

**CONSULTATION ON THE MERGER OF THE SCOTTISH FURTHER EDUCATION FUNDING COUNCIL AND THE SCOTTISH HIGHER EDUCATION FUNDING COUNCIL**

The University Court, at its recent meeting, considered and endorsed a response from the University to the consultation paper on the merger of the Scottish Further Education Funding Council and the Scottish Higher Education Funding Council and a draft of the Tertiary Educational (Funding etc) (Scotland) Bill. However, Court considered that the proposals raised such fundamental concerns in respect of University Governance that a separate input from Court on these aspects was merited.

Members of Court were particularly exercised by the threat to institutional autonomy and the implications for members of governing bodies in contributing to institutional development and governance. Section 13 of the draft bill gives the Funding Council the power to require a meeting of the Court to be held, to be addressed by the Chief Executive of the Council. Such a power is at odds with the autonomy of governing bodies which, if curtailed, will have a significant impact of Universities to attract individuals of high standing to serve as members.

Institutional autonomy is also threatened by the powers of Sections 24 and 26 of the draft Bill. Section 24 places on governing bodies a responsibility to produce a comprehensive Strategic Plan annually. This runs counter to the tenor of the Lambert Report on Business/University collaboration which recommended a "lighter touch regulatory and accountability regime for well run Universities". Section 26, which gives Ministers the power to require the Council to request governing bodies to undertake merger evaluations, is another erosion to the authority of governing bodies, notwithstanding the fact that such proposals are less likely to succeed than when they arise from initiatives from individual institutions themselves.

These proposals with their implicit increase in central planning impinge on the authority and autonomy of the University Court which is currently able to attract the commitment of high calibre people because they believe they are actually taking on real and meaningful responsibilities. The range of educational provision offered by an institution is rightly the responsibility of the governing body. The governing body of this University is fiercely resistant to proposals which undermine this.

**Miss C A Asher OBE**  
Chairman of Court