

## **City University of Hong Kong (Amendment) Bill 2006**

*Address to the Bills Committee of the Legislative Council (10<sup>th</sup> November 2006) by John Dockerill (Secretary to Council)*

Madam Chairman and Members of the Bills Committee, thank you for giving me the opportunity to explain some of the background to the proposals in the Bill and also the recent discussions in the CityU Council on this issue. Let me start by offering the apologies of the Council Chairman who unfortunately cannot be here today due to a prior commitment outside Hong Kong.

The University wishes to express its appreciation to Ir Dr Hon Raymond HO for his help and support in presenting the Bill. Dr Ho has already explained much of the background in his introduction of the Bill and I will try not to repeat what he has already covered.

As he explained, the Bill to Amend the CityU Ordinance arose directly from the recommendations of the Committee established by the Council to Review the Governance and Management Structure of the University. The Review Committee's recommendations were governed by a few basic principles. In summary these were:

1. The work of the Council should focus on establishing the Mission and Strategic Direction of the University and should not become too involved in operational matters which were the responsibility of the President and his management team.
2. The role of the Council should be to monitor the performance of the management to ensure that its executive decisions were in line with the Mission agreed by the Council
3. To facilitate these roles the size of the Council should be reduced.
4. The University is a public body, funded largely by the taxpayer, and its activities should reflect the needs of the community. The Governance structure should therefore ensure that there was a clear majority of external lay members of the Council.

These principles reflect the views expressed in the Sutherland Report which called for a review of the universities' governance structures and also those included in the Public Accounts Committee Report No.40A.

In arriving at its recommendations, the Review Committee undertook a two stage consultation process. This included face to face meetings with the senior officers of the Council, the President, the Secretary General of the University

Grants Committee, members of the University management, the Staff Association, the Students' Union and the President of the CityU Postgraduate Association. A questionnaire was issued more widely to the major stakeholders of the University for interested parties to air their views.

In summary, the recommendation of the Council, based on the work of the Review Committee, as reflected in the Bill, is to reduce the number of Council members to 20; with 15 external and 5 internal members. The latter comprise the President, the Deputy President, one elected student and two elected staff; one to be elected by all staff and one to be elected from the Senate.

This reduction in size, from its current maximum of 37 members, has been achieved largely by reducing the number of members of the University management from the present figure of 11 to 2. Staff will therefore have the same number of representatives in the new Council as the management.

Following the introduction of the Bill, the Council was made aware of the proposal from the Staff Association to increase the number of elected staff from 2 to 3 with the additional member elected by all staff of the University. A Special Council meeting was held on the 31<sup>st</sup> October to consider this proposal and other urgent issues. The Council had a detailed debate on the proposal and considered a number of possible options. One complication is that the Council has received recently a number of strong representations from other bodies to obtain a seat on Council. Members debated that since there is an amendment being proposed to the Bill whether, or not, further amendments should be brought forward to meet these other requests. However, the Council considered that if further changes to the Council constitution were to be proposed, these should be the subject of a proper review to be undertaken by the Council. The Council therefore decided to reaffirm its earlier decision to follow the recommendations of the Review Committee as reflected in the proposed Amendment Bill. If this proves not to be possible, the Council would favour maintaining the status quo with respect to membership.

The Council considers that the two staff representatives will have a very strong voice in the reduced Council enabling them to properly reflect the views of the staff. The reason for specifying that one of the representatives should be elected by the Senate is a reflection of the fact that the Senate is formally established in the Ordinance as the supreme academic body of the University. Members of the Review Committee discussed their recommendations with the Executive Committee of the Council. The minutes of the meeting record that the Review Committee believed that one of the staff representatives should be an academic member of staff possibly elected by the Senate. This recommendation was reported to the full Council who decided that the academic member should be

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elected by the Senate. The Senate has close to 100 members of the teaching staff, including elected staff representatives from the academic departments and its elections are conducted by secret ballot.

Finally, I would like to point out for members' information that there are a number of recommendations of the Review Committee, which strengthen the governing and monitoring role of the Council, and which do not require legislative approval. Most of these recommendations have already been implemented by the Council. These include the introduction of three new Council Committees, namely the Strategic Development Committee, the Audit Committee and a Community Relations Committee. The Strategic Development Committee has already revised the Mission of the University to bring it more closely in line with the role of the University as agreed with the University Grants Committee. The Audit Committee has been active in monitoring the operations of the University and has called for the introduction of Value for Money studies and the development of a Risk Management Policy. Following the recommendation of the Review Committee, the Council has also approved a Code of Conduct for Council Members to ensure that Council business is conducted properly and the respective roles of the Council and the management are clearly understood.

Other universities in Hong Kong have undertaken similar reviews. The University of Hong Kong has reduced the size of its Council to a maximum of 24 members and we understand that the Chinese University of Hong Kong is proposing to reduce its current membership of 57 to around 25 members.

The Amendment Bill represents the last stage in the, somewhat protracted, process of implementing the recommendations of the Review Committee. The Council respects the attention that Members of the Bills Committee are giving to this matter which is an important development for the University and we hope to see the Bill enacted as soon as possible.

Thank you Madam Chairman.