased financial monitoring of the students' union. The building project may be managed by the institution's estates department, requiring a good working relationship to be built by the students' union. Above all else there is a substantial business risk involved for students' union and institution so the new venue design must give consideration to students' needs for the next 5 to 10 years, not past requirements.



The AMSU/NUS Survey is an annual survey of SU finances, staffing and other measurable data that has been collected since the 1980s. In its final edition the annual Survey answers to 90 multipart questions from about 100 Unions out of the 142 in AMSU. It is used by SUs to compare themselves with other similar SUs, notably in making block grant bid submissions. The survey is voluntary and relies on SU staff taking the time to complete it so that all of us can use and benefit from the data produced. The AMSU/NUS Survey is readily available from the AMSU website and the data in each year offers a financial history of the students' union movement. To read more about its development see The AMSU Survey past, present & future J.Berg; Agenda 83 p30-31

See for example Trends & the tracker Unions J.Berg Agenda 81 p13-14, Evidence of worrying financial trends for SUs from the AMSU survey J.Berg Agenda 82 p8-11,

We are able to make meaningful comparisons between different years by looking at those "tracker unions" which have submitted returns in all of the last five years. Although a record 104 students' unions submitted data to the AMSU Survey 2005, there were 58 which met the requirements for tracker unions. The tracker unions were also used as the basis for some of the previous articles using AMSU survey data.

The impact of decline in SU trading income was described & discussed in Trends & the tracker Unions J.Berg Agenda 81 p13-14 and Evidence of worrying financial trends for SUs from the AMSU survey J.Berg Agenda 82 p8-11,

The impact of rising costs on SU finances over time was the subject of The spiral of pressure Blackshaw Agenda 76, p12-13

The decline of SU income from bars and its wider

significance has been discussed several times before in Agenda including. Have students really stopped drinking? Griffiths Agenda 76 p10-11 & 81 p15-16. , the excellent & prophetic What if the downturn in bars sales continues?, Various Agenda p9-11, Should Students' Unions run bars? Dickinson Agenda 75 p23-24. Why Students' Unions should run bars, Dixon Agenda 76 p8-9, 'Students' Unions & alcohol: A real problem or the same old story? Baron, Agenda 75 p7-10 and was even covered in the Times Higher Education Supplement and the Sun in 2004/5. These articles and others are also available as a collection at www.amsu.net/agenda

See Jim Gardner's article in this edition Outsourcing Catering for more on trends in SU and college catering

One way to maximise amusement machine income is discussed in Inter Union collaboration: A joint games tender. J.Berg & Spires, Agenda 74 p29-30

The problem of SUs raising & repaying capital for investing in facilities was discussed in Doomed. I say we are all doomed, N.Berg, Agenda 81 p17-21 highlighted the possible impact of this in terms of possible negative scenarios for SUs, and M.Hyde Variable fees as the dust begins to settle Agenda 82 p12-14 described speculated that the era of variable fees could see increases in college investment in SUs and student facilities arising from anticipated increases in college income. However, there have also been several SUs that as a result of major projects in the last 5 years that are now weighed down with unsupportable levels of debt that in some cases has led to intervention by the college, often at the expense of SU autonomy or worse. Given the number of major (£1m-£5m+) SU building projects recently undertaken or in planning this is an issue that may be a dominant factor in many SUs finances for the next 5 -10 years.

The shape of things to come



Author:

Matt Hyde

General manager, Goldsmith College Students' Union

Lessons from the Impact of Variable Fees in Australia and New Zealand
This article is a summary of findings from a research project, funded by the Higher Education Academy, that explored the impact of variable fees on students' unions and student associations in Australia and New Zealand, by Matt Hyde, Associate of The Knowledge Partnership and General Manager of Goldsmiths College Students' Union. The research, conducted between October 2005 and February 2006, is part of a wider study – 'Understanding the impact of variable fees on the student experience in Australia and New Zealand.' Both Matt's element of the research and the wider study can be found at www.amsu.net

The research findings suggest that, whilst the student experience has changed a great deal in Australia and New Zealand over the past twenty years, it is difficult to determine how much of this is directly due to the introduction of variable fees, and, in many instances, evidence suggests there has been little or no detrimental impact on the

student experience. However, certain factors, notably the increase of students engaged in part-time work, exacerbated following the introduction of fees, indicates UK Students' Unions need to start planning now to mitigate against future adverse implications resulting from differentiated fees.

Research Methodology

To inform the research findings, interviews were conducted with a range of students' union staff from Australia, New Zealand and across the UK and a survey was distributed to the students' union/ student association at every higher education institution in Australia and New Zealand. This was supplemented by identifying existing secondary data that was useful to triangulate evidence.

Context

The research was conducted at the time of the Voluntary Student Unionism debate in Australia. This, coupled with the fact that a number of different student organisations exist in the same HEI (for instance, Students' Union, Student Association, Postgraduate Student Association, International Student Association or Sports and Societies Association) made it difficult to extract quality data and information. A fuller explanation detailing the nature of student organisations and fees history in Australia and New Zealand with background on Voluntary Student Unionism (VSU) is detailed in the research project.

Findings

The main research findings were:

- A lack of quantitative data exists in Australian and New Zealand student organisations
- On the surface, there is limited evidence demonstrating a link between differentiated fees

and a significant change in the student experience

- The impact of changes to student demographics has led to student organisations having to reposition their activities and services
- The biggest impact of variable fees appears to be the resulting increase in students undertaking part-time work

Lack of data collection

The research was hindered by the fact that no student organisations could provide useful quantitative data in response to the questionnaire that was circulated to all students' unions/ student associations in Australia and New Zealand. This was particularly true in response to requests for data on academic or institutional complaints which would have served as a particularly useful indicator as a measure of impact on student lifestyle. Were the same questions asked to students' unions in the UK, it is believed that at least 25 unions could provide clear data on an overall rise or fall in course complaints over a period of time (i.e. several years) and fifteen could provide a detailed breakdown on the nature of those complaints (for instance, whether it was an academic appeal or whether the student was considering dropping out, as well as the complexity of the case). Pam Glese, General Manager of James Cook University Student Association notes that 'anecdotal evidence suggests students felt more like consumers [as a result of variable fees] and made higher demands on advocacy services.' However, this is refuted by Andrew Ashwin of Cumberland Student Guild (CSG) who stated 'our research has indicated no clear link between payment of course fees to the performance/ expectation level offered by our institution', but he was unable to provide any evidence on whether complaints they received had increased or decreased.

Quantitative data would have been extremely useful in providing trend analysis to identify if complaints rose (or fell) following the introduction of, or increase in the cap for, variable fees and would have therefore given a much better indication of the changing nature of the student as consumer (aware of their rights, keen to get a return on their investment and exercising their rights through complaints appeals). An ACUMA spokesperson put this down to the fact that the representation function has been located in student associations, has been unsophisticated and transient in nature, due to the high turnover of student officers. Cathleen Liang notes 'There is perhaps a useful message in this - if our UK colleagues travel the same road as Australian student organisations, they will consign themselves to irrelevance in terms of legitimate student representation and will eventually find themselves confronting the VSU scenario that we in Australia are facing.' This suggests that students' unions in the UK may wish to consider agreeing how they might centrally collate such data and establish a clear understanding of which indicators should be measured for the use of trend analysis (particularly in the run up to 2010 with the possibility of the cap on fees being raised or removed).

Impact on the nature of representation

Whilst quantitative data was weak on the areas of advocacy and representation, there was some qualitative evidence supporting the view that students were becoming increasingly aware of their rights. Some student organisations were bringing these

rights to the attention of students and there is evidence that students have influenced academic programming (such as ensuring lectures are compressed) to suit their lifestyle of getting on and off campus quickly). However, it is questionable how effective representative input was in influencing a rise in fees in Australia. Only one Australian student organisation claimed they had influenced rises in fees in 2005, but arguably in these instances they were pushing against an open door (Curtin Student Guild).

Limited evidence demonstrating a link between differentiated fees and a significant change to the student experience

Survey respondents generally commented that there was no little or no significant change on the student experience since the introduction, and rise in, differentiated fees (with the exception of increases in part-time working). Those that suggested there had been a change to the student experience as a result of fees provided little clear evidence of how this had impacted detrimentally on the student experience.

Changing Student Demographics

Where there has been evidence of a greater impact on student associations is where particular marketing strategies (such as charging lower fees to increase demand) has led to a different student demographic (such as students from lower socio economic backgrounds) coming to University with little or no family background of higher education. Cathleen Liang of the University of Tasmania Student Association commented that differentiated fees has created a division in

the Australian higher education sector (particularly for those institutions who haven't charged the full amount) resulting in a different challenges for different student organisations. She writes '[Variable fees] had the effect of differentiating more clearly between those universities that were in demand and those universities that students went to if they couldn't get into the preferred one. The University of Tasmania has comparatively low entry requirements which has had some effect on the standard of the students applying for enrolment. Many of these students who find themselves in an environment in which they don't feel comfortable turn to the Student Association as a place to congregate and find company with others in the same predicament. This has detracted from the standard of representation and participation and development of student culture at our university. In addition, the University of Tasmania is a preferred option for lower socio-economic groups as our fees haven't increased. While some of these students may be academically competent, there are also a great many students from this demographic who aren't well suited to a university environment but have been encouraged to attend by the marketing and recruitment drives of the uni (coupled of course with it being the option of least cost).'

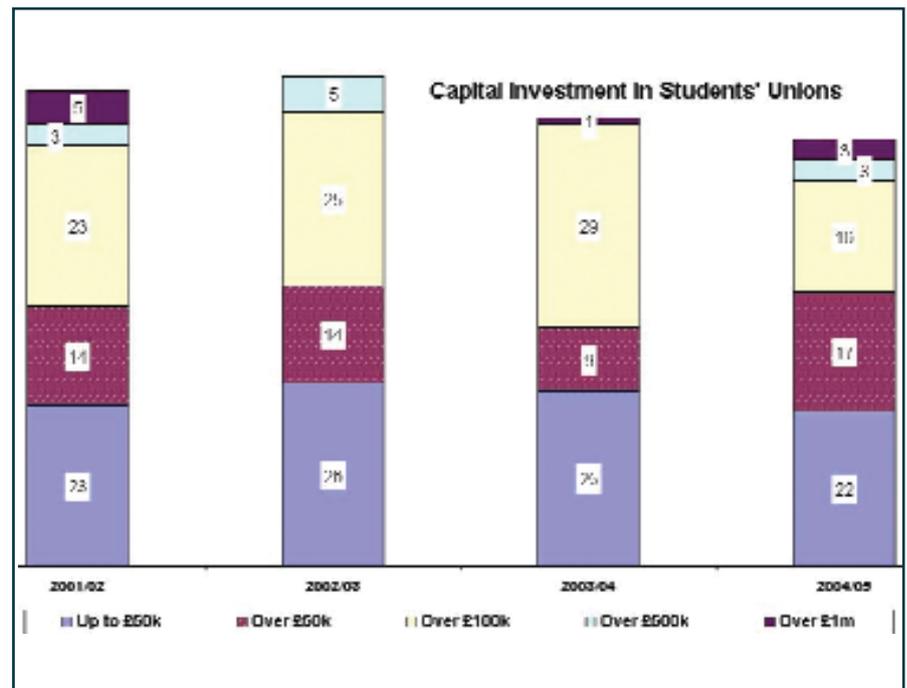
In some instances therefore the impact of variable fees has led to the student organisation having to adapt its traditional 'offer', so that it developed student services to meet the needs of such new demographics. This is similar to what we have seen in the UK students' unions over the past five years.

As is the case in the UK, changing demographics and particularly the rise in international students has impacted on the student community, with separate international student associations being established in Australia and some evidence of problems of integration between different cultural groups in New Zealand. Again, student organisations have had to adapt their services, activities and governance structures to meet the demands of new student groups such as international students.

Impact of Part-time Work

Unquestionably the effect of part-time work in order to fund student lifestyle and diminish graduating debt, has had the biggest impact on the student experience. Cumberland Student Guild, Rivcoll Union and the University of Sydney estimated between 80-100% of their students now worked. This is consistent with an AVCC (Australian Vice-Chancellor's Committee) survey 'Paying Their Way' which found that nearly 8 out of every 10 undergraduate university students were in paid employment in 2000 – a 50% increase from 1984. Furthermore, a report by McInnes and Hartley for the Department of Education, Science and Training found that the average student is now working 15 hours a week, that 40% of students work more than 16 hours a week and 18% work 21 hours or more. Two-thirds of students surveyed in the same report said they needed to work just to meet their basic needs and 75% reported that their paid work was their only or main source of income in addition to loans. In a separate study Hayden and Long found that the percentage of full-time students in paid employment during the semester had risen from 49.5% in 1984 to 72.5% in 2000.

With 70% of students working 12-15 hours per week in Australia and 70% work part-time in New Zealand compared to 40% of UK students working



part-time this is arguably a sign of things to come. Time poverty (where a student's time is so compressed it, giving up time represents a cost to the individual) has led to a situation whereby there has been a detrimental effect on participation in traditional extra curricular activity leading to Trevor White's observation that 'time is the new currency' for students' unions. Institutions have changed their teaching to adapt to this, as classes are increasingly broadcast online or delivered through podcasting, with online communication and feedback, placing an extra focus on the virtual learning environment, with lectures compressed so that students don't have to spend as much time of campus. This is compounded by a decrease in academic weeks during the year. The impetus for student organisations has therefore been to 'grab some of the students' time' or give them a reason to stay on campus through the development of innovative and attractive commercial and non commercial services.

“ There is perhaps a useful message in this - if our UK colleagues travel the same road as Australian student organisations, they will consign themselves to irrelevance in terms of legitimate student representation and will eventually find themselves confronting the VSU scenario that we in Australia are facing.”

he research suggests that students are possibly being more judicious about what they spend their money on. Where there has been a detrimental impact on participation levels, this has resulted in a halving in the number of sports clubs over the past 5 years (Charles Darwin), reduced expenditure on these areas and two unions mentioned the impact of increased part-time work meaning that students did not have the time to devote to volunteering and sport (James Cook). Russell Watson of Charles Darwin University Students' Union comments 'I attribute this to the economic pressures on students to get in and out of uni asap. They don't want to allocate the necessary time to support extra curricula activities to the extent they once did.'

The Australian NUS has written, in a submission to the Australian Senate, 'Increasingly, the paid work that students undertake is off campus, meaning that students are often able to come to campus only for the length of their classes. This limits the ability of the student body to partake in activities outside the immediate realm of the course in which they are enrolled. As a result, the flow-on benefits of such involvement are reduced, as is students' capacity to socialise and build networks on campus.' The nature of volunteering activities, methods for increasing participation in democratic involvement and the deliver of clubs and societies have changed in several institutions to meet the challenge of students' time poverty through better use of technology, new methods of marketing activities and communicating to students.

At a University-level, nearly all students' unions have job shops and on a national scale, the Student Job Service, set up in New Zealand as a direct result of fees being introduced, is an innovative way in which students can seek part-time employment through a national, easily accessible website and is a concept which could be replicated in the UK (perhaps in

University Finances, 2000'; Australian Vice-Chancellors' Committee, October 2001, p. 94, 98.

Craig McInnes and Robyn Hartley, *Managing Study and Work: The Impact of Full-Time Study and Paid Work on the Undergraduate Experience in Australian Universities*, DEST, Canberra, 2002, p. xi.

Ibid p.15

Martin Hayden and Michael Long, 'Earning and Learning: The Importance of Part-time Employment for Full-time Undergraduate University Student Finances' 2000 <http://www.aair.org.au/jlr/Oct03/Hayden.pdf>

UNITE Survey 2006

Trevor White referred to the 'death of the full-time student.'

Apple have signed a deal with six Universities to download lectures to students through a podcasting service on Ipods.

Jansen J and Tapinos L (2004) Submission to Senate Employment, Workplace Relations and Education References Committee 'Inquiry into higher education funding and regulatory legislation', NUS, 18th April 2004

conjunction with partners such as AMICUS, NASES – the National Association of Student Employment Services, trade unions and careers services).

Recommendations for UK Students' Unions

1. UK Students' unions should centrally collate data on complaints and other statistics on non-commercial areas as part of the AMSU survey for the use of trend analysis (to demonstrate if there has been a detrimental impact as a result of variable fees).
2. Campaigns should be run to make students aware of their rights as 'consumers'.
3. Students' Unions should continue to reposition their services to meet the needs of new student demographics (with consideration given to separate International/ Postgraduate student organisations).

" Unquestionably the effect of part-time work in order to fund student lifestyle and diminish graduating debt, has had the biggest impact on the student experience. 70% of students work 12-15 hours in Australia and 70% work part-time in New Zealand compared to 40% of UK students working part-time."

4. Consider further use of technology to communicate and offer new services to students (such as podcasting).
5. The Government should consider funding a national, easily accessible website to help students find part-time work throughout the year – similar to SJS in New Zealand.

Contributing to AGENDA

Where would Agenda be without the diverse and challenging contributions of members?

Recent developments in Agenda have received excellent feedback, and numerous contributors can take the credit for the success of the journal.

Agenda can only be as good as the articles it runs, and we would urge any reader with an idea to put pen to paper.

Whatever your ideas, Agenda is your forum.

For those of you who do want to put pen to paper, the following guidelines will help you structure your ideas.

Reports or Feature?

Reports will be largely factual and will give readers a general overview of the subject matter.

Reports should be a maximum of 700 words.

Features will be analytical pieces which give in depth consideration to the subject matter, and will be a maximum of 2000 words.

Adding Interest or Credibility

There are lots of techniques to help you add weight to your article:

• Statistics

How many people are affected by your topic?

How have things changed over the last x years?

For statistical information, try relevant web sites, legal briefing documents, the AMSU finance survey or the general media.

• Quotes

Everyone likes to read what other people have to say and quotes add personality to articles. Quotes may be from colleagues, external figures or other publications, or you may open with a particularly outrageous quote to argue against.

• Theories or Models

Does your situation or argument support a particular model? Or, even better, does your piece challenge a well respected model?

• Case Studies

Has this happened somewhere else? Was the outcome similar or totally different?

Submitting Contributions

Before you submit your article, please:

- Check the word length
- Check that you have included a photograph of yourself plus any other graphics
- Check that you have included a personal biography

Please submit your article by email to a member of the Agenda Editorial Board along with a hard copy in case of any IT problems.

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Paul Langhorn
Tel: 0161 214 7500
Fax: 0161 214 7501
Email: student.unions@horwath.co.uk

Or visit our website
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What next?

Your article will be edited by a member of the Agenda Editorial Board. You will be given the opportunity to review the edited version but you must respond within 24 hours if you wish to make any amendments.

If you don't have time to write an article for agenda but can contribute ideas, please send an outline of your ideas to the Editor. The outline should include:

- The issue you would like to see covered
- The 'slant' of the article
- People who would be willing to be interviewed, or people who are particularly knowledgeable on this topic
- A brief case study

For further information please contact the AMSU Office or a member of the Agenda Editorial Board.

The diversity challenge



Authors:

Amanda Shilton

Deputy Chief Executive, NUS Services

Laura Hyde

Membership Services Manager, Kings College Students' Union



Pete Fisher-Godwin

General Manager, University of Bradford Union' Union

Rak Mistry

Marketing Manager, De Montfort Students' Union

AMSU AGM 2005 passed a motion noting the increased diversity in society and the general student population. In the absence of data about how these changes impact on Students' Unions, it suggested that Unions struggled to recruit people from black and minority ethnic groups, and struggled to recruit women to senior management positions.

The motion argued that unless this challenge was faced now, the mismatch would continue to grow and the movement would face a legitimacy crisis. A strategy was therefore required.

Conference established a working group, to report to AGM 2006, with data and information, benchmarked against other sectors. The group were to identify effective strategies from other sectors, and make recommendations.

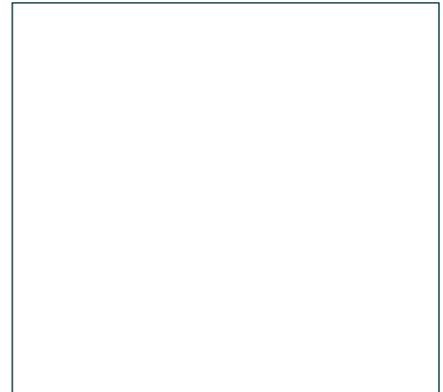
Scope of the Report

The group restricted its enquiry to the area of employment but the motion did specifically address the relevance of Unions to their members. Therefore comparable information was sought, regarding the diversity of Boards and other voluntary committees, against Union's Executive committees. How this is addressed, whilst outside the scope of the present report, is critical to the long term legitimacy of the movement. This also raises the question of service provision, again not addressed but critical.

The motion referred primarily to gender and ethnicity, but the group considered the position of other groups to be within its scope:

- Racial or minority ethnic heritage
- Sexual (gender)
- Age
- Disability
- Sexual orientation
- Religion or belief

Given the timescale, most work was undertaken on ethnic minority, disability and gender research. However, the good practice identified is transferable.



The Case for Change

The movement espouses the cause of equality of opportunity and equal access for all, regardless of their sexual or racial origin, orientation, disability, or age, and campaigns within other organisations to ensure that they treat all students fairly. We therefore have a moral responsibility to ensure that that is the reality within our own organisations, in services and as employers.

As managers and leaders within this community, there is for us a moral imperative to address this.

The business case

Social inclusion is a key government strategy, and diversity a live issue on the Universities' strategic agenda. Up to 2008, Universities will be incentivised by the government, via the Aimhigher fund, to address the sector's unequal patterns of access through outreach programmes. Without change then students' unions will have diminishing relevance to a significant section of the student member body. Without relevance, legitimacy is called into question.

The legal case

Various statutory provisions cover equality for different groups in society, including the Equal Pay Act 1970 and Sex Discrimination Act 1975, the Race Relations Act 1976, the Disability Discrimination Act 1995. Protection on grounds of religious belief came into force via the Employment Equality (Religion or Belief) Regulations 2003 and for sexual orientation via the Employment Equality (Sexual Orientation) Regulations 2003. Discrimination on grounds of age will become illegal in October 2006. The later legislation shifted philosophically. Rather than prescribe the circumstances which provide employers and service providers with legal defences to discriminatory practice, instead there has been imposition of a positive duty on public authorities to promote equality and eliminate discrimination. This exists already for race and disability and will be introduced for gender via the Equalities Bill, on the agenda for this Parliament. This will also establish a overarching Commission for Equality and Human Rights.

Our research

Within the time and resources available, we couldn't conduct wide ranging rigorous research. Therefore we took a snapshot of the current profile of staff (including student staff) and officers. A questionnaire was uploaded onto a website. It required individuals to complete it themselves online, and a letter was circulated to GMs asking them to forward it to staff, including student staff, and officers. In line with ACAS recommendations, data was collected on gender, age, disability and

ethnic background, but not on sexual orientation or religious views. We also conducted "insight" surveys – interviews with women, people of BME heritage, and people with disabilities, to understand first hand, their perspective.

696 responses were received from 78 Unions. From 22 Unions there was only one response. No claims are made for the statistical validity, but the output broadly supported the anecdotal impression that in our teams we employ few people from ethnic minorities or disabilities, and that women are concentrated in non-senior roles.

People of black or other minority ethnic heritage

The actual numbers of people of BME heritage responding to the staff questionnaire was 74 respondents, 10.6%. On further analysis, 4% of senior staff and 6% of other staff said they were from a non-white background. There were higher percentages of student staff (30%), and Executive Officers (18%). The best represented minority group was Asian or Asian British. There were no Executive officers respondents at all who declared themselves Chinese, and only 6 people altogether.

How does this compare

17.2% of Higher Education students in 2004/5 were of BME heritage. In addition, 12% are overseas students, of which the largest number are Chinese. However, these students are not evenly distributed. 48.2% of home undergraduate students at Bradford University, and over 60% of

students at London Metropolitan are from ethnic minorities. At Bristol University, the figure is 7%.

A breakdown between minorities highlights sharp differentials between minority groups. Bristol's 7%, equals just under 1,000 students. Of these, 15 described themselves as Bangladeshi, 20, black Caribbean, 45 Pakistani. In the whole of the Russell group universities, there are fewer than 1500 black Caribbean students.

The numbers of BME students in HE outweigh that in the general working population (9%). General population comparison data

92% of the British population in the UK is white. The overall size of the minority ethnic population in the UK at the 2001 census was 7.9%. Of the non-white groups, The largest numbers of non-whites are Indian and Pakistani, followed by mixed, black Caribbean and black Africans and Bangladeshis.

Of the non-white population, around half are Asian or Asian British, around a quarter black or black British, 15% mixed, 5% Chinese, 5% other. The total population is 4.6 million, 53% increased from the 1991 census when it was 3 million.

Data from the 2001 census showed that 29% of the population of London was non-white.

BME qualitative survey findings

Insight Interviews conducted with staff of BME origin suggested that most, although not all, were positive about their employment, highlighting supportive management, and access to personal development. Respondents were asked what Unions should do to improve their experiences as a BME staff member. They would like to see more BME staff, support mechanisms in place, and education for other staff on cultural sensitivities.

The lack of opportunities for career progression was noted but no, in the main attributed to discrimination, but to other factors such as flat structures, the longevity in post of senior managers, and in general there were positive comments about training and development. Respondents were asked what Unions should do to improve their experiences as a BME staff member. They would like to see more BME staff, support mechanisms in place, and education for other staff on cultural sensitivities.

Analysis

Although the questionnaire cannot be relied upon for statistical accuracy it suggests that for students working in Unions (Executive Officers, student staff,) participation in Unions broadly reflects the national picture (18% for executive officers, 30% for student staff, when compared against 25% (17.2% BME + 12% overseas students.) Growth in student numbers leading to a more diverse student population began in the early 1990s and is now reflected through a greater number of BME student staff and officers. However, the numbers of people of BME background within permanent staff is below the UK average population participation.

The uneven distribution of ethnic minorities within the general population and at different

institutions mean that each Union needs to conduct its own research to establish local benchmarks to guide its own action plans.

Women

Women make up over half the union workforce. However this is not true at senior level.

Female General Managers are concentrated in smaller Unions. Using purchase value as a proxy for size of Union, analysis shows that within the top ten Unions there is one woman in the top job (10%); top 40, five (12.5%); and top fifty, seven (14%).

There are signs of change, albeit incremental. In 2002, 15% of general managers in the 20 largest Unions were women, and 10% of the top 10, but overall, the figure was 24%.

Amongst elected officers the figures are more encouraging – 44% of our elected officers are female although of those Unions with Presidents, the proportion of Presidents drops to 36%

Benchmark data

A recent report by the Chartered Management Institute (November 2005) found that the numbers of women in management had trebled in 10 years to 33.1 per cent although levels in the voluntary sector are higher at 50%. The number of female directors had increased to 14.4 %.

Women in Higher Education

There is a marked difference in the gender profile of academic staff in the pre and post 92 Universities. In the modern Universities, 42% of teaching staff are female, in the pre 92 Universities the figure is 27%. Either way, 15% of professorial posts are held by women, and

15% of vice-chancellors are women. Women are concentrated in the "professional support" roles (admin).

Women in senior roles generally

0.8 % of army officers are women as are 8% of judges, 9% of newspaper editors, 15% of University VC's, and 17% of TU General Secretaries. Within the political sphere, 29.1% of local councillors are female, and 9% of CEO's in Local Government

The insight work with women

The insight work that the group undertook into how women perceived the issue was illuminating but not surprising. Most women interviewed thought that there was a glass ceiling for women. Some felt that there is an expectation to network and socialise in the bar and that this can put pressure on ones' social life and physical well-being. According to the women interviewed the long and / or late hours involved in working in students' unions can be a barrier. A General Manager questioned whether she would be able to be in the job if she had children.

It was felt that women have to choose between a successful career and a successful home life. One women interviewed said that she felt like she had to be a superwoman. It has been suggested that some women were rejecting further steps on the students' union career ladder because it was felt not to be worth the perceived sacrifices.

It was felt that NUS Services and AMSU could cast their net wider when looking for volunteers and that the same people get asked to volunteer. People able to network are more visible and hence more likely to be approached to volunteer.

Nearly all the women interviewed felt that it is important to have women role models. One senior manager said 'women don't see the faces of other women at the front of conference or leading nationally'.

The question to be asked at this juncture is, whether the unequal patterns of role reflect continuing discrimination. But whether yes or no, it appears that women are looking at the price - the long hours, the presenteeism - and saying it is too high. Some women are undoubtedly opting out of applying for bigger jobs, choosing instead their quality of life.

Disability

In response to our survey, few staff (6%) and fewer students staff (3%) said they had a disability. 14% of officers said they had a disability. No distinction was made between hidden or visible disability

Insight work on disability

The comments received from respondents give a vivid taste of personal experiences within a few Unions' around the country and in summary the responses to the group enquiry were mainly positive.

It would be interesting to have more respondents from a greater number of establishments, but maybe the lack of numbers to interview is indicative of the fact that there are not many staff who have a disability employed, or are they not confident to inform their employers that they do have 'hidden' disabilities and are concerned that this could have implications to their future job security? One area that no one identified was mental health, yet it is a very real issue in Universities and if disability statistics are anything to go by, we can assume there are staff with diagnosed mental ill health working within the movement. We can only hope they are being supported adequately.

It should be noted that all respondents were educated to Degree level and above, all having experiences of working in other environments prior to their current positions, although most had been involved with Unions in a big way during their learning years. This shows that there is a huge potential for disabled staff to be part of the Student Union movement, and that maybe there is a need to better publicise what we do to potential future recruits.

Age

In the snapshot survey few people, staff, student staff or executive officer, were over 50 and officers fell primarily into the 21- 30 age bracket.

As a population we are living longer and healthier lives Life expectancy has improved significantly since 1945 - a male aged 65 now can expect to live to age 84.

Where next

In short, students' unions generally reflected other employers but not our membership when it comes to diversity. This, however, does not mean that there is no work to be done; there is a substantial agenda which needs to be tackled rapidly if our organisations are to play the meaningful role within the sector that we all aspire to, and certainly, if we wish to remain relevant to our members and be progressive and forward thinking organisations and service providers.

Having conducted its research, the group is now spending the last weeks before conference in finalising recommendations.

In looking for models we might emulate what is coming through loud and clear from other organisations tackling these issues is the need for leadership and sustained management focus from the most senior level in organisations.

In tackling these issues Students' Unions and their leaders will look to AMSU and NUS to provide a lead, and the national organisations will also needs to commit to focus on these issues, look at their own practices and report and take an ongoing responsibility for disseminating good practice.

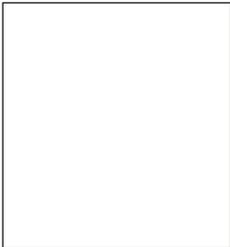
AMSU must, through its Senior Managers' Code of Conduct, ensure that acting on diversity becomes embedded into the core responsibilities of senior management, Senior managers in Students' Unions must take personal responsibility for this challenge and work with student officers to assess their own organisation's performance, and to develop and implement an action plan to address all shortfalls against best practice. Work will need to happen at a national and local level and we are convinced of the need to find partners in our Universities and colleges and in bodies like the Equality Challenge Unit. We believe that they will welcome us on board.

The Diversity Action Working Group will suggest a series of practical recommended steps for unions but the challenge will be the sheer size of the task. The group has identified that if the movement wills the end, then it must also will the means and the Group is seeking to source the support and partners that will be required.

The Diversity Action Working Group

The initial working group comprised Amanda Shilton, Deputy Chief Executive, NUS Services, Andrea Peirce, Membership Services Manager, Plymouth Students' Union, Laura Hyde, Membership Services Manager, Kings College Students' Union, Lesley Dixon, General Manager, Leeds University Union, Pete Fisher-Godwin, General Manager, University of Bradford Union' Union, Rak Mistry, Marketing Manager, De Montfort Students' Union.

Food for thought? Issues in the management of su catering



Author:

Jim Gardner
General Manager, University of Kent
Students' Union

Recent issues of Agenda have featured several articles about SUs using outsourcing in innovative ways, but one of the most commonly outsourced operations in universities and SUs is catering. Catering in SUs has received relatively little coverage in Agenda but the combination of a declining trading environment for SUs (which would tend to encourage outsourcing) and the changes in HE and the student population (which may encourage retaining catering as a vital student social need) puts catering at the heart of debates about the future role of SUs and their trading activities.

This article is based upon the MBA dissertation of Jim Gardner (General Manager at University of Kent Students' Union) completed in 2005. In this he



looked at the state of SU catering and specifically how best to either turn distinctive aspects into commercial assets, or how to outsource effectively. The former looked at information about the state of catering outlets in SUs and drew on tactics adopted with some success at UKC and the latter applied a review of management literature about outsourcing to SU catering to devise best practice models.

Part one the state of SU catering

Students' unions have developed into complex organisations, representing their members to their parent institution and wider community, and providing a range of commercial and non-commercial services. Whilst some might suggest that unions are successful at running licensed premises and retail operations, research into the

financial performance of unions suggests they are not as adept at operating catering facilities. In a survey of 69 unions' catering operations, less than 40% reported an operating surplus; furthermore, many of these appeared to have 'hidden costs' that had not been accounted for.

Students' unions and commercial services

The 2004 AMSU survey, which included data for 104 unions, suggested that the combined revenue from commercial services for the year ending July 2003 was in excess of £209million. Retail activities accounted for over 40% of total revenue, but only 19.67% of total net surplus; bars accounted for almost 36% of revenue but over 63% of net surplus; catering generated 8% of total revenue, but only 0.29% of the total net surplus.

Students' unions and catering services

This suggests unions rely heavily on retail and bars to generate revenue; and on bars to generate surpluses. However, catering generates an average return on sales of only 0.35% and, in comparison with unions' relatively healthy retail and bars operations, is clearly an area that could be dramatically improved upon.

In the 2004 AMSU survey, 69 Unions returned information about catering operations. 27 made a surplus (39.13%) and 42 (60.87%) made a deficit. Given that unions operate catering as part of their commercial services, presumably with an aim of generating revenues to fund their non-commercial activities, it is surprising that almost two-thirds made a deficit on catering. Furthermore, preliminary investigation into the figures suggests that some of those declaring surpluses may not have included all of their operating costs. For example, two unions (7.4%) did not include staffing costs and two did not include central overheads or other operating costs. Seventeen (63%) included either central overheads or other costs, but only eight (29.6%) included both. By contrast of the 42 unions reporting deficits, only one (2.4%) did not charge either central overheads or other costs, twenty four (57.1%) charged either central overheads or other costs and seventeen (40.5%) charged both and all included staffing costs. This suggests that some of the twenty-seven reported surpluses may actually have made a deficit (or at least a lower surplus), had they

TABLE ONE Students' unions' reported commercial revenues (AMSU Survey 2002/2003)

	REVENUE (£)	AS % OF TOTAL	NET SURPLUS (£)	AS % OF TOTAL	MARGIN
Retail	83,977,694	40.14%	4,167,495	19.67%	4.96%
Bars	75,082,244	35.89%	13,364,452	63.08%	17.80%
Ents/Club	21,526,828	10.29%	541,101	2.55%	2.51%
Catering	17,692,406	8.46%	62,141	0.29%	0.35%
Machines	5,531,885	2.64%	3,581,154	16.90%	64.74%
Other	5,396,682	2.58%	-530,902	-2.51%	-9.84%
	209,207,740		21,185,441		10.13%

TABLE THREE Mean performance of students' unions' catering outlets

KEY FINANCIAL MEASURE	MEAN PERFORMANCE	MEAN OF REPORTED SURPLUSES	MEAN OF REPORTED DEFICITS
Revenues	£256,412	£367,779	£184,816
Gross profit margin	55.19%	56.84%	53.08%
Staffing %	42.13%	36.94%	48.76%
Other costs %	12.71%	11.21%	14.64%
Net surplus/(deficit)	£901	£31,962	-£19,067
Surplus %	0.35%	8.69%	-10.32%

accounted for all operating costs.

The key differences between those reporting operating surpluses and those reporting losses were:

1. Higher turnover (43% higher than the overall mean)
2. Higher Gross Profit Margin (57% compared to 55.19%)
3. Lower percentage staff costs to sales (36.94% compared to 42.13%)

Given that the better staff costs figure is easier to achieve as turnover increases and

the high non-staff central overheads involved it appears clear that sheer size is very significant in the ability to achieve an operating surplus in catering.

University-run catering

Universities run most on-campus catering. Universities have their own purchasing consortium, The University Catering Organisation (TUCO), established in 1963. Despite the massive apparent advantage of scale (The national turnover of university catering is 15 times greater than SUs) university catering suffers from the same fundamental problem as union catering: University "caterers are often operating services at a loss, to support academic activity, despite being asked to recover all costs", (HEFCE, 2003, page 5). According to the HEFCE Catering Management in Higher Education Report, this is in part because universities are often unclear about whether they are running a commercial operation or providing a service, (HEFCE, 2003). Despite the fact that it is often run at a loss, the majority of university catering is still run in-house; according to HEFCE (2003) only 25% of university catering is either totally or in part contracted out.

Of interest, given the fact that most union catering is losing money and that the average gross profit margin (G.P.M.) of union catering is only 55.2%, is that the average G.P. produced by University-run catering is almost 61% (CUBO, 2003, page 186). This suggests, firstly that this lower GPM could be a key contributing factor in unions losing money in catering and secondly that universities may be more adept at operating (commercial) catering operations than unions either in using their much larger purchasing volumes to reduce stock prices and/or pricing more effectively

i.e. higher prices relative to real costs and to customer tolerance.

Strategic options for su catering

As students' unions continue to face financial challenges, there will be pressure to improve the financial performance of catering operations. The options appear to be:

1. Cost cutting (if retain in-house) to maximise profit from limited turnover, short trading year, location and time limitations etc
2. Invest in improving quality and focusing on the customer and converting potential competitive advantages and the best practice model (see below for both) into profits to improve the financial performance of (in-house) catering operations.
3. Outsourcing has grown in importance, as organisations recognise it is often not efficient to produce all of their needs internally but most Unions have been slow to recognise that outsourcing may offer an opportunity to improve the financial performance and quality of their catering. Students' unions should review catering and determine whether it is a core competency. The national data included in this article suggests strongly that although some might argue that it is a core activity our competency is questionable on financial grounds.
4. Franchises offer an opportunity to retain control whilst capitalising on the attraction of brands to consumers.
5. Interim management may help improve

the performance of catering outlets to a level where they are financially sustainable.

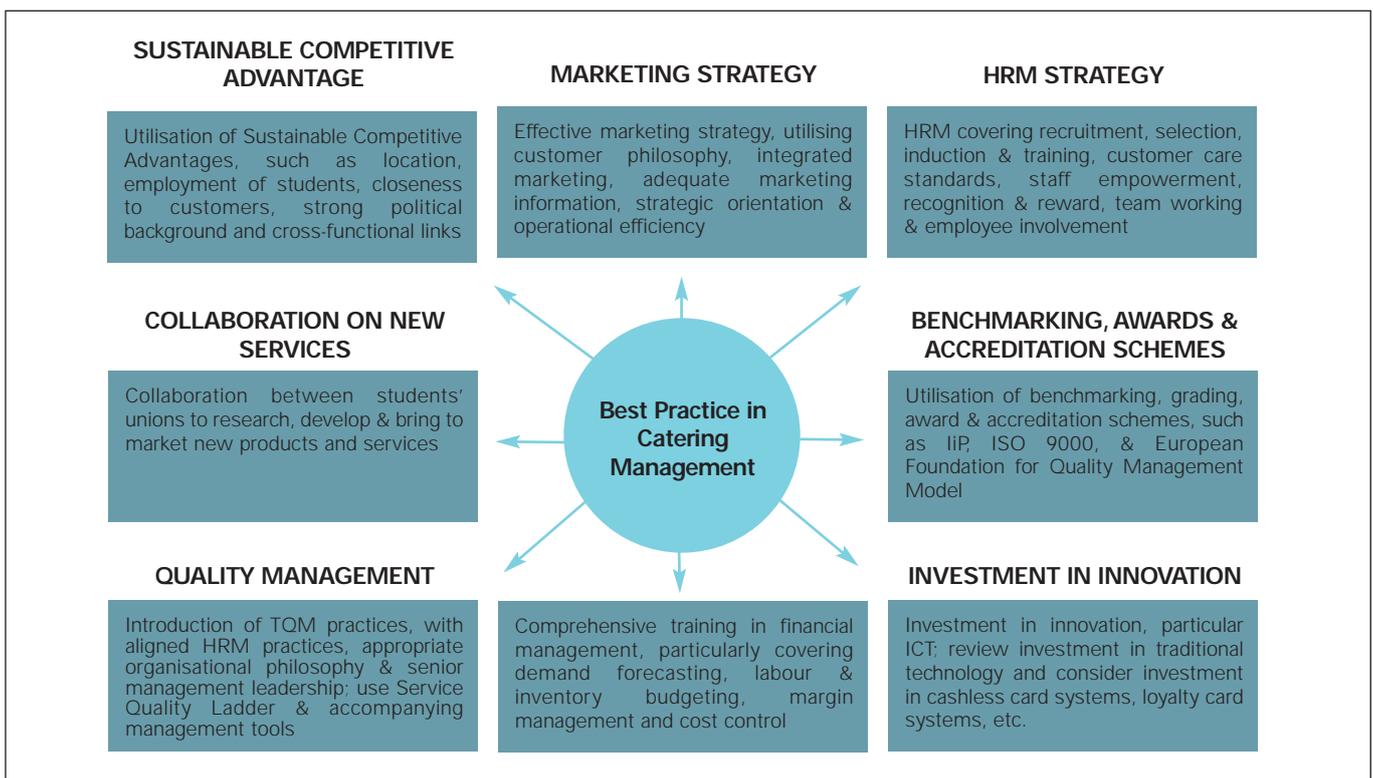
6. Co-operation with university catering operations may focus on-campus catering to compete against the high street, instead of each other, bringing benefits to both parties. An understandable concern for SUs is around the quality of management and specifically responsiveness to changing markets.
7. "Side source" i.e. give SU catering outlets back to university catering

The rest of this article looks at two of the more likely strategic options in more detail.

SU potential Competitive advantages

Unions have certain Sustainable Competitive Advantages, which they should utilise to full effect.

1. Location; often at the heart of a campus, with thousands of students living in halls of residence. Unions should ensure they capitalise on their location and target students who live on campus.
2. Staff / customer crossover; Unions normally employ large numbers of students, who are intelligent, flexible, match demand fluctuations, yet relatively low paid and may progress through to management positions (for example, Kent Union employs 300 staff, 250 of whom are students who work part-time and 25% of its management team are former student staff).



BEST PRACTICE MODEL FOR MANAGING CATERING IN-HOUSE

- 3. Converting membership affinity into customer loyalty; Unions are membership organisations and are thus closer to their customer base. They should utilise this to inform marketing decisions and involve customers in strategic decisions, such as menu content, pricing, opening hours and promotions.
- 4. Value alignment: Unions' strong political background and strong set of values links with Remy & Kopel's research, which suggests that services should consider the values of their customers. This could be important in catering with the growing demand for ethically produced (Fairtrade), organic, sustainable and healthy

- products. Sheffield Union has capitalised on these issues with the creation of a Fairtrade Coffee Shop, Coffee Revolution.
- 5. Cross-functional links, for example, encouraging their societies to organise meetings in the catering outlet; sponsoring sports teams; using their employment agency to recruit the best staff; and running linked promotions in bars, shops and catering. Remy & Kopel show how western society is demanding less commercially 'hard' services; successful services are those that attract customers for a variety of reasons and then sell them a service, e.g. customers attracted to a catering outlet because it is comfortable, a meeting place, there is a

- poetry reading, newspapers to read, a band playing, etc. They will then (& only then) make a purchase, unions can capitalise on this by using their drama society to put on plays, music society to play music, English Society to hold meetings, etc in their catering outlet, and by ensuring that they are the meeting place of choice for their customers.
- 6. Using collaboration & national organisations to overcome problems of scale; The speed to get new products to market is identified as a problem for unions. Unions should therefore consider working together to research and develop new products and services and speed up the process of bringing them to market.

6. Using collaboration & national organisations to overcome problems of scale; The speed to get new products to market is identified as a problem for unions. Unions should therefore consider working together to research and develop new products and services and speed up the process of bringing them to market.

Another potentially useful model for SUs adopting the "invest in quality" strategy is Fitzsimmons & Fitzsimmons' Service Quality Ladder (SQL).

Best practice model for outsourcing catering services in students' unions

Drawing on the academic research into outsourcing a best practice model has been developed for unions considering outsourcing catering. The model details a chronological list of steps, from identifying whether catering is a core competency, to securing the right contract, through to successfully monitoring and reviewing the contract.

The notion of an organisation's core competencies determining the sourcing decision has been well documented in the literature on outsourcing. Unions should consider whether or not catering is a core competency. Given the analysis of the performance of the majority of unions' catering services, it appears that catering is not a core competency of most unions.

A union that has determined that catering is not a core competency can move on to consider whether it should outsource catering. Lewis & McIvor suggest that the next step is to conduct a risk analysis of outsourcing a service or function. For unions considering catering, the risks may be unacceptable quality levels, the supplier pulling out early, revenue targets not being achieved, the supplier going bust, etc. Political considerations may also play a part in the analysis of whether outsourcing is an acceptable option. The union's Trustees must

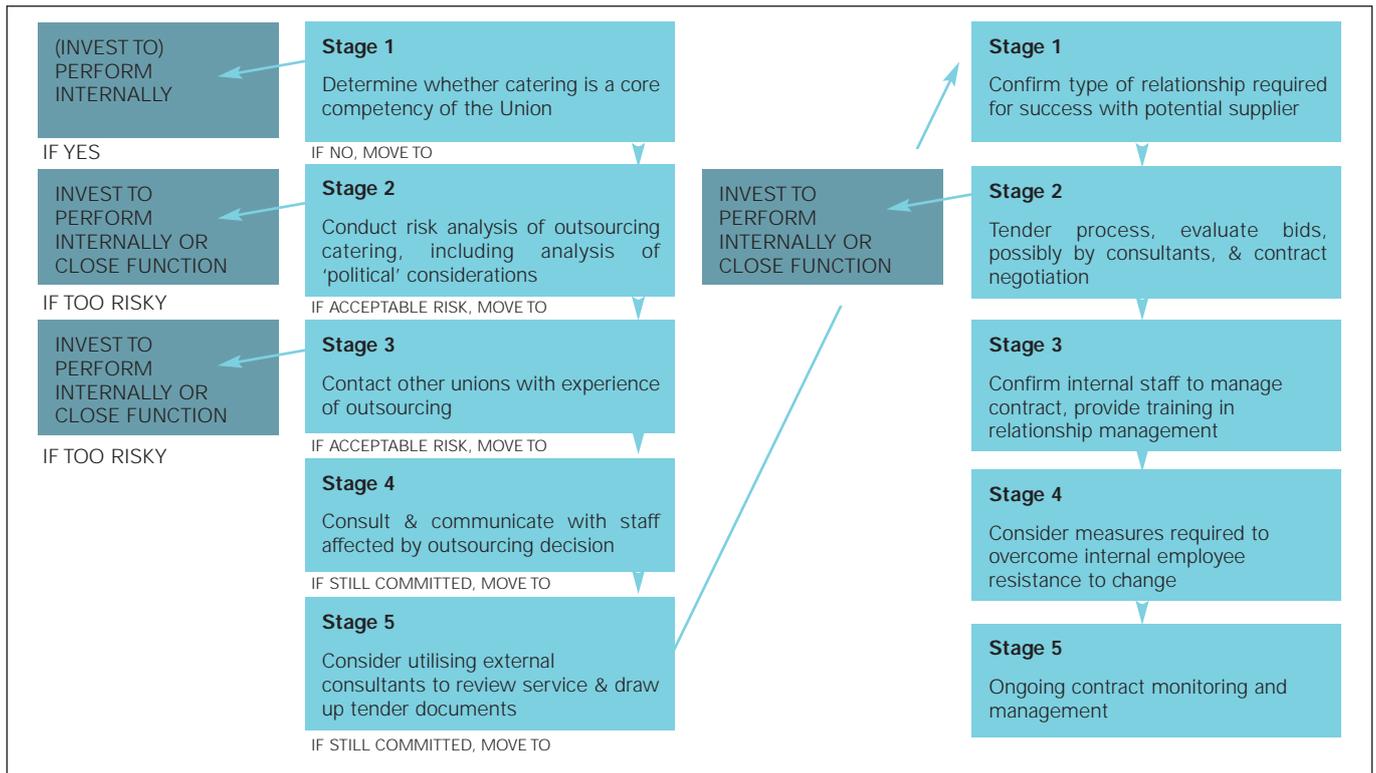
decide whether the loss of control over an outsourced function is outweighed by the other benefits sought from outsourcing the service. After this stage, a union must decide whether to pursue outsourcing, or, due to the risks or political considerations of outsourcing, invest internally to improve the performance of the catering service (or close it down completely).

If still considering outsourcing, the union should contact other unions that have experience of outsourcing catering in particular, but also other services. Valuable lessons may be learnt at this stage about either, further risks that were not previously considered, leading to a reconsideration of whether to outsource, or about the process of outsourcing. A union still considering outsourcing should next consider how to consult and communicate with staff affected by a possible outsourcing decision. Huber points out that effective consultation with staff affected, and the development of a detailed plan explaining what is going to happen, how, when and why, can make a big difference to the success of an outsourcing project.

Huber also notes the value of utilising consultants to review existing services and assist in drawing up tender documents. Catering consultants from NUS Services Limited or external firms can assist the union in determining whether the service could be improved internally, or whether outsourcing is the best option. If outsourcing is confirmed as the most appropriate option, a consultant who is familiar with outsourcing will be able to assist in the design of a tender prospectus, which will improve the likelihood of attracting a wide number of bids. The prospectus should detail clear expectations of the provider. But as Rimmer points out, the tendering process can be costly in terms of time, consultancy fees, etc. therefore, the rigour of the process should be determined by the complexity of the service being outsourced.

At this stage, the union should consider the type of relationship that is required from the catering provider. Many academic commentators suggest there is a strong relationship between partnership quality and outsourcing success; Lee suggests that "a co-operative relationship based on trust, business understanding, benefit and risk sharing and commitment is critical to maximise the strategic, economic and technological benefits for outsourcing." For a union outsourcing catering, it will be essential that the supplier understands the peculiarities of students' unions, and that the union and the supplier cooperate to ensure the success of the venture.

The next stage is the tender process, which again may benefit from the use of consultants to evaluate bid documents and offer advice to senior management and the Trustees of the union as to which, if any, of the bidding companies should enter the negotiation stage. Ideally, a short-list of potential suppliers should be drawn up, although only one bidding company may be suitable. During the contract negotiation stage, the shortlist will be filtered down to one suitable supplier and agreement of the broad content of the contract reached. The contract should be clear and comprehensive, detailing required service standards, core opening hours, operating requirements, limitations on product range (e.g. sandwiches may be excluded if the union sells these in its retail outlets), insurance, financial aspects, health and safety management, demarcate space, employment conditions, etc. However, commentators suggest that contracts should specify 'what' result is expected rather than 'how' the result is produced. In catering, the emphasis may be to specify service standards and how these will be monitored, rather than specifying 8am-6pm, 6 days per week opening and detailing the menu range and pricing strategy.



For unions, the contract agreement stage is crucial for ensuring that political considerations are considered. For example, the Union may have policies in place covering sale of 'Fair-trade' products, sale of 'unhealthy' (e.g. high fat, salt or sugar content) food and drink products, sustainability practices of suppliers and/or industrial relations. In which case, the union must ensure these considerations are clearly stated in the contract and understood by the supplier.

Having agreed a contract, the union should ensure that it has confirmed which internal staff will be responsible for managing the contract and the relationship with the supplier. Furthermore, the union should ensure these staff receive training in relationship and contract management. Grimshaw et al suggest that most public sector organisations underestimate the amount of time and resources required to manage the contracts

of outsourced services. Having invested so much time and energy into outsourcing the service, it is vital that the purchasing organisation train staff responsible for ensuring, on an ongoing basis, that the contract is successful. It is also vital at this stage that the union considers how it is going to manage the change from internal to external service provision. In particular, overcoming employee resistance to change is one of the leadership capabilities required for successful outsourcing.

Finally, the contract will require ongoing monitoring and review and relationship management. Poppo & Zenger suggest that ongoing relationship management between client and supplier and building a climate of trust is essential to success, alongside a specific and detailed contract and formal contract management. Establishing formal communication systems (relational

governance) is the final step in ensuring that the outsourcing arrangement fulfils the union's expectations.

Catering facilities in universities may be the nexus for many of the crucial debates that will shape the future of the student experience in the post 2006 University. Financial pressures will tend to push SUs and universities towards outsourcing but research and experience has shown that without improvement in contract management skills this is likely to lead to bland provision at best and at worst subsidised bland provision. Furthermore there needs to be a more strategic discussion about the role of social space and access to refreshments in universities that are increasingly crowded, diverse and time poor.

Comparative case studies of organisational restructuring & the management of change at uclan & bugs.



Author:

George Candler

General Manager, UCLAN Students' Union

A dominant theme for Students' unions in recent years has been the need to respond to a changing environment through change in the aims, activities, culture and structures of Students' Unions. Such change management often involves organisational re-structuring and changes in staff roles and this often includes redundancies or severance for some staff. Many SUs have gone through such processes in the last 2-3 years but is often difficult, for a variety of reasons, to share information and thus reflect on what happened and learn from the experiences of others. In this article George Candler, General Manager at UCLANSU & Julia Poole, General Manager at BUGS, describe the background to and key landmarks in their respective, recent organisational re-structuring processes. Bryn Davies, President at UCLANSU adds his observations on the pressures and challenges that this puts upon elected officers.

Why change? UCLAN

The need for change at UCLAN became apparent in the summer of 2003, approximately 3 months after I had started.

Using the 100 days management technique and being new to students' unions I adopted a receptive role, talking, listening and watching how the current organisation operated. I felt it was important to understand as much about the current team & what the organisation was doing before any judgements could be made about how we could improve & develop on what we had.

I also had an eye on the future as we were at the shortlisting stage for appointing contractors to carry out the building works on our long awaited & much needed new students' union building.

It was the combination of these two points that brought me to the conclusion that a re-alignment of the organisation was needed.

I approached the elected officers in October of that year with my thoughts & findings over the past few months and a plan on the way forward.

Why change? Bugs

Things were quite different at Bugs, not least because I was already a member of the senior management team here and therefore came into the role of GM with an understanding of the strengths and weaknesses in how we were operating. Add to this a dynamic officer team with their own pressing desire for change in how the organisation delivered its aims and it was agreed between us - virtually on day

one - that a management restructure was a priority.

However, this was summer term 02 and despite considerable work with the outgoing officers and buy-in to the principles through the handover, the new officers understandably wanted to spend time learning about the organisation and forming their own views before we finally announced the intended change in January 03.

What drove us all was the knowledge that to be fit to face the considerable changes approaching from the outside world (student demographics, leisure market trends, introduction of fees and consumer culture) we needed to make sure our internal structures were fit for purpose.

We started from a point where the organisation had grown organically (haphazardly in cases) so that responsibilities overlapped, there was little alignment between related functions, sparse cross-organisational communication or purpose and no means of readily addressing emerging issues. We had committed, hard-working staff yet the structure was preventing individuals and the organisation from performing as effectively as I and the officers were sure it could.

What crystallised our determination was the knowledge that for the last 2 years the Guild had turned in deficits that, whilst not life-threatening, certainly merited decisive action.

Some reasons to change a staffing structure

From our experiences and talking to others, this grid represents some of the major drivers for change to staffing structures.

Before

Detailed below is a snapshot of the situations before the change process and what the outcomes were

Cut costs	Remove duplication	Align to strategy
University Pressure	Change Culture	Improve performance
Align job roles	Expand services	Develop leadership

After - What were the results? Key aspects following the change at Bugs

Aspect	Impact
Excessive number of managers reporting directly to GM	<ul style="list-style-type: none"> • GM's time too operational • Managers not receiving sufficient regular support/direction • GM capacity for bigger issues hampered
Unequal roles on Management Team	<ul style="list-style-type: none"> • Reality = unofficial senior management team in operation leading to bad feeling • Management meetings unworkable due to different skill & responsibility levels • Unequal pay
Lack of true Senior Management team	<ul style="list-style-type: none"> • No co-ordinated vision • No strategic plan • Focus on fire fighting & reactivity
Rising costs, falling revenues	<ul style="list-style-type: none"> • Need to innovate, but no capacity to do so
Status quo based culture	<ul style="list-style-type: none"> • Myopia • Lack of appreciation of need to change and develop
Duplication of job roles for historical reasons	<ul style="list-style-type: none"> • Inefficient use of resource • Lack of co-ordination
Departmentalised thinking	<ul style="list-style-type: none"> • No sense of shared direction, leading to fragmented efforts • Damaging internal competition/conflict
New Building Project (UCLAN only)	<ul style="list-style-type: none"> • A number of services were either going or being amalgamated creating surplus roles

After - What were the results? Key aspects following the change at Bugs

Aspect	Impact
Greater efficiency	<ul style="list-style-type: none"> • Moved from a £80k deficit at the time of change to a £225k surplus in 2005
Development based culture	<ul style="list-style-type: none"> • Broader thinking & approach • All managers now ILM trained and have common management tools to work with • New services & approaches • Appreciation of need to be financially viable & seek new opportunities
Appropriate number of managers reporting directly to GM	<ul style="list-style-type: none"> • GM able to support managers effectively • GM able to create a strong Senior Management Team capable of delivering strategic change • GM capacity to attack the bigger issues
Management Team & department roles largely equalised	<ul style="list-style-type: none"> • New middle management team created, who work together to achieve cross-organisational goals • Skill & responsibility levels aligned leading to more sharing and support
Creation of Senior Management team	<ul style="list-style-type: none"> • Clear shared organisational vision • Guild's first strategic plan • 5 year financial modelling now standard • Balance between fire fighting and long term actions
Co-ordinated job roles	<ul style="list-style-type: none"> • Efficient use of resource • Co-ordinated effort
More 'Team Guild' based thinking and cross-department working	<ul style="list-style-type: none"> • Greater sense of shared direction, leading to complementary efforts • Constructive internal challenge & more openness • Sum of the whole greater than that of the parts e.g. cross-Guild task groups

The uclan chronology - Managers & Elected Officers away day (January 2004)

How to start any process with colleagues is difficult. After some consideration it was felt an away day was the best option. A key decision was taken at this early stage to have the day facilitated by somebody externally and with a knowledge of the SU movement. They had also managed change themselves. This allowed the GM to be part of the discussions as opposed to leading and possibly influencing the outcomes of any discussions on the day.

Anticipated timescale decided with GM & Elected Officers (January 2004)

Important to have a time frame to work to keep everyone focussed that there is a finish line! It did slip however from a planned completion of September 2004 to that of January 2005.

Feedback to all staff on away day and the process (January 2004)

The first of many regular updates I had with colleagues and each one was just as difficult as the last. At this first one I highlighted there could be salary cuts for some roles, some roles could be disappearing, and that voluntary redundancy would be available(although I hadn't calculated a

proposed formula at this stage so colleagues assumed we would be paying what the university were paying – we ended up paying half)

Consultation with each section (February/March 2004)

I felt, as did the elected officers, that the consultative route was the best one to adopt for such a major change exercise. It would also help buy in of any new proposed structure from the majority of colleagues. One elected officer & myself would meet with each team and ask a series of questions on what they felt their new team should look like and what the organisation should look like at the end of this.

Going through the change process: The devil in the detail

The process adopted by Bugs & UCLAN defining moments that ensured the desired outcomes. varied. As a result each had their own key success of the process and reaching the

Key aspects following the change at UCLAN

Aspect	Impact
Cost savings & improved revenue streams	<ul style="list-style-type: none"> Moved from a £450k deficit at the time of change to a budgeted £36k surplus in 2005/06. Currently 15% above budget.
Development based culture	<ul style="list-style-type: none"> Broader thinking & approach All managers currently attending 6 month management development programme. Supervisor/team leader training began in December 2005. New services & approaches Appreciation at all levels of need to be financially viable, sustainable & what we do has to benefit our membership.
Sensible number (3) of managers reporting directly to GM	<ul style="list-style-type: none"> GM's ability to support & encourage the team GM able to create a strong Senior Management Team capable of delivering strategic change
Management Team & department roles largely equalised	<ul style="list-style-type: none"> New middle management team created, who work together to achieve cross-organisational goals Skill & responsibility levels aligned leading to more sharing and support
Management Team roles largely equalised	<ul style="list-style-type: none"> Skill & responsibility levels aligned leading to more sharing and support New salary structure in place based on benchmarking exercise
Creation of Senior Management team	<ul style="list-style-type: none"> Clear shared organisational vision UCLAN's new 3 year strategic plan currently being developed 3 year financial plan & marketing strategy in place for April 2006
Co-ordinated job roles	<ul style="list-style-type: none"> Efficient use of resource Co-ordinated effort
Professional approach	<ul style="list-style-type: none"> All colleagues recognise the importance of delivering high quality services in a professional manner

Feedback to elected officers & agreed delivery of next stage (March 2004)

The findings were fed back to the officers and a very rough structure was developed for each area, for our purposes only.

Feedback to colleagues on the outcomes from section meetings & what happens next (March 2004)

The second updates meeting with all colleagues

Feedback to the trade union (March 2004)

An initial meeting had already taken place with Unison outlining the timetable and it was agreed that regular dialogue would be maintained. This proved to be a critical factor in both the ultimate success of the process, but ta one point, the complete review of the process (as detailed later)

Second round of consultation with each section (April 2004)

The second round of meetings (again with an elected officer in attendance) presented a selection of proposed structures for their own areas only (not the organisation) and it was discussed what each had in terms of benefits & negatives. This proved to be quite refreshing as the majority opted for changes to their exisiting structure and in many cases, people were recognising their own job wasn't there in their preferred new structur

Pulling together of all comments and trying to shape structure with elected officers (May 2004)

This took some time but after the equivalent of some 8 hours, an agreed structure was established.

Feedback to the trade union (May 2004)

At this meeting all the findings were presented and the new structure presented. A list of colleagues that would be affected by these changes was also discussed. The consultation with these colleagues was highlighted and unison were encouraged to represent them at each individual meeting.

Third round of consultation in which affected postholders were consulted first, then the section as a whole with proposed section structure was announced – done quickly over two days (May 2004)

The reason this was done quickly was to minimise the 'gossip factor' that by this time was rife in the organisation. The meetings took place over a Thursday & Friday.

Full staff meeting announcing draft structure and rationale behind it. Invited comments within 4 week timescale (June 2004)

This meeting took place the following Monday. At this stage the process was still on target to be complete for September 2004.

Feedback to unions with same request (June 2004)

I asked that unison fed back formally to me in writing at this stage on the documentation they had and also the response they had from their membership. By this time unison membership had grown from 9 colleagues to over 25 – representing 60% of the permanent staff

Draft structure then confirmed (July 2005)

This was announced via another staff

meeting. The consultation process was beneficial. Only five colleagues came forward offering their thoughts on the structure. Most were very constructive and we did change parts slightly. Unison also responded and felt the process was too quick and that I was pushing people down a route that wasn't workable. At this point all unison members were 'hanging on every word' the union rep was saying to them.

Job evaluation process began (July 2005)

As the structure was complete, this was the next natural stage. Establish after review, a job evaluation process, in order that each role can be assessed and a salary put against it.

This is where the process got messy.

Unison instructed their members not to attend any briefing meetings and not to engage in the process at all. They stated without agreement from the majority of colleagues there couldn't be a change to the existing job evaluation process.

They also threatened strike action.

Throughout the whole process I had been getting HR advice from a dedicated HR Manager from the university (who was invaluable throughout the year). They advised a meeting with unison & the SU with the university acting as impartial facilitators.

Whilst the structure had been finalised (or so we thought) we also recognised that the salary structure was integral into the final outcomes we were aiming for so not to have job evaluation was deemed a major obstacle in our desired outcomes.

University brokered a meeting with GM, President (new in post and now picking up where previous exec had started) & union rep. (July 2004)

At the meeting, it was claimed the structure was unworkable and still had too many staff in it. They recognised a need to reduce costs but were not happy on job evaluation to establish salary levels

The agreed outcome was:

For the university to critically review

structure and make suggested alternatives if appropriate

For the university to benchmark roles against other similar roles in the sector/nationally and agree broad ranges. The report to be sent to both the SU & unison.

This took 10 weeks and delayed process

Report came out (late September 2004)

SU agreed with all bar one recommendation, as did unison – a major breakthrough

Communicated back to individual staff who were now affected (October 2004)

Communicated back to staff at a full staff meeting with further request for comments (October 2004)

Unison then leaked staff salaries (November 2004)

This soured the relationship with the union. A confidential document had been sent to them which had in turn been circulated to all unison colleagues, meaning some staff knew what others were to be earning before I had an opportunity to speak to them. Fortunately those affected took this problem well and could see I wasn't responsible for such a breakdown in communication, which up til this point had been well managed.

Staff were then consulted on proposed new salary for themselves (November 2004)

Posts then filled internally wherever possible (December 2004)

We did see a number of colleagues get promoted during this stage and one person left the commercial environment to work in our Job Shop.

Posts to be filled externally (January – March 2005)

New contracts & T&C's rolled out (January 2005)

Full team in place by June 2005

The bugs approach & key learning

Certainly our approach was nothing like perfect. None of us had been involved in change on this scale before and with hindsight it is easy to see how some simple differences would have improved the process. However, we achieved what we set out to and the organisation is, I believe, stronger and more effective as a result.

The process

We essentially followed a similar consultation and implementation process, though ours went through much faster, lasting from January 03 – August 03. Nonetheless, it felt like a long and demanding process for all involved, officers, myself and staff alike. Keeping the ship sailing whilst we regrouped, and lost members of, the crew was challenging and often surreal. It is a tribute to all that few students were touched by the difficulties during this time.

Officers were intensively involved in drawing up proposals and presenting to 'all staff' meetings. As GM this was fantastically supportive and helped ensure that the trustees' views and desires were actively reflected in the new structure and messages given. However, only the GM with Personnel support from the University, met with staff on an individual and team basis for feedback. This created mistrust from some that feedback from staff was not reaching the Executive who were making the decisions.

Key learning: Could we/should we have involved officers in the feedback meetings? Would the investment of taking their time away from representation and development have been merited after all?

In an effort to minimise the shock and fear of the process we were not explicit at the start that the change might result in redundancies. We wanted to gain support for the concept and ensure people understood the reasons for change. We were broadly successful on both counts, but as we moved forward and it became apparent that the changes to posts threatened some people's jobs, the backlash was considerable. Staff felt that we had been purposely dishonest. This had not been our intention, but proved a major obstacle to the change process from then on.

Key learning: We should have been clear from the start of the potential for

"They always say time changes things, but you actually have to change them yourself" Andy Warho."

redundancies (NB: there were the same number of posts in the new structure so it was possible that all might have been filled from within).

This was not helped by a misunderstanding of consultation. What started as a strength in the process and was welcomed by staff went somewhat awry...It was apparently the first time that Bugs staff had been consulted on change and there was a misconception that consultation meant decision based on consensus or majority say. When, in the absence of any workable alternative, we proceeded to implement a model largely similar to the original proposal, mistrust in us and in the process developed.

Key learning: We should have recognised just how new it was for staff to be involved and listened to and made clear where the boundaries of decision-making lay.

We agreed with Unison that posts would be only advertised internally in the first instance. The vast majority of new posts were therefore successfully filled by existing staff, most of whom (12 or so in total) gained a promotion in the process.

Throughout, the 5 stages of change were all apparent – Denial, Resistance & Anger; Bargaining; Depression/sadness and finally Acceptance. Different parts of the organisation and different individuals moved, naturally, at different paces which provided its own challenge. But ultimately, the organisation only moved forward and accepted – performed within – the change as fast as the slowest member, very slow at the start and then faster towards the end as a critical mass of people who just wanted/needed to get on with things did so. I would say this took a good year after the new posts were filled in May 03.

What complicated our situation was that, just as we put the finishing touches to the change, our commercial areas suffered a significant down-turn. This necessitated further changes and a swathe of redundancies that meant the original change process became muddled and disillusionment and fear prevailed. By this stage, both sets of officers who had embarked on the change had left and the new officers and I focussed our time on those directly affected and keeping the Union overall afloat. Alongside this, issues and tensions were developing with the University who had made key changes to personnel, which were proving a considerable drain on time and effort.

Key learning: Perhaps I should have 'opened my door' more to wider groups or individuals during this second process to help explain and listen to their concerns. Also, perhaps reiterated more strongly the need for change and that we would come through stronger and more secure.

The changes we went through have left their imprint on memories within the Guild, but they also promoted a significant change of attitude and awareness, laying the foundations for us to move forward.

Critical to subsequent success was following through the change with new systems and processes to support it. These included new 'all staff' meetings with space to question the senior team, workshops, a Guild-wide management training programme and the creation of a vision for all to work towards. As a result, and thanks to the hard work of officers and staff to move forward, Bugs is finally becoming the organisation we believed it could be.

Key Learning: to launch upon change such as ours, be prepared to be unpopular and at worst mistrusted. Despite this, keep walking towards your vision and 'being the change' you seek. Find key people to help you drive the change through (from within and outside the organisation) and also be ready to discover that staff will ultimately take the process forward from within themselves and for themselves when they realise that the change is here to stay.

Restructure at UCLAN – Officer Perspective 558

With the restructure process starting in January 2004, myself and the exec team at the time, began our term of office approximately 6 months into the process in July 2004. Naturally this wasn't planned but unfortunately it couldn't be helped, therefore a key priority for the handover period was to bring the new team up to speed on the process.

Whilst on a day-to-day basis the project was being led by George Candler, GM, the ultimate decisions were being made by the exec with recommendations and advice from George. At all stages throughout the process George was very open with the exec and maintained high levels of communication with regular updates. This open communication was crucial to the success of project and instilled confidence throughout the exec that the whole thing was being handled appropriately – throughout the entire period the exec were able to trust George wholeheartedly.

One of the major challenges for members of the exec was the need to remain objective during decision making. With officers only just left university and being new to the executive role, there were some very big decisions to be made that would have real and dramatic impacts on people's lives, and this was harder to handle for some exec than others. In particular, some officers struggled to make decisions that benefited the organisation if it meant that it would upset a member of staff that they had a close relationship with.

On occasions, members of staff that were being affected by the restructure took to lobbying members of exec, generally on an informal basis. Staff would ring officers for a genuine reason and then move the conversation onto the restructure, or bump into officers around the Union and put their

case forward, for example. This was very hard in some instances as members of staff could be quite emotional on occasions.

As part of the process, there were discussions between George and Unison - who represented over half of our staff members – about the method of salary review. Up until this point all communication with Unison had been via George, but with the salary structure being an area of contention, Unison contacted me directly, seemingly in an attempt to sway my thinking. At this point we were keen to ensure that there was consistency in terms of contact points for communication and so it was made clear to Unison that they should maintain their current contact with George as everything was being passed onto exec accurately, openly and honestly.

Throughout the process it was necessary for exec to remind ourselves to focus on the outputs of the process. It was quite hard for some members to make tough decisions when they weren't even going to see the results of the decisions in our term of office as the benefits to the organisation were long term rather than immediate.

For all challenging aspects of the process from an officer perspective, it was important that other officers who were able to think objectively, able to withstand the staff lobbying and able to appreciate the long term benefits to the Union were regularly supporting those who struggled. It is also imperative that the exec have a strong and trusting working relationship with the General Manager in order that everyone's thinking and understanding is aligned during a challenging time.

Is your Union up to standard?



Author:

Carolyn Lewis
General Manager, Brighton
Students' Union

**Restructure at UCLAN – Officer
Perspective 558**

A recurring theme in the management of Students' Unions has been the desire to establish legitimacy. A recognised way of doing this has been through the use of quality models, notably when linked to recognised accreditation schemes. Many SUs have gained and retained the Investor in People standard (IiP) in the last 10 years and this has been covered frequently in Agenda magazine. In this article Carolyn Lewis, General Manager at the University of Brighton Students' Union, discusses how a number of SUs are responding to the challenges of the new IiP standards and how it can link to national SU initiatives around quality and benchmarking.

As an Investors in People Recognition Panel member for Quality South East I am required to review IiP Assessment Reports, Post Recognition Reviews and Retaining Recognition Action Plans. I became increasingly aware in 2005 that a cross section of organisations from pub chains to care homes and hotels to retailers were being

Principles	#	Indicators
Developing Strategies to Improve the Performance of the Organisation	1	A strategy for improving the performance of the organisation is clearly defined and understood
	2	Learning and development is planned to achieve the organisation's objectives
	3	Strategies for managing people are designed to promote equality of opportunity in the development of the organisation's people
	4	The capabilities managers need to lead, manage and develop people effectively are clearly defined and understood
Taking Action to Improve the Performance of the Organisation	5	Managers are effective in leading, managing and developing people
	6	People's contribution to the organisation is recognised and valued
	7	People are encouraged to take ownership and responsibility for being involved in decision making
	8	People learn and develop effectively
Evaluating the Impact on the Performance of the Organisation	9	Investment in People improves the performance of the organisation
	10	Improvements are continually made to the way people are managed and developed

Table 1 Source: Unlock your Organisation's Potential: An Overview of the Standard Framework, IiP UK (2004)

advised by their IiP Assessors to shape up to the rigours of the revised Standard. In fact my own union, University of Brighton Students Union (UBSU) stumbled against two of the indicators at our recent Post Recognition Review and has agreed an action plan defining how we will return to the Standard.

The revised Standard, optional from May 2005 and mandatory from January 2006, has been modified with changes focusing on the significance of the managers' role in the development of employees, whilst

encouraging employee voice in organisational decision-making and an analysis of return on training investment. The Standard seeks to identify ways to deliver continuous improvement and has adopted three principles

- Developing strategies to improve the performance of the organisation
- Taking action to improve the performance of the organisation
- Measuring the impact on the performance of the organisation

The Standard has ten indicators (see Table 1), and Assessors are required to measure each of these against between three and six evidence requirements. UBSU failed to achieve Indicator 4 which requires "the capabilities managers need to lead, manage and develop people effectively (be) clearly defined and understood" throughout the organisation (IIP 2004). The Assessor stated that "there is no specific definition of the skills, knowledge and behaviour required of managers within UBSU to lead, manage and develop people effectively. Certain responsibilities are defined within job descriptions but no specific reference to the capabilities required to fulfil the role. As a result, managers and staff were unable to consistently describe capabilities required of managers." (Story 2005).

In June 2005, AMSU Conference adopted its Code of Professional Conduct for Managers (AMSU 2005), providing a framework of standards "intended to be achievable, practical and sensitive to the diversity of" the member unions. The code defines the professional conduct, values and professional development expected of and encouraged in managers. AMSU considers leadership as "essential for successful organisational development" and the behaviour and conduct of the senior management "a key determining factor in the achievements, values and culture of the organisation" (AMSU 2005). UBSU aims to use the AMSU Code in its toolkit for raising awareness of management capability within UBSU and as part of its commitment to return to the Standard.

The glossary of terms attached to the IIP Standard (IIP UK 2004) defines "capabilities" as "the knowledge, skills and behaviours the organisation's leaders and managers need" and in failing to meet Indicator 4 (and therefore 5) UBSU was advised by the

Assessor to

- agree an "organisation definition of the skills, knowledge and behaviours required by managers to manage, lead and develop people effectively"
- put an "appropriately resourced plan ... in place" showing how UBSU will "enable managers to acquire the defined capabilities"
- ensure that "managers and staff (are) able to describe these defined capabilities at a level appropriate to their role"
- ensure that "managers (are) able to describe how they are effective at leading, managing and developing people within the context of the defined capabilities"
- ensure that "staff (are) able to describe how their managers are effective at leading, managing and developing people within the context of the defined capabilities"

UBSU fared better against Indicator 7 and was commended on how managers promote employee involvement in decision making by engaging staff through consultation, discussion and debate. Staff had spoken of their role on committees, at the cross campus all service area representative Best Practice Group and on the UBSU/Unison JNC, they felt "listened to and empowered to make decisions" contributing also through the appraisal process where they are encouraged to comment on "existing systems and ideas for improvement" (Story 2005).

So, providing UBSU's Best Practice Group embraces AMSU's Code of Conduct, it should be relatively simple to implement the recommendations of the IIP Assessor in accordance with UBSU's Action Plan. However, initial feedback from its in-house survey has shown that UBSU staff are having difficulty in applying the term "manager"

generically to elected officers, senior management and supervisory staff and it is possible that UBSU will need to supply its own glossary of terms to the process of self evaluation and review.

Other students' unions have been looking at the revised Standard: Goldsmiths have been advised that whilst they met the former Standard they would have struggled to achieve new indicators 4 and 5 and they have requested a copy of the in-house survey UBSU has designed around the AMSU Code of Conduct and IIP Indicators 4 and 5 in order to raise awareness of the new requirements amongst elected officers and staff. Essex are due for Review in May 2005 and whilst they are confident that they will meet indicators 4 and 5 they are currently looking at a Standards checklist, quality audits, performance appraisals, 360 appraisals and staff/officer surveys to ensure compliance with indicators 9 and 10. Essex staff have input into strategic and operational plans and follow-up meetings and are stakeholders in performance reviews against agreed operational objectives.

Bolton's Review is next year and their Joint IIP Working Group is currently examining all the indicators very carefully as a team. Hull are planning a briefing session for managers to address any personal development areas prior to their 2006 Review, this will complement their existing consultation media of suggestion scheme, appraisals, training teams, evaluation of Learning & Development, six weekly staff meetings, monthly departmental meetings and weekly supervisors' and managers' meetings.

Prior to undergoing its IIP Review in 2005, UBSU was encouraged to self assess against the ten themes. The matrix was provided by the Assessor and utilised by Best Practice Group. Whilst BPG's assessment may not

have concurred with the findings of the Review, the process provides valuable self analysis and is well suited to organisationwide fora. As the self assessment tool was still embryonic, UBSU may have benefited from tailored training on its application and guidance on what the Assessor would be looking for.

Hull SU benefit from a People Innovation forum providing liP support through network meetings in anticipation of their biennial Review which "ensures we keep up to date, it's not such a major upheaval, more ongoing" and are planning an in-house training team, members of whom will be involved in evaluation against the Standard. Goldsmiths are providing their Membership Services Manager with liP's Internal Review training whereby "organisations can develop in house experts who will question, measure and report back on how strategies and actions are matching up to the Standard and how they are benefiting the organisation" (QSE 2004). Whereas Essex are aware of the need to communicate the requirements of the revised Standard to all concerned.

As Geoff Armstrong, CIPD Director General, said in response to liP's relaunch, "Investors in People has shown its worth in helping organisations of all sizes and in all sectors to link their people and their business strategies, leading to higher performance. However, change and continuous improvement is the only game in town. Investors in People has to be stretching, stimulating and relevant at all stages of an organisation's development. The revised Standard delivers this and should certainly feature in every manager's toolkit."

The revised Standard is stretching, but by utilising our existing toolkits we can develop our people and our unions: Peacock Training provide regular workshops in their PDR360

for Managers (Peacock 2005), whereby participants are empowered to provide electronically collated feedback to the focal manager in the role of personal development coach; facilitating effective feedback and action planning. And the newly launched Boston Windle model for the Students' Union Evaluation Initiative (SUEi) facilitates continuous improvement of the Union through self analysis and benchmarking. As both tools suit partnership agreements between unions, an opportunity for shared experience and benchmarking good practice exists. AMSU and its membership are therefore in a strong position to facilitate a nationwide programme of learning events focusing on linking the Code of Conduct with Investors, professional development through competency based PDRs and organisational improvement through benchmarking good practice. Together we will not only meet the Standard but continue to raise it.

Next issue

Carolyn Lewis considers the changes to Profile, liP's benchmarking tool for the pursuit

of good practice through continuous improvement

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Student only recruitment and age discrimination



Author:

Stuart McBride
TLT Solicitors

In October this year, regulations come into force which will make it unlawful to discriminate against employees on the ground of their age. The new rules are likely to have consequences for all employers and many employers are now auditing their employment practices to see where they may have issues.

Trendy shops are looking at whether they can justify employing only young trendy staff to serve their customers. Employers in traditionally youthful industries such as media and IT are looking at ways to ensure their recruitment practices aren't just targeted at young people. And for student unions there is the question whether you can continue to require all student union casual staff to be students or student union members.

First, a little bit of law. The age discrimination regulations make it unlawful to discriminate either directly or indirectly on grounds of someone's age.

Direct discrimination is easy to spot - for example any age limits applied in

employment or vocational training will be covered.

Indirect discrimination occurs when what appears to be an apparently neutral provision in practice puts people of a certain age group at a particular disadvantage. And it is here that student unions may encounter difficulties.

Whilst students can of course be of any age, the fact is that the vast majority of students are under the age of thirty. So it could be argued that requiring staff to be students will discriminate against people over the age of thirty and so fall foul of the indirect discrimination provisions.

However, indirect discrimination can be justified. In legal terms this means that the requirement for staff to be students must pursue a "legitimate aim" and must be an "appropriate" and "necessary" (and proportionate) means of achieving that aim.

The likely explanation put forward by a Students Union in this situation would be that it was commensurate with its aims and objectives as a Student Union to benefit students.

Specifically a Student Union would probably be able to point to provisions in its constitution (or the University's statutes and ordinances) referring to aims such as furthering the education or welfare of its members. In times of ever higher tuition fees, clearly there is a welfare (and ultimately educational) benefit in students being able to secure additional finances and this may be enough to objectively justify the conditions.

Difficulties may arise where a Students Union in practice was prepared to recruit

students who were not members e.g. students from a neighbouring educational institution. It may be harder then to point to the need to look after your own members. At that point the recruitment policy begins to look less to do with furthering the welfare/education of the membership, and more towards favouring students generally.

One practical issue worth bearing in mind is how likely it is that "external" (older) job applicants would actually bother taking a Student Union to tribunal for not getting what amounts in many cases to part time, seasonal casual work. As always the employment risks will be lower in areas of high employment.

However ultimately the legal definition of justification leaves the Tribunal with a great deal of discretion. Somewhere a test case is brewing...

Don't forget claims are also possible from students who are effectively fired from what has become relatively long term employment after they graduate. In this context those bringing claims may also have unfair dismissal rights if they can point to 12 months continuous service. Under unfair dismissal law the employer has to put forward one of five prescribed "potentially fair reasons" otherwise the dismissal will be unfair. The only realistic option for Student Unions in this position would probably be to try to use the "some other substantial category" option and run a similar justification argument. Again, given the (for the Tribunal) novel nature of the situation, the outcome would be hard to predict.

Dismissing difficult staff

We've all worked with them. Colleagues or bosses with strong and abrasive personalities. Who are intimidating and constantly clash with those around them. Who are stubborn, aloof and have a can't do attitude to their work. Whose personality affects the workplace to an extent that working with them in an efficient way for the benefit of the organisation is almost impossible.

Fortunately, the Court of Appeal has recently decided that it is possible to dismiss employees for these sorts of personality reasons. Mr Perkin was an employee falling exactly within this description. He worked for a healthcare trust who had had enough of his behaviour. No criticism was made of his technical competence or integrity. They invited him to resign and when he refused, called him to a disciplinary hearing and sacked him on the spot. The court decided that his personality clashes and his behaviour were enough to be "some other substantial reason" justifying his dismissal. All good news then for the employer.

Unfortunately the trust fell down on the procedures it followed when dismissing him. The disciplinary hearing was chaired by someone who had already spoken to outside advisors about the best way to get rid of him. This was enough for the court to decide that the dismissal was procedurally unfair.

Fortunately for the employer, the employee was aggressive and abusive in the disciplinary hearing and this convinced the court that even if the employer had followed a fair procedure, Mr Perkin would still have been dismissed. So they made a 100% reduction in the compensation they



awarded. They also said it was unusual, but legally possible for an employee to be 100% to blame for their dismissal such that the court could reduce compensation by 100% under a principle of contributory fault.

The moral of the story? Well you can dismiss difficult employees. But you do have to follow a fair procedure - this is likely to involve warning the employee about his behaviour and giving him the opportunity to improve. Any disciplinary hearings should be unbiased and follow the new statutory dismissal procedures. Don't assume that you will be as lucky as

the healthcare trust. It is very unusual for a court to decide that there is 100% certainty that a fair procedure would have had the same result. And 100% contributory fault is equally as rare.

Perkin v St Georges Healthcare NHS Trust

Stuart McBride and Emma McLennan

TLT Solicitors, Bristol and London

Tel 0117 917 7845 or email on smcbride@tltsolicitors.com

Manageable chunks – A short history of NUS regions and areas



Author:
Mike Day

NUS are apparently considering moving some of its key functions to the regions, Mike Day examines some previous attempts at decentralisation

There have been many attempts in NUS' eighty-four year history to re-structure and reform the organisation. The motivation to do so has varied but a consistent theme has always been to ensure an alignment between what students want and what NUS does. When NUS was first established every students' union president was a member of the National Executive so the principal representatives of SU's collectively agreed what NUS would do on their behalf and crucially what they themselves would do. As NUS membership grew this arrangement was one that was no longer sustainable. With growth came questions about how representative NUS was, what it could legitimately discuss and what was of concern to students. A series of commissions have looked at various ways of making sure NUS' decision making processes were democratic and accountable. One option was a greater level of decentralisation.

A first step was taken in 1948 with the

creation of a Welsh Council with a Welsh Vice President on the NEC, the move gave priority to communicating with Welsh students' unions who felt isolated and who had from time to time attempted to establish a separate Welsh speaking union. A commission, chaired by Fred Gee of University College, London was set up in 1950 to look at NUS structures; in particular they discussed a proposal from Leicester University that six regional councils should replace two meetings of National Council leaving only one national meeting to be held in November, the commission rejected the idea concerned that such a move would lead to the fragmentation of NUS. Despite this some students' unions chose to come together, for example colleges in and around Nottingham met as the North Midlands Inter-College Liaison Committee.

Structural discussions took on a greater urgency in the late sixties as the NUS leadership sought to head off growing support for the Radical Students' Alliance who aimed to change the NUS Constitution to allow political discussion. President Bill Savage was convinced that students did not want this change and further that such a move would damage the standing of the organisation. The creation of a more regional structure was seen as a way of ensuring a connection with "ordinary students". Savage pointed out:

The 1967 Structural Commission recommended that regionalisation go ahead, with regional conferences supported by an elected secretariat that would discuss current issues and appoint students to sectoral panels. Attendance at these meetings was low and the Regional

"The answer lies not in the establishment of politically based splinter groups like the 'Radical Students' Alliance', but in the establishment of effective area and regional committees and the involvement of democratically elected student leaders."

executives fulfilled no real function either as a coordinating body or local leadership. The NEC attempted to bolster the status of regional chairs by holding regular national meetings and inviting them to the executive training weekends, but continued disinterest led to the abolition of the councils. NUS Council in 1966 had formally recognised the role of Area organisations as a mechanism that would strengthen the student movement and facilitate more effective communications between NUS and its' members. NUS regions received a small grant, but to ensure that the new areas received some support NUS established an Area Development Fund to finance specific projects and establish new Area. It was the Area organisations that brought students' unions together in the way that the structure commission had envisaged, but as one contemporary warned providing adequate support was essential;

Areas were autonomous, funded through a separate affiliation and usually followed county boundaries; they played a key role in the Union Autonomy campaign of 1970, when Margaret Thatcher made her first attempt to restrict the activities of students' unions. NUS started to hold meetings for Area officers that eventually evolved into a formal National Areas Council and further support was given by the creation of a Vice President for Areas on the NEC. In April 1971 Conference approved a document entitled "NUS – a Future", which proposed to create a network of regionally based Field Officers to provide organisational development advice to students' unions. Inevitably they worked closely with Areas, who were able to focus on campaign co-ordination; the roles were seen as complimentary. The first Field officers were Peter Hanafin in the North East, Elaine Fear in the South West and Tony Peacock in Wales, they all worked under the umbrella of the NUS Union Development department. With this level of support Area organisations increased from 32 in 1971 to 53 in 1973, but mergers or lack of sustainability saw numbers settle at 40 by 1978. 1971 also saw the creation of NUS Scotland followed a year later by NUS Wales – both had their own executive committees, conferences and staff structures a model that continues to this day.

In 1982 the role of the Field Officers was changed to Regional Officer, with more emphasis given to developing local political and trade union links and supporting NUS' campaign work, the shift in emphasis did not effect the relationship with area officers

who were keen to take on some the training and development work within the FE sector. Indeed so effective was the co-operation between regional and area officers, the NEC briefly considered a return to the regional structure in 1978 as a way of improving communications.

Those Areas that could afford it created Sabbatical full time positions and in some cases staff members to enhance local work. A typical example is the North West Area NUS (NWANUS) which covered Lancashire and Cumbria and was established in 1972 according to tradition the first meeting was held on a bus taking delegates back from Blackpool, the passengers agreed that there was mutual benefit in coordinating campaigns at a local level. By 1976 NWANUS was in a position to elect a sabbatical Convenor, From this foundation the Area was able to provide support for students with grant problems, liaise with the two local authorities and local trades' councils; NWANUS also assumed responsibility for visiting and providing support for further education colleges. The Area's services were developed to include a newspaper, handbook, discount scheme and joint entertainment ventures.

NUS Conference in 1976 saw a policy debate on Areas which recognised the role that they played, granted observer status (with speaking rights) to Area Convenors and recommended that students' unions pay 0.6% of their block grant to their Area; a great deal of emphasis was placed on Areas delivering training and casework in the FE sector but it was recognised that not all Areas had the resources to do it, consequently delivery was patchy. Despite

“ To many the Area structure is going to be the saviour of the Union just as the Regional one was going to be three years ago. This remains to be seen, but if the same amount of encouragement and help is given to Areas as was given to Regions then undoubtedly in three years time we will be back in the same position.”

the positive work Areas were involved with, there were a number of issues that combined to form what some on the NEC saw as the "Areas Problem". Their autonomy meant that whilst Areas were associated with NUS brand they did not have to conform with NUS policy, a good example was the Merseyside Area Students' Organisation, which dominated by the Militant Tendency took an oppositionist line to the NUS leadership. Some students' unions were affiliated to the Area and not NUS leading to concerns they had access to materials without paying. The really effective Areas were centred on metropolitan conurbations; rural counties struggled to find the resources especially if they were no HE institutions within the boundaries, but crucially there was no one model.

In 1985 NEC member Jim Cawley launched a strategy for Areas "Towards a National Union" which proposed significantly increasing the resources of the Area Development Fund to help finance sabbaticals – the objective was to demonstrate the beneficial impact an area could have in those parts of the country that did not have full time support. The scheme ran for about three years but in the long run only those larger areas that had existed in the first place survived. Attempts to agree central funding, NUS' preferred option, failed not least because Areas wanted to retain their political autonomy.

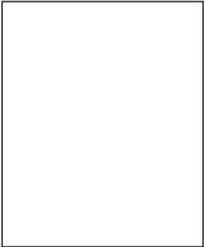
The plan had some success in persuading Areas to adopt standard structures and procedures, some boundary changes and a formalised regional meeting but the allocated resources masked a decline in support, particularly by HE's, who questioned why they needed to pay an extra fee, or indeed what possible support a Convenor from an FE could provide for the money. The co-ordination of campaigns, it was argued, did not require a separate organisation. The decline in local commitment to Areas led in the long run a reduction in support from the centre. As Areas lost sabbatical positions and student officers paid less attention to their affairs they tended to be dominated by factions opposed to the NUS leadership. In many ways the Area Development plan had come too late. Nwanus' demise was typical, HE members were feeling the pinch and with the election of an FE Convenor they questioned the value they could derive from the organisation, so they cut their fees, as a result Nwanus could no longer afford a

sabbatical position which meant in turn that few students were prepared to take on the role on a part time basis; it became harder to visit and support the member students' unions. One Convenor disappeared with some funds whilst another disappeared altogether having joined a band of travellers. Throughout the nineties areas died a slow death; today the NUS directory lists two, West Midlands and South East which mirror the NUS regional boundaries.

Regions re-emerged in 1991 when it was agreed to move to one Conference a year. This reform was finance driven; the cost of a conference was becoming prohibitive not helped by the failure of delegates to support any reduction in delegation size.

The December conference was replaced by a National Council that would meet three times a year and focus on holding the NEC to account. Delegates to this meeting were elected by a series of Regional Councils which were designed to serve a similar function as those of the late sixties. With greater administrative support these have become a recognised part of the NUS calendar. The clear message is that devolved structures, look in particular at NUS Scotland and Wales, work when they have access to adequate resources that can develop a creative dynamic between the executives and staff of both NUS and local students' unions.

Book review – Shackleton's way



Book Author:

Morrell & Capparell
Nicholas Brearley Publishing
(2001) £14.99

Author:

Martin Davey

On January 18th 1915 the steamship *Endurance* became frozen into the Antarctic pack ice. Sir Ernest Shackleton's attempt to lead an Antarctic crossing had failed before it had really started and the expedition members were beyond rescue. What followed was the greatest survival story in history, as 28 men overwintered and then hauled, rowed, sailed and climbed their way back to civilisation without a single life being lost. There is little doubt that the major factor in this escape was the personal example and leadership of Shackleton. In their analysis of the *Endurance* expedition, Morrell and Capparell consider the lessons to be learned by today's leaders from the example set by Shackleton.

As a polar history book, *Shackleton's Way* is

sensibly brief. All the major characters, quotes and events make their appearances as expected, but the story has been told many times before and the details are left for others to describe. However, the main interest in the book is as a leadership study, and this is how it must be judged.

Morrell and Capparell suggest that Shackleton has great relevance to modern business leaders and go as far to claim that, if born a hundred years later, Shackleton would be a leading figure in international business. Unfortunately, the impression given is that the thesis was decided and the evidence then selected to support the argument. Much is made of Shackleton's intuitive method of recruitment, but this is not balanced by consideration of the subsequent hiring and firing that was necessary as a result. Vision and strategy are stressed as an important aspect of leadership, but the fact that the whole expedition was almost certainly beyond the capabilities of the party seems to have escaped the authors' notice. The book also largely ignores any contradictory evidence, such as Shackleton's, sometimes petty, vindictiveness, even denying Polar medals to some members of the crew, and talent for self promotion ahead of others, as in his pre-empting the story from Scott's *Discovery* expedition. It is also worth noting that in fact Shackleton was a pretty awful businessman. The result of these flaws is that the informed reader is always slightly suspicious of the authors' conclusions, even where they make valid points.

Sections at the end of each chapter describing leaders who have been inspired by Shackleton, or found resonance in his

story, are interesting and entertaining, but add little else.

It is disappointing that the authors do not properly address the wider questions that come out of their study. Is crisis leadership, its skills and techniques, the same as routine leadership? Are the leadership techniques of the 1910s generally still applicable today? To what extent was Shackleton a product of his time? Why are people prepared to overlook faults in some leaders but not in others? Even a short consideration of these points would have given the book a more rigorous aspect and challenged the reader to think about questions of leadership to which there are no easy answers.

Ultimately, *Shackleton's Way* is well written and very readable. There is nothing new or innovative here, but it is a quick and entertaining read that guides the reader towards some leadership techniques through an adventure story and hence avoids the dryness associated with more standard texts. As such it is recommended for anyone new to the subject or who claims not to like reading "how to" books, but would be difficult to commend to a more knowledgeable or specialist reader.

Martin Davey

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