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| Autonomous College Students’ Associations |
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**Introduction**

The new Post-16 Education Act both reinforces and increases the role students’ associations play in college governance. In the final debate on the Act the Cabinet Secretary for Education said that: *“Under the reform process, benefit for all students should be at the heart of everything that we do. Autonomous, sustainable and appropriately funded student associations will help us to achieve that.”*

Even before the Putting Learners at the Centre consultation, and the beginning of Regionalisation, students’ associations in the college sector were developing at an increasingly fast pace, with college Boards of Management recognising their students’ association as the key player when implementing successful student voice practices.

Education Scotland puts student engagement as one of its three key principles underwhich its review is carried out, and students’ associations have a formal role to play in a review. Students’ associations are also expected to take part in the development and review of College Outcome Agreements, and the continuing changes and development on a research college level means that their internal role of representatives are of key importance. Now, more than ever it is vital that we ensure that students’ associations are able to deliver a strong and independent student voice that outlines student concerns and helps to strengthen their college and the overall student experience.

The sparqs College Celebration Report, published in December 2012, found that there has been significant improvement in student engagement in colleges. However, students’ association development has not kept pace. NUS Scotland believes that students’ associations should work with their college authorities to develop a student engagement strategy that is truly student led, which can ensure that any college led practice does not duplicate or conflict with the aims, objectives and structures outlined in the students’ association constitution.

The Griggs Report recommended that *“Student participation and representation become a commitment across the College Sector. Student Associations should be strengthened and become appropriately funded, autonomous and sustainable.”* The Government has committed to this recommendation and a Working Group has been set up to develop guidance around these terms.

Previous to Regionalisation the RoSCo review recommended that colleges consider increased investment in their students’ associations in the form of professional staff support, sabbatical leave, for officers and a reasonable level of operational costs to be able to run an effective students’ association.

When colleges invest resources in their associations it is only natural that the Board of Management and Senior Managers would wish to see an increase in effectiveness. It is only natural that when significant sums of money are involved, they might become somewhat protective of that investment. However, this protective and watchful eye can sometimes be frustrating and restricting for elected student officers who have a duty to act in the best interests of their members whilst also providing the college with essential quality feedback.

The Griggs Recommendation Working Group is due to make its first report in November 2013. This document reflects the perspective and advice that NUS has traditionally given to student officers on the issue of autonomy and has been updated only to reflect the current context.

This briefing will aim to outline some of the boundaries, responsibilities and considerations for both parties; the college as a regulator and the students association as a membership organisation.

**FAQ: Principles and responsibilities**

**Q: Whose responsibility is it to ensure that the students’ association has a written constitution and fair and democratic election processes?**

A: The Board of Management

**Q: Whose responsibility is it to uphold the written constitution?**

A: The Board of Management and the students’ association membership (including elected officers)

**Q: I am a sabbatical President and I have been given a *line manager* who I must *report* to within college, is this right?**

A: If you were elected via the students’ association constitution you are accountable via the processes outlined in that document. You are accountable to those who elected you although you will work very closely with the college staff member who has been named your *line manager* as they will support you in preparing for college meetings such as Board of Management where you will be expected to *report* on students’ association activity. We suggest that the relationship is best described as one of mentoring and support, even using the description of “line management” suggests a controlling relationship that runs the risk of stifling the independent student voice and ultimately the personal and professional development of the student officer.

**Q: I am a student who wants to put a proposal to the college for a paid sabbatical President position (that I want to stand for in an election) but the Principal says that I can’t do it as I would not be a student when taking up the post on July 1st when I have completed my studies, is this true?**

A: No. You can take up the post as long as you were a student at the time of election.

**Q: The principal says that as a paid sabbatical I have to have a line manager as I am a paid member of college staff and there would be no way of disciplining me if I did something wrong and no way of managing my performance?**

A: NUS takes the view that sabbatical officers are students rather than staff, even if they are on the college payroll, as they hold their position because they are a student. If you were to do something wrong you would be disciplined in the same way as any other student at the college and this process should be outlined in your constitution. In terms of accountability for your work it is the student council (or equivalent) that performs this duty by checking your reports and questioning what you have been doing on their behalf between meetings, it is the responsibility of the college to support the student council function, making this accountability process as effective as possible.

**Q: As an elected officer I am responsible for the students’ association finances but my college controls the budget and is able to take money out as and when they like. Can I therefore set up a students’ association bank account?**

A: NUS Scotland does not recommend you establish a separate bank account unless there are very strict procedures in place for financial control and monitoring, it would certainly need some staff support for the administration of it. The college will give the students’ association an allocation of money. We believe that a budget explaining how those resources will be spent should be prepared by the executive committee and agreed by the students’ association council (or equivalent). This budget must only allocate resources to activities that further the agreed aims and objectives of the students’ association as set out in your constitution. Once agreed the finances should be released in line with the agreed budget. Any changes that may be required need to go through the democratic processes set out in your constitution. Again there is a learning process here whereby those responsible for making financial decisions are allowed to do so. The Board of Management is required to ensure that audited accounts of students’ association activity are made public each year.

**Q: NUS Extra is supposed to generate money for my local students’ association. We sold a number of cards last year but my association never received anything from NUS?**

A: There is a common misunderstanding here with colleges that run the association’s finances through college accounts. The money generated from NUS Extra sales is student association money and therefore all decisions on how that money is spent should be taken by the students’ association. As NUS services have the details of the college finance department the likelihood is that this money has been paid into the college account and should be there for you to access. The money cannot be spent by the college on student activities; it must be spent by students using the processes outlined in your constitution.

**Q: My College gives the students’ association a sum of money each year to spend on parties, trips and anything else the student council decides upon but the elected officers tend to find that this is not enough to cover our representational activity which also includes training?**

A: The Board of Management of the college has a legal responsibility to ensure that the students’ association acts in a fair and democratic manner and one of the ways they can do this is by funding students’ association activity. However, it is the students’ association’s responsibility to maintain its accounts, monitor expenditure and look at development opportunities before submitting an annual budget proposal to the Board of Management that outlines how much the association needs as opposed to how much the association managing on.

By going through this essential annual process both the association and the college will be able to keep track of developments and measure the how the college contribution is making a difference in relation to students’ association activity and college quality enhancement, for which officers will require training to ensure that they can contribute effectively.

**Q: I have a fantastic working relationship with my college senior management and I do not want to upset them by challenging their decisions (based on what my members say) as this may damage the association’s relationship with them. The college gives us a lot of resources and I do not want to jeopardise this by having a debate with them?**

A: The students’ association can be viewed as a critical friend to the college and as long as this is made clear in the approach when challenging decisions then there should be no problem. The resources the association receives are ultimately there to ensure that as an elected officer you can effectively represent your membership and provide the college with a sustainable consultation mechanism within their student voice practice. Therefore if the association always agreed with college decisions that conflicted with the views of the student membership then justifying the resources in the future would certainly become more difficult.

**Q: My College has a great enrichment programme so is there any point in the students’ association running clubs and societies?**

A: Enrichment is college led activity. To raise the profile and awareness of the association it is vital that student led activity is organised as this often acts as the first interaction for a student with the association. Once a student has seen that the association has benefited them they are more likely to engage with the other aspects of association work such as student council meetings, running to be a class rep or indeed standing for an executive position. Enrichment and clubs and societies practice can be brought together. This can be done by using the processes in the constitution to generate enrichment activity or perhaps marketing and branding the enrichment programme as association activity. There is no reason why both approaches cannot be adopted. It is vital that any activities organised by the college or the students’ association fits in with the pattern of student attendance, there is no point in organising evening events if you know the last bus leaves at 5.30pm!

**Q: If this section does not answer your question then why not contact NUS Scotland?**

**Students’ right to organise**

As democratic organisations students’ associations often need to take difficult positions in order to protect the interests of its members, difficult positions that will sometimes sit uncomfortably with the parent institution.

Broadly in the college sector a parent-child relationship exists between the college and the students’ association, and in the same way relationships differ from family to family similar trends can be found with colleges and students’ associations. From the parent that will discipline the child until it stops crying, to the parent that will listen to the child, trying to remedy the problem using all means possible.

NUS Scotland believes that a true, representative student voice will come from students’ associations where the college complies and embraces its legal responsibilities whilst also providing the resources that enable the student organisation to develop – all of which could lead to improved student responsiveness.

Members of student associations have the right to decide on policies, services and financial matters in relation to the association via student council meetings, referenda and election processes. As students within the college they also have the right to be consulted on all key decision making processes through the committee structure to the Board of Management. NUS believe that it is through student led representative structures that colleges will hear the truth about the quality of teaching and learning and indeed the wider student experience. Students are much more likely to speak up in an environment that is led and encouraged by their peers, an environment that is college supported and not led. With this is in mind it is crucial that colleges believe and trust in the support that they provide their students’ association in delivering effective consultation mechanisms alongside the imperative accountability structures for student leaders.

Another consideration is the many ways in which legislation can be interpreted and the key legislation that will back debates around students’ right to organise lies in the 1992 Further and Higher Education Act and the 1994 Education Act. The appendices of this briefing aim to provide guidance and a starting point for colleges and students’ associations to draw up a joint agreement, where both parties agree on the interpretation of legislation. The guidance will outline some basic principles and responsibilities for the two parties to undertake in an effective working partnership.

**Appendix A – Model Letter to Principal**

[Insert Association logo here]

[Insert Principal address here]

[Insert date]

Dear [Principal name]

**Memorandum of Understanding: Student Association Sustainability**

Thanks to the support of the college it is clear that the students’ association is continuing to develop at a fast pace.

As a result of this continued support from the college and the improvements made the association executive team would like to propose a measure that will ensure the sustainability of the organisation and safeguard the good student voice practice that we have developed.

This measure will ensure that the association can continue to progress and develop as an organisation in the future and sustain the foundations to which the student community has been built on.

The proposal solidifies some of the current practice we undertake in partnership and will require both parties to sign up to the attached memorandum of understanding. The association envisages that this agreement will accompany the college student involvement strategy and form part of its annual review process.

I look forward to hearing from you in order to finalise an agreement on the statements detailed in first draft document that has been produced by the student association executive team. I am sure you will agree that this piece of work is important to the longevity and sustainability of the good working relationship between the college and the students’ association.

Yours Sincerely,

[Signed]

[Name]

[Students’ Association President]