

# minutes

meeting of: National Executive Council (sixteenth meeting)

place: UNISON Centre, 130 Euston Road, London, NW1 2AY

date and time: 1<sup>st</sup> February 2012 11am

| <b>Members:</b>   | <b>Name</b>   |
|-------------------|---|
| President & Chair | Liam Burns  |
| Zones             | Toni Pearce & Roshni Soshi (Further Education)<br>Usman Ali & Sophie Richardson (Higher Education);<br>Danielle Grufferty & James Haywood (Society & Citizenship);<br>Ed Marsh & Rebecca Bridgen (Union Development);<br>Pete Mercer & Steph Johnson (Welfare)  |
| Liberation        | Kanja Sesay and Anil Sachdeo (Black Students);<br>Rupy Kaur and Matthew Bond (Disabled Students);<br>Vicki Baars & Alan Bailey (LGBT);<br>Estelle Hart & Kelley Temple (Womens);  |
| Sections          | Christina Yan Zhang & Mateus Wysocki (International Students)<br>Fee Wood (Mature & Part Time Students);<br>George Charonis & Dante Micheaux (Postgraduate Students)  |
| Nations           | Luke Young & Raechel Matthey (NUS Wales)<br>Robin Parker & Graeme Kirkpatrick (NUS Scotland);<br>Adrienne Peltz & Stuart Cannell (NUS-USI)  |
| Block             | Mark Bergfeld, Nes Cazimoglu, Michael Chessum, Lauren Crowley, Matt East, Ruby Hirsch, Taylor Kane, Aaron Kiely, Joe Oliver, Surya Prakash-Bhatta, Josh Rowlands, Daniel Stevens, Rachel Wenstone.  |
| In attendance:    |   |
| Staff             | Jim Dickinson (Director Policy and Delivery); Vic Langer (Deputy Director Policy and Delivery); Dave Farbrother (Group Finance Director); Graham Wise (Assistant Director Policy); Nick Smith (Democratic Services Co-ordinator); Dan Francis (Democratic Services Advisor), Dan Higgins and Lewis Coakley (Acts Representatives) |
| Observers:        |   |
| Apologies:        |   |
| Zones             | Ed Marsh,   |
| Liberation        | Joshi Sachdeo, Alan Bailey  |
| Nations           | Adrienne Peltz, Graeme Kirkpatrick, Robin Parker  |
| Sections          | Dante Micheaux  |
| Block             | Taylor Kane, Lauren Crowley, Matt East  |
| Staff             |   |

Absent without apologies:  
Stuart Cannell

# minutes

## 1. Introductory & Administration

- 1.1 Liam Burns (LB) opened the meeting.
- 1.2 Apologies were noted.
- 1.3 There were no declarations of interests.
- 1.4 Dante Micheaux (DM) noted that he had not been present at the last meeting but that he had sent apologies.
- 1.5 There were no matters arising.

## 2. Reports and accountability

- 2.1 LB: presented his report.

Joe Oliver (JO) asked whether LB agreed that NUS should have a role on the newly established independent commission to monitor the impact of increased university fees in England set up by the Sutton Trust. LB noted that he has arranged a meeting to talk about the process but that it was unlikely NUS would be on the panel due to its independence.

Vicky Baars asked whether NUS intended to accept affiliation from Students' Unions in privately funded institutions. LB clarified that NUS already has unions based at private institutions in membership and that whilst NUS may have a clear position on private institutions the students were still learners and as such still required national representation. LB notified NEC that policy in this area already forms part of Zone recommendations to National Conference (Union Development and HE)

- 2.2 Report and Notices from the Zone Convenors

**Society and Citizenship** – Danielle Grufferty (DG) introduced her report and invited members of NEC together to join a tea party style protest outside Scotland yard on Monday 5<sup>th</sup> to protest against police tactics. DG also expanded on the zones work around women asylum seekers.

**Union Development** – Ed Marsh (EM) was absent with apologies. NEC were invited to email EM if they had any questions regarding his report.

**Further Education** – Toni Pearce (TP) introduced her report and expanded on work to support FE mergers in Scotland, noting that whilst NUS doesn't have policy on mergers, its is clear that financially driven mergers have a negative impact on learners. TP also explained that she hoped to build a broader narrative in response to the recent LSE, Guardian study what motivated rioting in 2011.

**Welfare** – Pete Mercer (PM) introduced his report. Estelle Hart (EH) congratulated PM on his work around the loan company Wonga.

**Higher Education** – Usman Ali (UA) outlined his report and added that the decision at reverse Middlesex university to charge monetary fines in response to academic misconduct had now been stopped.

All Zone reports were *approved*.

LB amended the agenda to take items in a different order. Items 3.4 Approval of Estimates and 3.8 would be taken at this stage in order to ensure appropriate staff support.

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## **3. Motions and Proposals**

### 3.8 Chief Returning Officer (CRO)

LB presented the paper and outlined some of Honor Cohen's experience and qualifications. LB clarified that if successful this appointment would last until national conference when the nomination would need further ratification. LB reminded NEC that Nominations Committee were responsible for nominating candidates.

NEC agreed with the appointment of Honor Cohen as CRO.

### 3.4 Approval of Estimates

LB reminded NEC that the estimates were jointly own by NEC and the Trustee Board. LB invited Jim Dickinson to clarify any questions from NEC.

In response to MB, JD explained that whilst it may appear that the allocation "pot" was seeing a large increase this is due to columns representing budgeting in September 2011 being centralised; in reality these budgets have only experienced a modest increase since last year.

LB explained that NUS was seeking to develop a long term campaigning fund alongside funds for its regular activity. This was primarily for use around the general election. LB also highlighted that local activism now has its own separate pot.

VB asked why their had been a reduction in FE, it was explained that this was due to the reallocation of the European Students' Union affiliation fees which had wrongly been assigned to the FE budget last year.

KS asked for clarification as to why the NUS Anti Racism Anti Fascism (ARAF) committee did not have a dedicated budget. LB outlined that the campaign group was a sub committee of NEC and as such should draw on funds from across the organisation in order to ensure NUS's work fighting racism and fascism wouldn't be silo'd into one group that will have limited resources. LB agreed that it this needed to be made clearer to within the estimates.

Christina Yan Zhang (CYZ) asked if a special budget of 5% extra could be created to celebrate the 90<sup>th</sup> year. JD clarified that the budget for such activities had already been earmarked and would come from normal budgets.

NEC agreed to pass the estimates

LB resumed the original agenda

## **2. Reports and accountability**

2.3 The Liberation Officers presented their reports to note.

2.4 The Sections presented their reports to note.

2.5 The Nations presented their reports to note.

2.6 NEC accepted papers S1 and S2

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## 2.7 The Block raised the following issues from CMs:

NEC discussed that National Conference falls during term time which is not ideal for FE officers. TP agreed to post a blog explaining the rationale for the timing. VB suggested that NUS send letters to collage principals explaining the importance of the conference and why students should attend.

Michael Chessum (MC) outlined that the management at UCL had recently emailed students to influence a Students' Union referendum.

## **NEC broke for lunch**

### **3. Motions and Proposals**

#### 3.2 Presentation by Professor Howard Hotson

LB introduced Howard Hotson Professor of Early Modern Intellectual History at Oxford and founding member of the Oxford University Campaign for Higher Education (OUCHE!). NEC were given the opportunity to ask questions.

#### 3.3 HE Bill

LB invited Graeme Wise to present on the HE Bill Paper and asked NEC to feed back on the policies we've got the policies and proposed tactics outlined in the paper.

JO argued that running an open lobby may lead to NUS presenting mixed messages to MPs given the complexity of the debate. LB highlighted the need to educate MPs on the issues, but agreed with JO that there may be real power in encouraging a private members bill on the issue.

MC argued that there is a need for a demonstration as well as a lobby and highlighted his support for the proposed national walkout. LB warned that a feeder march on the day of the lobby could lead to a parliamentary authority lockdown. LB agreed that other forms of direct action might help to draw attention to the campaign. LB outlined that the lobby was planned for the 30<sup>th</sup> of March but that given TUC calls for action on that day the date may change.

NEC concluded by discussing the need for a clear purpose to any lobby and the importance of preparing unions properly for any parliamentary lobby. NEC agreed that the program of action should help to support policy aims in the nations. NEC also agreed that a feeder march before the lobby would undermine the action, but some form of action may be appropriate.

#### 3.5 NUS Student Financial Support Survey

PM outlined that NUS was undertaking a Student Financial Support Survey which aims to look at students' experiences of financial support including: accessing support, timing of payments, discretionary vs statutory support systems, the impacts of hidden costs, transport, accommodation, private loans and credit. PM urged NEC to encourage CMs to take part in the survey to ensure that data was locally relevant - PM agreed to circulate an email to be forwarded.

#### 3.7 Process of National Conference

LB introduced the process for the NEC to send motions to National conference.

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MB argued that NEC should first take a priority ballot on each zone then a priority ballot on each zone policy. VB suggested the NEC first discuss the reasons policies are important within the meeting and then hold a priority ballot for the remaining word count.

NEC agreed that formal time be given to discussing rationales for prioritising policy before the ballot is taken.

## 3.10 Motions and Amendments

### Motions 1: Bahrain

MB circulated an article and explained that the content of the resolves was no longer relevant as Edinburgh University had ended its deal with Bahrain. As such MB withdrew the motion.

### Motions 2: LED

For: EH  
Against: none

*Vote: Motion passed*

### Motion 3: Injunctions and occupations

For: MC  
Against: none

*Vote: Motion passed*

### Motion 4: Save the Human Rights Act: Stop the British Bill of Rights

For: DG

*Proposal to take parts remove resolves 6*

For: MC  
Against: DG  
For: MB  
Against: JO

*Vote on parts: Parts remain and pass into policy*

Against: none  
*Vote: motion passes*

### Motion 5: PQA

For: UA

*Vote: Motion passes*

### Motion 6: Postgraduate loan campaign

For: MC

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Amendment 6a

For: George

MC to take Parts remove believes 7

For: MC

Against: George Charonis

For: JO

Against: None

*Vote: Parts removed*

*Vote on amendment: Amendment Passes with parts removed*

*Vote on motion: Motion passes*

Motion 7: After the jailing of Stephen Lawrence's murderers – next steps in the fight against institutional racism

For: KS

Against: None

*Vote: Motion Passes*

## **Condolences**

LB offered condolences to the family of Ian King and extended the thanks of the NEC for all of his work in the Student Movement. LB notified NEC that there would be a memorial event to remember Ian King taking place on the 20 March 2012 at 12.00 at Central Hall, Westminster. LB thanked EM for representing the organisation at Ian Kings the funeral.

AOB

*NEC closed at 16.55*

# resolutions

## **Motion :** LED Motion

### **NEC Believes:**

1. Although by no means the only measure of engagement in our democratic structures, the number and diversity of candidates in elections for National Office is an important factor in both our legitimacy and effectiveness.
2. At national conference 2011:
  - 76% of candidates identified as white
  - Of the full time officer positions 71% of sampled candidates defined as male and just 29% as Female. Of the candidates sampled there were no women respondents for National President, Vice President Welfare or Vice President Higher Education.
  - No candidates identified as bisexual or lesbian
3. Our election practices should seek to increase the diversity of candidates running for National Office, not just in terms of liberation identities but also in socio-economic background, type of institution and officer portfolios.

### **NEC Further believes:**

1. A new Chief Returning Officer has been appointed with significant experience in equality and diversity issues. Although the NEC has no powers over the Chief Returning Officer, it is right that the Council gives its opinion on priorities regarding election practices.

### **NEC Resolves**

1. For the National President to write to the Chief Returning Officer expressing the above beliefs and requesting research, action and proposals where the NEC has jurisdiction of practices impacting on candidates standing for National Office.
2. The President to make resources available in the short term to improve the diversity of candidates in elections for National Office.
3. The President to write to students' unions encouraging members to consider standing in the 2012 elections.

## **Motion:** Injunctions and occupations

### **NEC Believes:**

2. That following an occupation of its campus around the November 23rd day of action called by the National Campaign Against Fees and Cuts, Birmingham University sought and received an injunction banning all "occupation-style" protests from its campus for one year.
3. That this injunction has been described as "aggressive and censorious" by Liberty and Amnesty International
4. That Sheffield University has sought similar injunctions, but subsequently withdrew them in the County Court following pressure from various groups, including the students' union.
5. That the National Campaign Against Fees and Cuts, along with Birmingham Defend Education, have announced a national mobilisation on Birmingham University campus if the injunction is not lifted.

### **NEC Further Believes:**

1. That the kind of injunction obtained by Birmingham University is ultimately a threat to all students' right to protest.
2. That criminalising campus occupations per se is the moral equivalent of criminalising strike action: students cannot withdraw their labour, and so withdraw space.
3. That there is now a move on a national level by university managements to use injunctions and legal victimisation in an increasingly draconian way.

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## **NEC Resolves:**

1. To condemn the use of injunctions to criminalise peaceful campus occupations against fees and cuts.
2. To give political support to the demonstration, currently scheduled for 15<sup>th</sup> February, against the Birmingham injunction, and to advertise it to CMs and the press.
3. To formally ask Universities UK and other managerial bodies in HE to make clear what, if any, guidance or advice is being given to university managements with regard to campus occupations.

**Motion:** Save the Human Rights Act: Stop the British Bill of Rights

## **NEC believes:**

1. In fundamental human rights and freedoms - shared values that protect every member of the human family and the society we seek to build together
2. In the UK the Human Rights Act protects everyone, but most importantly the most vulnerable in society
3. The Human Rights Act has been often used to uphold strong public services to support the most vulnerable
4. There are dangerous myths perpetrated by the right-wing press on the Human Rights Act
5. In our response to the government's consultation, NUS argued that the case has not been made for a UK Bill of Rights, largely because we believe that the Human Rights Act already serves the purposes for which this new bill is envisaged
6. A recent survey conducted by ComRes on behalf of Liberty identified that 96 per cent of respondents were in favour of a law that protects rights and freedoms in Britain but only 9 per cent said that they remember ever having received or seen information from the Government about such an Act
7. That if the Act was revoked, we would see further crackdown on the right to protest.

## **NEC resolves:**

1. To campaign against the introduction of a UK Bill of Rights
2. To ensure the Human Rights Act is at the centre of the debate on the right to protest
3. For NUS to work with partners to campaign to broaden understanding, raise awareness, and dispel the myths that surround the Human Rights Act
4. NUS should work to raise awareness and link this to the defence of citizenship education and enrichment funding, relating it to how citizen's rights are currently protected in the UK
5. To support Liberty's 'Common Values' campaign
6. To re-affiliate to Liberty UK.

**Motion:** PQA

## **NUS Believes:**

1. The current application system is unfair and can be complicated. For example only 10 per cent of all A-level students have correctly predicted grades.
2. That research undertaken by UCAS has found that Level 3 learners are having to make university choices too early.
3. That the 50,000 students who were placed through Clearing in 2011 were failed by the system and suffered unnecessary stress and pressure in choosing their university place.
4. That the current system disproportionately benefits the more privileged prospective students, particularly those studying A-levels in public schools and high-end comprehensives, and disadvantages those from comprehensives in low participation neighbourhoods, those studying in FE colleges/vocational learners, and those who have no family history of higher education.

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5. That adequate advice and guidance is a key feature of supporting university applications.
6. Pressure on student places in higher education will continue and admissions will become more rigid as the core/margin proposals are implemented.
7. The current UCAS system is not attractive to mature applicants.

## **NUS Further Believes:**

1. Following over six months of research and consultation UCAS have proposed a range of reforms to the admissions system, which are currently under formal consultation. The system will be streamlined from 2014 and a new 'application with results' system is proposed to start in 2016, allowing applicants to wait until they know their Level 3 results before choosing which institution to apply to.
2. The reforms proposed by UCAS introducing an application with results system are fairer than the current system because the uncertainty caused by mis-predicted grades would be removed and prospective students would be able to make more informed choices.
3. That proposed reforms can support widening access to higher education, but only as one of a number of measures including the continued use of contextual data, ongoing efforts in outreach and wholesale reform to IAG provision.
4. That proposals to reform the insurance choice do not currently offer the best options to support students.
5. That the proposed system will mean a considerable amount of upheaval for the HE sector, including potential timetable changes, and challenges around submission of portfolio work and interviews, but that this is preferable to continuing as we are.
6. The UCAS proposals are light in some areas, including postgraduate student applications.

## **NUS resolves:**

1. To support the UCAS proposals both on 2014 improvements and on application with results in 2016.
2. To work with UCAS and the sector to consider alternative options for the insurance choice and to support the continuation of widening participation under the new system including increased and transparent use of contextual data.
3. To work with UCAS, the sector and our membership to ensure that the system reforms are appropriate for the full diversity of prospective students, including mature/part-time, vocational learners and those studying Scottish Higher.
4. To continue to lobby for the development of a national postgraduate application system.
5. To provide accessible information to help the membership understand application with results better.
6. To work with students' unions and their representation structures to campaign to ensure adequate IAG provision in schools and colleges on admissions to higher education and the alternatives.

**Motion:** Postgraduate loan campaign

## **NEC believes:**

1. The policy "Freeze Master's Fees" passed at National Conference 2011, which called for taught postgraduate students to have access to "similar loan systems as undergraduates allowing deferred payment dependent on income" as long as fees are a reality (while also calling for their abolition along with all education fees).
2. That public discussion of the need for a loan system for taught postgraduates has been increasingly prominent in recent months, including endorsements of the idea by the Vice-Chancellors of Oxford and Sussex.

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3. That UCLU, UCL's Postgraduate Association and the Head of UCL Graduate School have signed a joint statement (attached) calling for government loans covering full fees to be guaranteed to all qualified PGT students, with a progressive income-contingent repayment scheme.
4. That these original signatories are now inviting institutions from across the HE sector to back the statement, including unions, universities, graduate schools and campaign groups.
5. Postgraduate study is a public good
6. PGT fees are currently uncapped and unregulated, varying greatly across universities and disciplines
7. Average fees in 2010/11 were between £4000 and £5000, but in some cases exceeded £20000
8. PGT fees increased by an average of 24% across the board in 2011/12
9. Although the percentage of individuals who wish to undertake PGT study but are unable to do so due to financial barriers is unknown, approximately two thirds of current PGT students are self-funded
10. The introduction of publicly funded loans at PGT level where fees are uncapped may have the unintended consequence of pushing up fees and by association the cost to students of undertaking PGT study

## **NEC further believes:**

1. The position taken in the statement is consistent with Conference policy.
2. Supporting and promoting the statement is one way in which the NEC can implement that policy.

## **NEC Resolves:**

1. The President and the PGT NEC rep should sign the PGT loans statement on behalf of the NUS.
2. The VP Higher Education and the Postgraduate Campaign should help promote the statement to member unions and encourage their officers to sign it.
3. Access to postgraduate study should be determined by ability, not ability to pay
4. Any publicly funded system of PGT loans must target finance where it is most needed and avoid incentives to increase fees while supporting widening access to postgraduate study
5. For NUS and the NUS PG campaign to continue its ongoing work on PGT financing in collaboration with the membership in order to propose a fair, evidence-based system of publicly available loans for PGT study as part of the campaign on the forthcoming HE Bill

## *Statement:*

*"As students, educators, researchers and administrators in higher education, we welcome the growing public discussion about taught postgraduate student funding and its implications for the accessibility of higher degrees. We believe that the current system – students facing unregulated fees of thousands of pounds, the majority with no financial support other than what they or their families can borrow commercially or muster themselves – is unacceptable, as it denies talented would-be students lacking the necessary financial means the advantages of postgraduate education. The situation is only set to worsen as the burden of funding shifts even further from public funding to fees.*

*As long as the level of direct public funding to postgraduate education necessitates the charging of fees, the government needs to guarantee all qualified students subsidised loans with a progressive, income-contingent repayment scheme. In order that all qualified students are able, not only to progress to postgraduate study, but to freely choose the right subject and*

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*institution for them without being constrained by lack of financial resources, variable fees mean that the sum loaned must cover 100% of the course fee plus an amount sufficient for maintenance during the course.*

*We urge the government to draw up plans for such a loan system in consultation with all stakeholders, including higher education institutions, students and student unions, educators and the general public."*

**Motion:** After the jailing of Stephen Lawrence's murderers – next steps in the fight against institutional racism

**NEC believes:**

1. Some justice has finally been achieved for Stephen Lawrence with the jailing of two of his murderers – David Norris and Gary Dobson – who killed the young Black student in a racist attack in 1993.
2. Only through 18 years of tireless and determined campaigning by the Lawrence family, battling against what the Macpherson Report identified as institutional racism within the police, have these convictions been realised.
3. Institutional racism in society and education continues to blight the lives of Black students.
4. Improving Black representation at all levels of society, from Parliament, to law, to business and the media to universities and students' unions is an important way in which institutional racism can be challenged and eradicated.

**NUS NEC resolves:**

1. To reaffirm its commitment to tackling institutional racism both in education and wider society and fully supports the work of the Black Students' Campaign in doing so.

DRAFT