David versus Goliath: The past, present and future of students' unions in the UK

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Foreword

Douglas Blackstock
Chief Executive, Quality Assurance Agency (QAA)

To summarise 930 years of student representation in one pamphlet, as Mike Day and Jim Dickinson have done, is no mean feat. When I read the draft, memories came flooding back of my own students' union journey which began in Scotland – first as a volunteer, then as an officer and finally as a manager. That journey eventually brought me to my current role as Chief Executive of QAA, an organisation that has students embedded in its governance and practice. So, you could say that I have in some ways travelled from campaigner to administrator, to poacher turned gamekeeper.

I recall when, as a new officer in NUS Scotland, I had the pleasure of hearing about the rich history of student representation and the powerful traditions of the student voice in Scottish higher education, which are so vividly described in this pamphlet. As a trustee of Edinburgh University Students' Association for the last few years, I can attest that these traditions continue to thrive today.

During the 1990s, I worked as a students' union general manager in several English institutions, observing a whole spectrum of relationships between students and the institutional leadership, ranging from mutual distrust through to mature and effective partnerships such as Warwick where the students' union President sat on the University Senior Management Team. I was always bemused about why some student activists saw the institution as the enemy. I also recall

hearing at least one administrator (telling the story of a difficult period) suggest that the university would have been better off without its students.

I have strong recollections of the first modern charter for higher education students, published by the Department for Education in 1993. So much so that when, several years later, I was invited to join the Student Charter Group reporting to the Minister for Universities and Science, David Willetts, I pulled a copy out of my bag at the first meeting.

During that period, there were also a number of initiatives to support student leadership, such as the National Student Learning Programme, Student Activities and Development in Action, and Enterprise in Higher Education. Many students' union managers looked across the Atlantic for ideas on how to develop and support students as leaders and citizens. I was lucky enough to receive funding to visit New England, where I gained insights which helped me to develop a student leadership programme at the University of Greenwich in 1993. In the 2000s, a partnership of the main bodies in the Scottish sector created sparqs (Student Partnerships in Quality Scotland), an internationally respected leader in supporting students to engage in quality.

Since I joined QAA in 2002, I have been pleased to be part of the Agency's pioneering work in student engagement in quality and standards, an approach which has been commended internationally. Milestones have included the introduction of student written submissions to our review methods in 2002, and the introduction of students as members of our expert review teams since 2003, beginning in Scotland.

Students are embedded in QAA's governance, with two student members on the Board, and a Student Advisory Committee providing strategic input on developments in the higher education sector. This has ensured that students are at the heart of our work, in partnership with organisations including the National Union of Students (NUS), The Student Engagement Partnership (TSEP), sparqs and Wise Wales.

This summer, I was invited to address the NUS Students' Unions 2018 conference, which is a gathering of new officers for the coming year. I looked out and saw the energy, the sheer excitement and, of course, the trepidation. Each year, only a handful of students get the chance to lead, and to represent a huge range of views to senior university, community and national leaders.

That is why so many of our students' union officers end up in top roles such as chief executives, senior civil servants, journalists and politicians. It can be challenging, and support and training in survival is a must. In my experience, when university senior management engage early and support the induction period for new sabbatical officers, the relationship between institution and students can be extremely beneficial to both. Being a sabbatical officer is deeply rewarding, and the experience and values gained from the students' unions will, hopefully, stand today's officers in good stead for life.

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Introduction

Students in the UK are widely believed to be facing unprecedented economic, personal and social challenges. Change often involves a mix of private optimism – about our lives, our families and our future – and public pessimism, about the state of the economy, society and the world.

Optimism and pessimism come together in organisations. They provide us with a sense of private identity and are critical to how we cope with the world together. So student organisations, those owned by students and run in their explicit interests, should matter to us.

We know little about students' unions in the UK. Almost every university has one, but there is a dearth of research or reliable data on their form, their role or their successes. They are often seen and judged through a 'student politics' lens as journalists crudely count the number of Labour MPs that have been Presidents of the National Union of Students (NUS). But their contribution to civil society, business and, crucially, the higher education sector is poorly understood. Pioneering work at UCL, Portsmouth and Northumbria is only beginning to make use of students' union archives to shine a light. Many of the major players in higher education today cut their teeth in students' unions, but we would never know it.

They also face criticism – that they are not radical any more, and those that are radical are unrepresentative and wasteful of (student-funded) resources. They are branded as unhelpfully and unrepresentatively left-wing and socially (il)liberal, helping generate a dangerous political monoculture on campus.

Others argue that they have been fatally incorporated, acting as 'dealers' in the marketisation of higher education.[1] In short, students' unions are damned if they do and damned if they don't.

Students' unions will likely remain a feature of higher education in the long term. Students will always need to act autonomously, to socialise, to let off steam and help each other counterbalance the power and authority of their institutions. But we should not settle for their survival. Partly by chance and partly by design, the UK higher education sector has built some of the most effective and innovative student organisations in the world. If we nurture them and enable them to develop and succeed, the benefits could be huge.

At their best, students' unions can provide genuinely radical thinking. They can move fast to respond to students – faster than any university governance system ever will. They can:

- signal coming movements, issues and social concerns;

- act to ensure the student body feels connected and valued;

- be rich sources of intelligence, diversity and feedback; and

- be inexpensive ways of achieving outcomes.

To understand today's students' unions – their role, contribution, critique and opportunity – requires an understanding of their history. In this paper we trace the origins of students' unions back to the dawn of higher education itself, illustrating that their enduring principles and core functions have always been contested yet have always been valuable to the endeavour

of higher education itself. We develop a short 'state of play', reviewing the state of the students' union sector in 2018. Then, building on emerging practice from around the sector, we suggest future directions for students' unions and others that might have an influence over them, to ensure that the ambitions and opportunities they represent are more fully realised in the years ahead.

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1088 to 1967

The oldest university in Europe (founded around 1088) is Bologna. Located on trade routes to northern and central Italy, groups of professionals met and were keen to learn Law, Arts and Medicine together. These groups of international students evolved into an institution where students decided what they wanted to learn, and who would teach them.[2]

As a formal administration grew, by the late 12th century its students had a number of grievances – the most prominent of which were the amount of rent they were charged for their accommodation and the general hostility of city residents – an early version of 'town / gown' tensions. They took their case to Frederick Barbarossa, whose chief ambition was to be crowned Holy Roman Emperor and to challenge claims of papal supremacy. Having seen the University as a useful ally in his campaign, he granted them powers of self-government, placing the control of university affairs in the hands of the 'Dominus Rector' - a student that was elected by peers who could hire and fire academics.[3] As a result, Bologna and other Italian universities were, for a while, student-led institutions.

Developments in Italy contrasted with those in France, where the University of Paris developed along the masters' model, where academics decided on the design and shape of the curriculum. Oxford and Cambridge largely adopted this model, as did subsequent foundations in the rest of England, Wales and Ireland.

From their inception, Scottish universities – St Andrews in 1411, Glasgow in 1450 and Aberdeen in 1494 – accepted the

right of students to a level of participation and, in that respect, resembled the Italian model. Indeed, Pope Nicholas V issued a 'Papal Bull' to establish the University of Glasgow, specifically indicating that the new institution should enjoy the same privileges enjoyed at Bologna, one of which was the right to choose a Rector.[4]

A Royal Commission was established from 1826 to 1830 to look at Scottish universities and, in 1850, to look at Oxford and Cambridge. Scottish students involved themselves in the discussions while English students did not – in each case there seems to have been a reluctance to offend those in authority.[5] In 1834, Henry Cockburn, Lord Rector of Glasgow, wrote of the role he believed students should play on University Court, which in Scotland is the supreme governing body:

> the voice of students ought to be very distinctly heard in it. It should contain one person, at the very least, directly elected by them … I am not, at present, prepared to specify the exact particulars in which I think it defective, except that, in general, I think that the students have too little say in it, and the ex-officio members rather too much.[6]

The outcome of the Commission in Scotland was the 'Act to make Provision for the better Government and Discipline of the Universities of Scotland' in 1858, which recommended that there be a student representative on each University Court, which was enshrined in the Scottish Education Act of 1858. There were not, as yet, any formal student representative bodies and it was thought the Rector was the most appropriate person to take on the role.[7]

The students' union as we know it today finds its antecedents in the student societies of Edinburgh University founded between 1737 and 1787. They met initially in local bars and university rooms but, in 1833, formed the associated societies, which saw two representatives of each meeting on a regular basis – a form retained by many students' union councils to this day.[8] It was from this body that Robert Fitzroy Bell went on to establish the first Student Representative Council in the country, and consequently: 'he deserves a place in history as the founder of student representative government in Britain'.[9]

Bell had developed the idea after a visit to the University of Strasbourg in 1883 and, in January 1884, the Student Representative Council (SRC) was founded at Edinburgh University at a meeting in Fitzroy Bell's chambers in Walker Street.[10] It was agreed by those present that the new organisation should:

- represent students in matters affecting their interest;

- provide a channel of communication between students and college authorities; and

- promote the social and academic life of the University.[11]

It proved to be a prototype for similar bodies that were established in the other Scottish universities, and these original aims and objects are pretty much the same as those of students' unions today. So quick was the development of Student Representative Councils that, by 1889, Bell had secured parliamentary recognition for the four Student Representative Councils in the Act for the better Administration and Endowment of the Universities of Scotland (1889). This secured

a Student Representative Council (SRC) in each University and gave representatives from the SRC the right to make representations to University Court. One of the first successes was to establish a staff-student committee to examine teaching methods in Medicine, and students quickly began to take an interest in examination methods, assessment, overcrowding and tutorials.

In England and Wales, the development of student representation was significantly slower. Union Societies had been formed at Cambridge (1815) and Oxford (1823) and had premises, but were primarily social in nature. There was concern that these new organisations would distract students from their studies and indeed, in 1817, the Proctor at Cambridge suspended the Cambridge Union because he suspected they were involved in subversive activities.[12] They were not representative bodies, but they did set the precedent for autonomous student organisations.

Ramsay Muir, a Scot who studied initially at Liverpool and then Oxford, was concerned about the lack of common life and corporate feeling:

> students came in from all quarters of the compass in the morning, and went home at night, carrying with them (at the best the little conventional packets of orthodox information which they came to the knowledge shop to purchase.[13]

This 'deadness' of student life prompted him to establish a student organisation based on the Scottish SRC model, founding the 'Guild' in 1892 at University College, Liverpool which at

that time was a constituent part of Victoria University.[14] Yet, overall, in England, development was patchy in comparison to Scotland. University College London Students' Union (initially a men's union) was the first to receive official recognition from the college office in 1893, although the 'unsympathetic and autocratic' college authorities retained the right to veto topics for debate that it did not consider 'suitable for the undergraduate mind'.[15]

The Birmingham Guild of Undergraduates were granted three representatives on their University Court in 1900, although access to decision-making bodies was very limited and tended to be on committees that dealt with catering, library services, student residences and sports.[16] In 1908, Queen's University Belfast were the first to be granted student representatives on Senate, yet was still the only institution in England, Wales and Northern Ireland to have done so 50 years later.[17] The master's model meant there was a reluctance on the part of students in England and Wales to push too hard. By 1909, Birmingham, Liverpool and London had student representatives on University Court but no other decision-making bodies. If student representation was discussed at all it was couched in highly deferential terms and often involved suggestions that a prominent academic speak upon the students' behalf. The first president of UCL Student Representative Council was a member of academic staff.[18]

By the turn of the century, there was some form of student representative council in all higher education institutions in Scotland, England and Wales, and various attempts were made between 1902 and 1908 to develop a British Universities

Congress. It sought to bring together student representatives and academics, and while it was mainly social in its objectives, a closer look at reports from the conferences show an interest in academic affairs.[19]

It was the aftermath of the First World War that was the catalyst for the establishment of the National Union of Students (NUS) in 1922. It followed a series of international meetings which agreed to establish an international student body – where it was assumed that the future leaders of the world could meet and exchange ideas and develop understanding, to ensure that the horrors of 1914 to 1918 were not repeated.[20]

A constitution for the CIE (Confédération Internationale des Étudiants) was agreed in which membership was conditional upon there being a national student body in each country. Thus, NUS came into being at a meeting in the University of London Union in February 1922 and Ivison S. Macadam of King's College London was elected as the first President.[21] The development of the NUS attracted a good deal of support from the 'establishment' and funds were raised to purchase premises and employ staff. Fundraising events were hosted by the Prince of Wales and the leaders of all the main political parties were appointed honorary officials.[22]

Throughout the 1920s, NUS concentrated on international affairs, the organisation of travel and exchange trips and the exchange of information between students' unions. But in the 1930s, a higher level of political awareness and interest among the wider student body led to a series of meetings organised by the NUS which looked at issues of the day and produced reports containing recommendations for decision makers.[23] An

emerging NUS produced a detailed report on 'Student Health' in 1934 and looked at the issue of graduate employment in 1937.[24] In 1940, a 'Charter of Student Rights and Responsibilities' was agreed, arguing that students had the right to:

1. free expression of opinion by speech and press;

2. organise meetings, discussion and study on all subjects within university and college precincts;

3. belong to any organisation, whether cultural and political or religious;

4. participate to the full in all activities outside the universities, and to collaborate with extra-university organisations; and

5. a share in the government and administration of the universities.[25]

Commentators were critical of the fifth right:

Provided that they kept within the law of the land; and that of the university of which they voluntarily became members, it would be difficult for any liberal minded person to deny them the first four rights; very few would ever dream of doing so. The fifth, however, shows an entire misconception of the nature of the university – essentially … a body of mature seekers after knowledge, who have accepted as part of their work, the training of the immature, so that they may in time join them or other bodies pursuing their aim … If the discipuli are to have the privileges of the socii before they have in fact obtained the maturity of the socii; there seems to be no reason why schoolboys elected by their fellows should not have full representation on masters' meetings or

one child elected by every family should not sit in conclave with Father and Mother to determine the penalty for every breach of nursery discipline.[26]

They were also worried that academic standards would suffer, and saw it as an important responsibility to get on with one's studies and not spend time in student politics:

Do they mean that if they are given a share in the government of the university, they will thenceforth devote themselves to their work? Whether they do or not the counter question arises: Are students who have failed to fulfil a primary obligation of their membership of university society fitted, quite apart from their immaturity, to have a voice in its government?[27]

The author of the above, Bruce Truscot, was in fact Professor E. Allison Peers, Professor of Hispanic Studies at the University of Liverpool (who first coined the phrase 'Redbrick'). He took the view that students were junior members, 'immature' and unable to share in the government and administration of a university.[28] Yet the Charter was a landmark, a clear statement on behalf of the student body that token representation was not enough. Above all, students wanted to be part of the 'college community'. By 1943, Brian Simon, NUS President (1939-1940) was able to write:

In the past, student unions have mainly concerned themselves with administrative problems. In recent years, however, they have increasingly taken their place as the leading body of students, exercising general oversight on student affairs, actively taking up the interests of students,

and concerning themselves far more with the wider problems of both students and universities … the student union locally and the NUS nationally are increasingly becoming the recognised means of expression of the whole student body, vitally concerned with such questions as university reform, the promotion of education and discussion work, the defence of universities and the maintenance of freedom of discussion.[29]

Simon and his contemporaries wanted to see:

- a move away from academic specialisation;

- the development of the formal and informal curriculum (student activities);

- the abolition of fees and wider access to higher education;

- increased grants to colleges; and

- a closer connection with academia to social development.

Many of the discussions held by student activists during the Second World War concentrated on rebuilding the country afterwards and were reflected in the NUS document *The Future of University and Higher Education* published in 1944. Post-war students' union officers were somewhat older than average and, in many cases, had been in command of men in battle: they were certainly not prepared to put up with some of the petty rules and regulations they found in universities and colleges. Rules covered male and female visitors, visits to 'town', cleaning rotas and compulsory games. College rules and regulations and the whole concept of college authorities acting *in loco parentis* (on behalf of parents) began to be challenged – a

debate which has surprisingly resurfaced today in the context of mental health.[30]

The post-war period saw a drive to create more higher education places – some new institutions came into being and many old ones were merged. The facilities that the students' unions of these new institutions could offer varied considerably. In 1948 Birmingham Guild began to build a 'south wing' to their existing building.[31] In contrast, students at the Royal Technical College, Glasgow (later to become the University of Strathclyde), mounted a campaign to secure a building of their own, meeting with success in 1959.[32] The familiar infrastructure of student life resumed, welfare committees, rags, debates, sports, clubs, catering, entertainments and representation. Students' unions started to employ professional staff, with ex-service personnel prominent as managers.

Throughout the early 1960s, demands for a greater level of student participation were made. An NUS survey published in 1966 found that very few institutions had student representation on their Councils. Instead, the committees on which student representatives could be found were those concerned with the refectory, residences, athletics and library committees. These were areas on which students were seen to have an opinion and the right to express it.[33] Students had new economic freedoms and student leaders were no longer prepared to do as they were told, impatient with the general lack of consultation and representation.

With the creation of the new universities and polytechnics, the NUS was able to mount a campaign targeted at the development

of the articles of government for the new polytechnics and the Privy Council, who were working on university charters. A challenge was made to the draft charter for the University of Surrey in May 1965, and while Anthony Crosland (Secretary of State for Education) rejected the main thrust of the NUS's proposals, he did agree that all charters would contain clauses that: allowed for the creation of joint committees of students with senate and council; enabled students to have a hearing before being expelled or suspended; and required a students' association – a good 70 years after the same had been agreed in Scotland.

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1968 to 1977

In the late 1960s, increasing student unrest on campuses across the world gave hope to those on the political left that widespread change throughout society was possible, and student leaders often forced confrontations on campus by tapping into clear injustices – archaic rules and regulations, the lack of representation or the arbitrary nature of discipline. Jack Straw is often remembered as a political firebrand, and in 1969 was responsible for an amendment to the NUS Constitution that allowed it to discuss wider politics. Yet, behind the scenes, in 1968 Straw had been central to an attempt to resolve campus tensions by negotiating deals with the Committee of Vice-Chancellors and Principals (CVCP) and the Local Education Authorities (responsible for public sector higher education and further education).

Straw wanted neither control of universities (the Italian model), nor mere consultation (the master's model), but proper representation:

i. The whole field of student welfare – for example health services, catering facilities and the provision of accommodation – where there should in our view be varying degrees of participation of students in the decision-making process. Apart from this, there is an area which covers, for example, the operation of student unions and the management of a wide range of extra-curricular activities, in which most university student organisations rightly have long had complete responsibility.

ii. That relating for example to curriculum and courses, teaching methods, major organisational matters and issues concerning the planning must be that of the statutory responsible body. In this area, we would regard it as essential that students' views should be properly taken into account.

iii. That involving, for example, decisions on appointments and other matters affecting the personal position of members of staff, the admissions of individuals and their academic assessment – where students' presence would be inappropriate. Students should, however, have opportunities to discuss the general principles involved in such decisions and have their views properly considered.

The agreement envisaged joint committees with Senate and disciplinary procedures that were consistent with the principles of natural justice (occupations at LSE in 1966/67 had been triggered because the students' union president was expelled after he had written a letter to *The Times* that was critical of the appointment of the Principal). There were still restrictions on students being mandated. In relation to academic affairs, students were seen as the junior partners:

> Discussion in this area must necessarily be subject to the clear right of the individual teacher in consultation with his colleagues who, by their scholarship in the relevant field of study, have proved their right to an opinion, to decide on the way on which he presents his subject.[34]

NUS Conference, often attracting the most ardent activists, rejected the deal in principle, and while by 1972 NUS had rescinded the CVCP agreement altogether (the main problem

being the acceptance of reserved business) the agreement was viewed by the left as an attempt to stifle the UK student movement. University authorities on the whole accepted the principles behind the agreement and local arrangements were made with their students' unions. The CVCP, the University Grants Committee (UGC) and the Privy Council treated the agreement as the definitive statement on student representation.[35]

Yet tensions about the scope and meaning of student representation persisted into the 1970s. Meetings of senate and council / court were meant to be meetings of equals – it was argued that students could not be mandated and, in some cases, had to keep the nature of discussions secret, and be bound by the decisions of the committee. These tensions still exist for students participating in academic and corporate governance today. There were those who argued that a series of staff-student consultative committees and meetings with senior officers was enough. Others held that the only meaningful student representation on committees was 50/50 or, on matters such as accommodation, student majorities. Some argued it was enough to be an observer and not be tainted with having been part of the decision, while others argued that you had to be at the table to argue a case:

> To be consulted was one thing, to be present at the table when major decisions were taken was another – although students soon found out that 'real' decisions often seemed to be taken at some other table.[36]

Student representation also did not necessarily mean a reduction in campus disputes. The Polytechnic of North London (PNL) had the highest level of student representation in the

country and was in almost continual dispute. Key activists at PNL philosophically had little interest in compromise. Frustrated, the college authorities took extreme actions in relation to the students' union (such as freezing the union's funds) that played into their 'opponents' hands and the experience of some lecturers led them to develop an enmity for student representation. They, along with other academics and authors joined together to produce a series of *Black Papers* (1968 to 1977) that were highly critical of progressive educational developments from primary school to university. Kingsley Amis (who contributed to the first edition and was famous for his 'more means worse' comment on higher education expansion) dismissed calls for student representation as 'Pernicious Participation'.[37] Many of the *Black Paper* authors' ideas were to emerge in Conservative education acts of the next two decades, culminating in the Education Act of 1994. The group, of whom the most notable was Caroline (Baroness) Cox, were opposed to the whole idea of academic democracy and representative groups within the college environment. They saw this as a way of controlling education by the left. Cox did not hold with ideas that students and staff should have equal representation:

The government of an academy must be built on the concept of academic authority. Those vested with formal authority must be responsible for academic practices and accountable, not only to colleagues and students, but also to the universal academic community, to professional institutes and to wider society. An academy is NOT a community of equals and cannot be run as a democracy or partnership (meaning equal representation of staff and students); the justifications of democracy in society at large do not apply in the special circumstances of the academy.[38]

Other academics, represented by the Campaign for Academic Freedom and Democracy (CAFD), had a distrust of college authorities. They were concerned by what they saw as the subordination of education to the needs of the capitalist state and the arbitrary way in which some left-wing academics had been treated.

Cox and her allies believed the left were taking control of higher education; CAFD activists believed the opposite and expected to be persecuted for their political beliefs. It is hard not to see echoes of these tensions today: academics energised by 2018's pensions strike argue that neoliberalism and marketisation have taken hold and should be restricted, yet ministers and the press argue that a left-wing political monoculture is more prevalent. Between these two polarised approaches, most student officers spent the 1970s attempting to secure formal representation within their institutions and building more coherent organisations, a situation also reflected today.

Staff employed by students' unions emerged in greater numbers in this period, often taken on to professionalise (or at least reduce theft from) bar operations or more reliably organise sporting fixtures. The concept of sabbatical office emerged: students spending a year during or immediately after their degree to devote more time to the task of representing students and running the union.[39] Professional administrative expertise was required – initially in book-keeping, and later in constitutional matters – resulting in the role of Permanent Secretary.

But as students' union organisational abilities began to grow, concern about their capacity grew too. Cox did not regard

representation or professionalisation as a success, but a symptom of a bigger problem. Along with colleagues, she developed proposals on the way in which students' unions should be organised. She argued for:

- national guidelines on student union elections, their source of funds and expenditure;

- limitations on the number of sabbatical officers, limitations on the numbers of students on academic decision-making bodies;

- the level of student representation to be based on election turnout; and

- wider use of referenda.

These critiques, which were centred on the representational legitimacy of students' unions, were to be a running theme for decades to come.

1978 to 1987

The last decade had seen greater interest in studying the role played by students' unions and student-led groups. One of the first to emerge was written in 1975 by Digby Jacks, NUS President (1971 to 1973). *Student Politics and Higher Education* is of its time, but one standout quote reflects concerns that Jacks had about the nature of student representation:

> Representation must never be seen as an end in itself. Too many union officers see it as a question of communication and merely sitting on the appropriate committee. The purpose of representation is to secure educational and institutional change.[40]

Yet in the struggle to secure representation we might forgive activists of the time for forgetting about its purpose. Throughout the 1980s, new legislation on education appeared almost annually. A number of features were common. There was a desire to make colleges more efficient and responsive to 'market needs'. There was a desire to increase the number of students, but to give them a greater vocational focus. The authors of *The Black Papers* were now in Parliament or in a position of influence, and changes to students' union organisation was a much revisited debate.

In 1985, the Jarrat Report from the *Steering Committee for Efficiency Studies in Universities* criticised the government of universities and proposed a model based on private industry, recommending that the number and size of committees be reduced.[41] Student representatives and consultative committees were in the firing line.[42] The same was true in the

public sector. The Education (No.2) Act 1986 reduced student representative rights, a move which was partially reversed when Kenneth Baker's Great Education Reform Act (1988) indicated there should be one student governor.

These changes were underpinned by the idea that it was employers and industry who were the consumers of education rather than students and as such should have more say about the direction of higher education. Governing bodies in the public sector were required to have 50 per cent representation, a level of consumer representation that appears not to apply to today's student consumers! It was this Act which also took public-sector higher education out of public sector control, and paved the way for the abolition of the binary divide in the 1992 Further and Higher Education Act.[43]

Inside institutions, student representation was at least starting to become accepted as the norm. Where the struggle in the 1970s was to be allowed to participate at all, the debate in the 1980s was on the nature of the system.

- Should there be a representative per course, or per faculty?

- How should they be chosen, election or selection?

- Should there be dedicated staff-student committees, or student representation on 'real' bodies, or both?

- How might the capacity and competence of these representatives be developed to enable meaningful participation?

As organisations, students' union capacity continued to grow. Before 1980, the students' union fee was paid by a student's local education authority, along with their tuition fee and any financial support to which they were entitled. The students' union set the fee on a per-capita basis through its democratic structures, and local government bodies felt that there was little or no accountability for the amount set.[44]

The changed system saw the students' union fee incorporated into the tuition fee. Henceforward, students' unions negotiated with their institutions for a grant to support their activities. Initially, the amounts were based roughly on student numbers, whereas in time the level of funding became more dependent on the institutions' own financial position and the activities of the students' union. However, there was still a view that funds were being misused by students' unions, leading to formal advice being issued by the Attorney General in 1983 emphasising that students' unions could only spend money on a range of permitted activities, noting that they had to act as if they were a charity whether they had formally sought that status or not.[45]

When the Polytechnic of North London students' union wanted to donate funds to the striking mineworkers in 1984, the case ended up in court. The students' union lost the court case but in summing up the judge concluded:

> The carrying on of political activities or the pursuit of political objectives cannot, in the ordinary way, be a charitable purpose. But I can see nothing the matter with an educational charity, in the furtherance of its educational purposes, encouraging students to develop their political

awareness or to acquire knowledge of, and to debate, and to form views on political issues (AG v Ross 1986).[46]

For additional income, networks of students' union bar managers had realised that considerable pricing leverage could be obtained through collective negotiation, and as a result of the liberalisation of the licensing laws students could drink, at low cost, for most of the day. Touring bands found a natural home in students' union venues – and the revenues from alcohol often allowed elected social secretaries to run financially risky live music programmes that allowed experimentation, creativity and talent to emerge.[47]

Meanwhile, individual advocacy started to emerge as a central feature. The thrust in the 1970s had been to ensure that students were represented on disciplinary panels, but by the 1980s students facing disciplinary processes and appeals were also calling for individual advocacy. Housing and money issues had started to bite for many students who wanted to rely on a rights-based approach rather than a wider political struggle to achieve resolution. Students' union officers frequently found themselves out of their depth over such issues, and professional advice and rights centres were formed to cope with the case load. Tensions between those who saw individual advocacy through a rights-based approach in opposition to collective campaigning on the student condition continue today.

But it is the tensions over freedom of speech that dominated the headlines in this period. Tensions over apartheid were a feature of the early 1980s, and visits made by MPs to universities that ended in disruption were often seen as evidence of 'No Platform' in practice despite the fact that they had been invited

and scheduled to speak.[48] When Leon Brittan, the then Home Secretary, visited Manchester in 1985 (the infamous 'Battle of Brittan'), the students' union did all it could to ensure the meeting went ahead.[49] John Carlisle MP, an apologist for the apartheid regime in South Africa, visited various campuses, prompting NUS President Phil Woolas to claim that he and others were deliberately trying to 'provoke incidents'.

Demonstrations and boycotts resulted in negative headlines for students' unions and further demands for action in the press. The theme was picked up in 1985 with the publication of a Government green paper *The Development of Higher Education into the 1990s*. Among other issues, freedom of speech was highlighted, along with an indication that, if institutions took no action, legislation would follow. Themes raised in the green paper were to persist over the next decade culminating in the 1994 Education Act.

In response, the forerunners to Universities UK, the Committee of Vice-Chancellors and Principals of the Universities of the United Kingdom (CVCP) and the Committee of Directors of Polytechnics (CDP), produced codes of practice that indicated that lawful freedom of speech should be upheld. This was not enough for Fred Silvester, Conservative Member of Parliament for Manchester Withington, who in February 1986 moved a Private Member's Bill on Freedom of Speech. The codes, he said, 'had too many doors through which the activist can bolt', and while his Bill got nowhere, the issue was taken up in the Lords by Baroness Cox who introduced it as an amendment to the Education Bill then going through Parliament.[50] The Government were keen to draft their own wording rather than rely on that of Cox; she had already tried to introduce a

controversial clause on 'political indoctrination in schools', and she withdrew it after she was assured by the Earl of Swinton, the Conservative spokesperson for Education in the Lords, that the Government would address the issue in the final draft of the Bill that went before the Commons.

The Government amendment caused a furore, especially when the NUS outlined their concerns that the Bill was a recipe for litigation and would cause more problems than it solved. Ministers were keen to appease Tory backbenchers on the matter and so, following strong pressure in the Lords, the amendment was withdrawn and a revised amendment was devised with the CVCP. NUS argued that their No Platform policy, passed in 1974 in the wake of tensions triggered by Enoch Powell's 'Rivers of Blood' speech, was complementary and supportive of the Public Order Act of 1936. But the Government were in no mood to listen. At the final stage of the Bill, John Carlisle spoke in support:

It is a message to the vice-chancellors that they must put their house in order ... it is a message to the students and students' union. The House and British tax-payer will not tolerate no-platform policies ... it is a message for those extremists – who are intent on putting their views across and preventing others from putting forward views with which they disagree.[51]

Speaking on Channel 4, Vicky Philips, NUS Vice President Welfare said:

There is a more sinister side to this legislation … What it will do is force colleges and students' unions to give money and

facilities to the National Front and the British Movement, organisations who see colleges as fertile recruiting grounds for their abhorrent racist ideas. Organisations whose rationale is to incite racial hatred and to break the law. Students have opposed these groups in the past, not just on ideological grounds but because their existence threatens the safety and security of Black, Asian and Jewish students and their ability to study free from intimidation and physical violence. The Government should legislate to protect the ethnic groups in our society and not give facilities to the organisations which threaten and attack them.[52]

In May 1986, Keith Joseph, Secretary of State for Education and Science, wrote a letter to the then NUS President, Phil Woolas (later a Labour Minister) that has clear echoes of today's debate on freedom of speech:

The saddest aspect of this new relapse into the dark ages is that it manifests itself … in the institutions of advanced learning that should be the crucibles of debate and discussion. In a university or a polytechnic, above all places, there should be room for discussion of all issues, for the willingness to hear and to dispute all views including those that are unpopular or eccentric or wrong.

He went on:

But the new barbarians are not genuinely concerned with the incitement to disorder or the detail of individual freedoms. On the contrary, they are concerned to prevent the orderly and serious discussion of those views with which they themselves do not happen to agree. But in our democracy it

is not an offence to discuss views of which some, even many, disapprove. So these new barbarians set up their own fascist policies: they ban that which they disapproved by adopting 'no platform' policies.

He concluded:

Remember now, before you do lasting damage to your institutions and to our political life, that serious free and orderly discussion of controversial issues is the hallmark of any society which is worth living in. I plead with you to remember that the denial of such discussion, is a denial of respect of individuals, an attitude morally equivalent to that taken by the fascist and racists whom you wish to oppose.[53]

1988 to 1997

By the 1990s, while the Government was seeking to reduce the level of student representation, the whole emphasis on student feedback and the value placed on it was increasing. John Major's *Citizen's Charter* initiative gave the users of services a more central role in shaping services through consumer groups and representative bodies, yet at the same time his Government was trying to marginalise student organisations. Those that believe portraying students as consumers is a new phenomenon might be surprised to learn that students were already being defined in documents not so much as junior members or equal partners in the college community, but as consumers who wished to see value for money and accountability. The Government produced white papers looking at all aspects of post-school education: *Higher Education – A New Framework*; *Education and Training for the 21st Century* (which covered further education in England and Wales) and *Access and Opportunity – A Strategy for Education and Training in Scotland*. The ideas outlined in these formed the substance of the next raft of legislation.

The Further and Higher Education Act (1992) placed a statutory obligation upon the newly-created Higher Education Funding Council for England (HEFCE) to assess teaching quality and standards on a regular basis. It was made clear that student feedback was seen as important. There was a danger that authorities would regard an effective system of student feedback as some form of substitute for formal student representation. Students' unions continued to reinforce the message that representation gave a formal and accountable channel for students' views.

In 1992, the NUS produced a student charter that was much praised in the press and compared very favourably to the government model which appeared a few weeks later. But this adoption of consumer rights was not to last as a focus. The Education Act 1994 saw an attempt to emasculate student representation with an all-out assault on students' unions.

John Patten, the then Secretary of State for Education, made a speech to the Conservative Party Conference in October 1993 that summed up the framing neatly:

> Last year I promised this Conference that I would end one of the remaining closed shops in this country – that of student unions. We said we would do it and we will do it very shortly in three ways: by the introduction of the voluntary principle as the basis of student union membership; through a tough new code of practice to prevent victimisation; and by putting an end to the scandal of tax payers' money being used to fund political campaigns. Promises made, promises kept.[54]

The text in the Bill proposed that students' union funding be allocated for core activity only and that the payment of funds to the NUS be made illegal. An intense campaign by the NUS and students' unions – largely with friendly Lords who better understood the less controversial benefits of students' unions within institutions – saw the worst excesses of the legislation removed. The key outcome was a set of standards that students' unions were required to meet (which almost all met anyway), and students gained the right to opt out of their students' union if they so wished.

Throughout this period, students' unions were working on developing their representative systems, encouraged by materials and support from NUS and initiatives in some institutions that were funded by the Enterprise in Higher Education (EHE) scheme. Course representative training fell into the remit because vital 'soft skills' were being developed. It was no longer enough to want to run a sports club or become a course representative for the love of it. These activities could imbue key transferable skills in students that would be attractive in the jobs market as higher education expanded. Some argued that the individual skills acquisition approach risked playing into the hands of those that wished to commodify and marketise higher education, but students' unions broadly adopted the approach with glee as a source of legitimacy for their work, crucial funding for new staff posts and a response to student demand.

In the wider sphere, students' unions were now large operations. Almost all had premises, most had a bar, and the range of services on offer were considerable. Universities were able to ease off core funding as revenues grew and a culture of management was developed among permanent staff. 'General Managers' had formed an association (SUSOC – Students' Union Senior Officers Conference) and discussion on their role in bringing order to chaos dominates early editions of its journal *Agenda*.[55] Many were still rooted in the commercial boom, discussing their union's total 'barrelage' at collective purchasing meetings and seeing their role as one of pouring profits into student activities. This collective approach not only brought much needed income into students' unions, it also allowed students' unions to challenge the ethical and environmental practices of suppliers.

Yet further professionalisation and price increases caused some to worry that these services, originally run as student-led social enterprises, now merely represented cash cows with little to differentiate themselves from the high street. In 1995, Bass Brewers opened their first 'It's a Scream' pub targeted directly at students, and they rapidly built a chain of cheap pubs all within relatively short walking distance of universities. By 1998, what had looked like an unassailable business model was already starting to wane.

1998 to 2007

As a result of the Further and Higher Education Act (1992), there were two major forms of quality assurance in the UK – 'audit', carried out by the Higher Education Quality Council (HEQC), and 'assessment', carried out by the Funding Councils, which covered all higher education institutions. These functions included a quality enhancement component. The two activities were then merged into a single body in 1997, the Quality Assurance Agency (QAA). The subject reviews that were to follow clearly indicated that the student experience was an important factor. Initial inspections by the old HEQC had been highly critical of the way in which staff-student committees at course level were organised. It was found that meetings were irregular, there were often no minutes and there was too much focus on domestic affairs rather than academic issues.[56]

Student views were not necessarily taken seriously and there was a definite fear, on the part of students, that there would be some form of victimisation. The CVCP Academic Audit Unit had already concluded that a lack of formal constitution, agendas and discussion documents hampered student representatives and allowed for domination of committees by staff members. Issues were not tackled, and students quickly became disillusioned.

The creation of the QAA had followed the publication of the Dearing Report or the *National Committee of Inquiry into Higher Education*. Dearing suggested reducing the number of student representatives, but most institutions interpreted the recommendations in their own way and there was certainly no widespread cull of student representatives in higher education.

Meanwhile, students' unions that had now largely settled their student representative systems started to examine student issues through different perspectives. Focused work on commuter students, students with black and minority ethnic backgrounds and lesbian, gay and bisexual students emerged from some students' unions. Postgraduate students, largely ignored by students' unions until then, started to become the focus of reports. Nursing students had found themselves in higher education earlier in the decade and now students' unions were starting to understand that traditional models of participation, representation and even education would not wash.

Yet student officers pursuing action on such insights were often met with practical brick walls, with decision making still rooted in academic units and cross-institutional strategy in its infancy. Increased demand for course representative training in Scotland led NUS Scotland to approach the higher education and further education Funding Councils with the idea of developing a 'National Development Agency' that would be focused on making sure students could play their full part in monitoring, developing and enhancing the quality of education. The initial idea was rejected but re-emerged as a sector-wide partnership between NUS Scotland, QAA Scotland, Colleges Scotland, Universities Scotland, Her Majesty's Inspectorate of Education and the Funding Councils. The agency was called 'sparqs' (Student Participation in Quality Scotland) and its work was to be divided equally between universities and colleges. With the merger of the Funding Councils to create the Scottish Funding Council in 2007, stable funding was agreed and a joint approach to quality developed across Scotland. There were five elements to *A Student Engagement Framework for Scotland*:

1. students feeling part of a supportive institution;

2. students engaging in their own learning;

3. students working with their institution in shaping the direction of learning;

4. formal mechanisms for quality and governance; and

5. influencing the student experience at a national level.[57]

This level of collaboration in Scotland has attracted wider attention. Similar initiatives have been tried in Wales (WISE Wales) and England (The Student Engagement Partnership) but with significantly less commitment from the sector.

Students' unions as organisations were having a rough time as the bubble finally burst on their commercial operations. The financial tail was left wagging a weary dog, and almost all higher education students' unions went through fundamental reform in the period, with many having to be bailed out by exasperated universities that had become used to getting the benefits of a students' union without having to pay for them. Charities legislation was to require students' unions to register formally and with HEFCE declining the opportunity to act as principal regulator for students' unions, the prospect of being regulated by the Charity Commission sharpened thinking around benefits and subsidising loss-making commercial outlets. Governance was modernised, with many students' unions formally abandoning democratic structures outside of the annual sabbatical election in favour of formal boards with lay members. What had previously been Permanent Secretaries and General Managers now morphed into Chief Executives, responsible for strategic planning and charity governance

compliance. The need to demonstrate impact and legitimacy, with numbers to prove it, became crucial to building the case for substantial block grants from their institutions to make up for the decline in commercial income.

On the national scene, it was becoming clear that a change in Government was likely. In late 2007, the then Shadow Secretary of State for Innovation, Universities and Skills, David Willetts, an advocate of 'Civic Conservatism', used a lecture to the University of Sheffield's Public Service Academy to set out what was to become a blueprint for sector reforms to follow: massification, marketisation and consumerism all featured. But in contrast to his political predecessors, it also contained a lengthy positive passage on student unionism:

> The student is not just a free-floating consumer. He is a member of a community. To this end, we should strive to foster the idea of the university community. Each and every university is its own community – its own society. Whether it be a leafy out-of-town campus, or spread across the centre of London, every university, and every student body, has its own collective feel, challenges, successes, character.

> But the hub of these university communities is not the university itself. It is not the Vice Chancellor, the central administration or the quadrangle. It is the students' union.

> Many of these determined and commercially attractive institutions form such a successful hub that they have been the envy of their respective university administrations. Recognising their potential some universities have made advances on the services their students' union provides.

Universities – and, for that matter, FE colleges too – should not just be places where you drive in, turn up for a lesson and then drive off at the end of class. They should be open communities which welcome and encourage learners. I think it is sad that almost half of students now do most or all of their socialising outside the university.

This is not the way forward. In an age where the voluntary sector helps to run the New Deal, it cannot be progressive to let universities encroach upon their own voluntary sector. If we take a closer look at today's students' unions, it becomes fundamentally apparent that the student experience and wider society can only benefit from their continued independence from university and state control.

Student unions are often viewed by wider society as the place where Marxist-Leninists have hard-fought ideological battles with Leninist-Marxists. There are still some union members who use them as an opportunity to posture. There are new threats as well; radical Islam has emerged on some of our campuses – and student unions cannot be expected to deal with it on their own. However, this is not typical. These days, students are more likely to have posters of Boris Johnson than Che Guevara. The social interaction and fiery political debate that went on when I was an undergraduate was – and still is – important. But students' unions offer so much more to students and to the communities they live in.

Welfare and advice services provided by students, for students, are at the heart of what student unions have to offer. And whilst many of these services, such as Nottingham's sexual health or Reading's immigration advice, are provided

by government or university departments, students would often prefer to approach their peers about their problems rather than the state or other authority.

Should these services not have been there, who knows how many students would have kept their problems to themselves, having been too mistrustful of university or state authority. For example, international students from countries with far more intrusive states than our own have been known to be too scared to approach a university-run welfare service or their personal tutor. But they would not fear a fellow student who they could speak to in confidence.

Participation in student societies is, nowadays, a feature of the ambitious graduate's CV. Students' unions nurture these societies, which, regardless of whether they seek to promote the Conservative Party (or to destroy it) all help students to learn vital skills for the workplace. These might include event organisation, financial management, public speaking, marketing, fundraising and even sales.

Furthermore, there are some careers where no involvement in students' unions and their societies is a distinct disadvantage. The humble student newspaper, for example, has been a fertile breeding ground for Fleet Street and broadcast media for many years.

Out in the communities that surround our universities, student community action groups are bringing real benefit to the lives of others. Students' unions are playing their part

in their local communities: charitable fundraising; university governance; sports and fitness training; examination guidance; job centres; equality campaigning. I could go on. The Party has recently rediscovered its commitment to social responsibility – or what I have called 'Civic Conservatism'. It is an interest in institutions which help build a strong society. To local schools, hospitals, charities, friendly societies, I would add student unions.

We value student unions. We salute them and what they achieve for and on behalf of students. Without them, universities would be much poorer institutions, as would the employers, causes and political parties who take on their alumni.[58]

The passage and its framing were widely seen as part of wider Cameroonian efforts to detoxify the Conservative Party with younger, more socially liberal voters. But is also easy to read the passage as a vindication of the work of students' unions to become essential components of higher education. The speech may not have focused on the role of students' unions in representing students – and it may have done little to boost Willetts' appeal among students in the election of 2010 and its aftermath – but it certainly cemented the idea of democratic, voluntary associations of students being central to the character and output of UK higher education.

2008 to 2017

As the decade ended and a major debate over fees crept onto the horizon, one of the ways of addressing the legitimacy and funding crisis in students' unions was through education work. Some 30 years after the appearance of his book, Digby Jacks's ideas on student representation needing to have purpose as well as just participation was being used as the central plank to NUS training. There was a focus on giving elected student officers the tools, knowledge and understanding to intervene effectively in increasingly complex institutional policy issues. Education-themed charters, inspired by a national initiative led by Willetts, re-emerged as student-led standards on everything from assessment and feedback to personal tutoring. The NUS received funding from HEFCE to help student officers interpret and analyse National Student Survey (NSS) results, and students' unions were funded to employ policy staff to improve the sophistication of their unions' work within universities.

The embedding of quality assurance processes and the development of Chapter B5 of the QAA *Quality Code on Student Engagement* also had a profound effect. Optimists saw investment in student representation expertise as a demonstration of the theories on students-as-partners in the co-production of their own learning and outcomes, which were being touted around the Higher Education Academy. Pessimists saw that investment as a way of ticking boxes and appeasing students' unions who were now expected to develop their own reports on the student experience to be fed into Institutional Review. In any interpretation, student representatives now needed training, understanding and real evidence, with students' unions' research capacity developed

to bolster participation. Opinions from elected officers without evidence were dismissible and data on students with a student to interpret it liable to be misunderstood.

Despite political framing of students as consumers existing as far back as the 1980s, the legal concept of student consumer rights happened in this period almost by accident. NUS had been petitioning the then Office of Fair Trading (OFT) for years on what it saw as the unfair link between non-academic debt and progression restrictions and the OFT rejected universities' defence in a report in 2014. Having piqued their interest, what became the Competition and Markets Authority then carried out a wider review whose terms of reference resolved to look at multiple aspects of the legal relationship between students and universities as service providers, and changes to consumer law already in the pipeline caused its team to conclude that students were indeed consumers and that consumer protection law applied.

Some seized on what they saw as a bolstering of individual student rights that made sense to students who were already accruing interest on the loan on their 'purchase'. But, for others, the framing was a step too far, a reductive counter-position to the students as partners framing that by now a mini profession had built careers upon. The eventual legislation to accompany high fees and the conversion of Funding Council to regulator in the Higher Education and Research Act (2017) did not help either, with initial drafts of the *Regulatory Framework* dropping co-production altogether and sweeping away required participation of students in quality assurance processes. Even the initial draft of the UK Quality Code, under pressure to fit the requirements of the focus in the new *Regulatory Framework*

focus on outcomes, portrayed student representation merely as a process and relegated it to consultation in framing that was eerily-similar to that that was being argued back in the CVCP deal days of the late 1960s.

As previously though, students' unions and universities asserted refinement. Involvement of students in the governance (both corporate and academic) of providers was rightfully argued by student officers as an essential 'public interest governance condition'. Student engagement and the active participation of students replaced mere consultation in the *Quality Code*. The new Office for Students regulator was at pains to stress that the student relationship with their provider could be both one of consumer of services and co-producer of learning.

Students' unions were asserting students' views on the major educational issues of the day. A consortium of students' unions had banded together in late 2016 to test the efficacy of a new question in the NSS on the representational effectiveness of students' unions. By mid-2017, this had morphed into a group keen to seek the views of students on teaching excellence and accountability.[59]

But the most striking work of the decade arguably surrounds student conduct and diversity. A resurgence in interest in 'Liberation Campaigns' – NUS language for campaigning groups of students in equality groups setting their own interests and campaigning work autonomously – had been accompanied by detailed research into particular issues of discrimination and oppression faced by students. The NUS Women's Campaign worked hard to get lad culture, sexual harassment and sexual assault onto the agenda of an often dismissive sector and

detailed reports into the experiences of Muslim students and the Black Attainment Gap were illustrating yawning attainment gaps that split metrics in the Teaching Excellence Framework (TEF) had started to highlight. Having largely turned a blind eye to the 'Falaraki Freshers' culture of student hedonism in the 1990s, social-norming theory used initially by students' unions on environmental work and alcohol was now being rolled out on these wider issues. Behaviour codes within students' unions and their wider universities soon began to catch-up.

Today

We have seen the development of student representation and students' unions have tended to be at the nexus of classic debates about the purpose of higher education and the nature of the relationship between students and universities. More often than not, students have been collectively canny enough to navigate through the false dichotomies and political challenges with skill.

That navigation has delivered a sub-sector of higher education of unique character. The combination of the social and recreational, coupled with individual and collective advocacy and a brief period of commercial trading success means that students' unions on the whole are larger, more sophisticated and more effective in the UK than any comparable system in Europe or the US.

Features

A students' union (sometimes called a guild, and often in Scotland an association) exists in every public university in the UK and versions exist in other providers and FE colleges. Key characteristics include:

- a number of full-time sabbatical officers elected by annual cross campus ballot, usually divided into portfolio responsibilities (sport, education, welfare etc) but sometimes divided by faculty or campus responsibilities;

- a number of part-time elected student officers (combining study with office) to represent types of student or to lead particular union functions;

- representation across formal university decision making structures and regular informal liaison with university leadership;

- automatic membership from enrolled students – few students have taken up the opportunity to 'opt-out';

- funding in the form of a grant from their institution, often made up of a block element and elements tied to particular projects or initiatives – this is often accompanied by a formal financial memorandum;

- a formal trustee board, usually made up of sabbatical officers, lay trustees and student members;

- in England and Wales they are registered with and regulated by the Charity Commission (Office of the Scottish Charity Regulator in Scotland) and the majority have incorporated as companies;

- an administration and development support system for societies and sports clubs (although many have transferred responsibility for sport in full or part to their university's sport function);

- an individual advice / advocacy function often broad in nature but at least focused on academic issues (complaints, appeals etc);

- many retain commercial activity (bars, cafes and retail) although these are often smaller than in the past and are not substantially profitable;

- most play a significant role in supporting academic student representation within university departments;

- a group of self-organising representatives and communities often centred around liberation, equality and diversity (BAME, LGBT+, Women, Disabled) campus or other groups (i.e. mature, international); and

- the majority are affiliated to the National Union of Students which consists of a charitable company (focused on union development and sustainability), a commercial arm (providing collective purchasing for union trading operations) and an overarching representative / political body.

Within this sub sector there are then a range of contemporary issues that are the subject of frequent debate and development.

Role and function

The role of students' unions has shifted over time to reflect changes in higher education and diversity in institutional purpose. The typology below, first created in the late 1990s, illustrates the different ways in which their enduring activities have been valued, framed and underpinned.[60]

The three paradigms

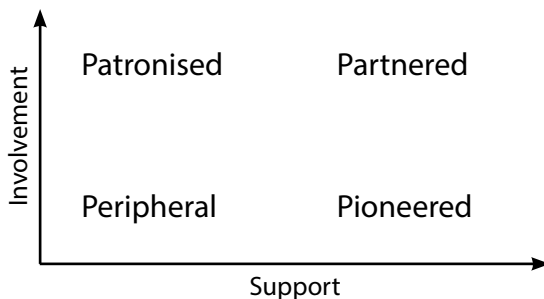|	'Ivory Tower' students' unions	'Market Forces' students' unions	Student Centered Unions
Theory that underpins their work	'Cultivated man'	Competitive individuals	Facilitates personal development
Outcomes they expect to achieve	Qualified social elite	'Agents for the creation of wealth'	Democratic citizens
Model of Organisation	Private members club	Commercial organisation	Student Centered

Values that inform their work	Philanthropy and self-help	Efficiency and utility	Equality and diversity
How members are involved	Rigid 'political' structures	Consumerism	Participation
Processes involved	Transmission of cultural values	'Key skills' development	The promotion of understanding
Associated discourse	Participation Representation Social contacts Liberalism Elitism	Competence Employability Individual consumption	Collaboration Empowerment Democratic Flexibility Access Investment Representation Collectivism communities

Relationship with institution

Relationships between students' unions and universities are diverse. On a formal level many have taken up a version of Committee of University Chairs (CUC) / NUS guidance on relationship agreements founded on the principles of:

> strategic partnership, student-centred, respect & understanding, openness & trust, mutual support and commitment, independence, accountability, diversity & equality.[61]

In the classic matrix developed by a students' union general manager in the 1990s, the ideal is (assertive) partnership. But, practically, there are just as many examples of university leadership teams seeking to control or distance rather than enable.[62]

Involvement (vertical axis), Support (horizontal axis)

Quadrants: Patronised (top-left), Partnered (top-right), Peripheral (bottom-left), Pioneered (bottom-right)

Staffing

Students' unions are often judged within an institution on the effectiveness of the 'six pack' of celebrity sabbatical officers that exist in most universities, but as well as that tip there is a sophisticated iceberg under the surface. Career staff in students' unions tend to be young, comparatively inexpensive and highly impressive. Students' union human resource (HR) policies are increasingly tailored to the needs of millennials that go beyond clichés and 'duvet days', and most university HR departments could learn much from these emerging approaches.

At a senior level 'the high turnover of elected officers should not be a barrier to excellent relationships, but arguably places a greater degree of focus on the role of the students' union senior members of staff' yet 'there is little understanding about the role of the SU Chief Executive and their place within the sector'.[63]

Democracy

Turnout in annual elections varies and in some cases can be over 50 per cent.[64] Across the country, over 300,000 students voted in 2017 in a students' union election and, in many cases, participation eclipses that of local authorities. As well

as elections, a range of public, participative decision-making structures (including representative councils, referenda) with high-quality corporate governance exist and are envied by the more formal charity sector. The voluntary sector's governance code has been adapted for students' unions. Many have replaced resolution-based meetings with more diverse forms of participative democracy, but the student officer's ability to connect with their electorate through social media is strong.

Internally, they are relentlessly focused on participation and improving its quality, volume and depth and most monitor this through board-level indicators. Many are concerned at levels of participation among particular types of student (mature students, international students, postgraduates) and have developed specific strategies and indicators for these groups.

Representation

Multiple types of student representation exist. In some unions, discussion and discourse remain centred on the students' union as an organisation, and in more developed students' unions, representation is more institution-focused, encouraging student participation in university quality assurance mechanisms and decision making.

In the best students' unions, student-focused engagement is in the air, where talking with students about their lives and experiences and using that knowledge to (re)define the agenda for the students' union and institution around student life experiences is a feature. This is about shifting to a focus on outcomes rather than processes, where vice-chancellors can identify the difference the participation made or a decision that went a different way.

Student officers

There tend to be two clichéd models that in many ways reflect the tensions embodied in the history. The first is the 'head boy or girl' type – polite, constructive characters that dress smartly for university meetings, appear in prospectus photos and run awareness campaigns. They are concerned for 'ordinary' students. They trust power. In the world of students' unions they are often unfairly labelled as 'passive'.

Then there is the activist type – scruffier, louder, more rebellious; where demonstrations and occupations are the go-to tactics for any campaign. If they do turn up to university meetings, they are unlikely to have dressed up and are more likely to disrupt an open day than contribute to it. They are concerned that some students – especially women, LGBT+, BAME and disabled students – are not seen as 'ordinary' while others are. In the world of students' unions they are often unfairly labelled as 'aggressive'.

The tendency is for both of the archetypes to accuse the other of the extremes of the cliché – not least on the floor of the NUS Annual Conference, where the bifurcation of a stream of for / against votes on resolutions forces delegates to choose sides. But day-to-day, most student officers combine the clichés and are assertive. They challenge authority, point out the elephants in the room and raise uncomfortable things at uncomfortable times in uncomfortable ways. They do appear in prospectus photos, they do go on protests and they do tackle inequality and discrimination, but they also present evidence and make arguments and provoke the powerful. They are driven by a strong sense of duty to the student body and they tackle each

other's behaviours regardless of the bullying they will face on social media for doing so. They are often branded as 'snowflakes' but they are, in fact, genuinely brave.

Issues

A strong focus on equality and diversity inevitably means that many students' unions identified achievement gaps and some of the salient student behaviour / equality and diversity issues long before the sector was required to act. Yet this also means that students' unions tend to be a focus of contemporary culture wars debates. For example, their role as charities in supporting student events on campus placed them and the tensions they face at the centre of the recent Joint Committee on Human Rights' inquiry into *Freedom of Speech in Universities*. There may be little direct practical evidence of the banning of speakers, but students' unions have struggled (as their parent institutions have) to communicate the subtleties, complexities and sophistication characterised by their work in this area to the wider press / public.[65]

As in the past, it remains the case that students' unions are accused of an inherent political bias. Yet the determinism in the debate is never clear. When one examines voting intentions of students or even their views on freedom of speech, on one level it is hard to believe that students' unions, whose leadership is elected on a popular mandate on an annual basis, are manipulating rather than merely reflecting political opinion amongst the educated and socially liberal young.[66]

Away from the concerns of the popular press, the dominant concerns of students' unions and their officers tend towards the

'small p' political. Hidden course costs, mental health, friendship and engendering participation among the marginalised tend to dominate manifestos and campaigns. On most of these issues, unions combine practical help and project work with representation to their institution on wider strategies.

The future

Students' unions are an important and valuable feature of UK higher education. But the rapid pace of change within society and higher education leaves them as vulnerable as any feature to obsolescence and irrelevance. In this section, we set out a series of potential future directions and adaptions to core functions already being pioneered across the students' union sector. It is a non-exhaustive compilation of emerging practice and initiatives deployed by students' unions that seek to maintain students' unions' historical purposes while repurposing and shifting activity to respond to the student body and sector of today.

Just as in the past, these will require support and championing from pragmatic institutions that are prepared to tolerate annoyance, failure and friction for the greater good of students and higher education in general.

Practice: student activities

We have seen that a critical component of students' union activity has always been support for and co-ordination of activity outside of the formal classroom. The test is whether this activity can evolve to meet the needs of a more diverse set of students on diverse programmes in diverse institutions.

This requires ambition. We ought to want every student engaged in higher education to take part in opportunities beyond the formal curriculum, ensuring activities are led by students and are of a high quality. All those that organise activities should be supported to use their experience to benefit them in later life. Student activities should be safe, and

students' unions should be exemplars at carefully-calibrated risk assessment. We should want to support the full breadth of students taking part in the most diverse set of activities possible, reducing barriers to involvement and setting and meeting targets related to diversity.

1. While most students' unions seek to influence access and participation, in some unions their activities are the subject of access and participation planning. If these wider activities are a central feature of UK higher education, it cannot be right that we know so little about differential recruitment and retention in activities beyond hunch and guesswork. Data-sharing agreements between universities and students' unions in some cases facilitate quality metrics on participation gaps and access funding allocated to improve performance. The concern is that sports clubs and societies may mask social sorting by class, background or nationality. **Many students' unions consider how their events and programmes build both bonding social capital and bridging social capital that cause social mixing between disparate groups.** A number of students' unions are trialling transformational residential models of social mixing.

2. **Many students' unions have begun to consider how they might facilitate participation in activities that require less commitment.** Traditional sports clubs and societies often involve costs, commitment and social activity that isolate all but the most socially and financially resourced. Programmes allowing students to broaden their horizons, discover new interests and learn new skills are being developed in conjunction with university and community partners. In some institutions consideration is being given to the cost of participation. In addition, the dominant model of sports clubs and societies in students' unions is being reshaped in many providers to include projects

and initiatives. Technology, funding and support enables students to find others that want to work on an event, solve a problem or tackle a community issue without having to form a society to do so.

3. **Many students' unions are engaged in formal partnerships with careers units, ensuring that learning and development gained through opportunities contributes directly to career development.** Many students' unions are seeking to expand dramatically the number of leadership, management and co-ordination opportunities available to students. This push is often broader than a narrow focus on employability skills and encompasses wider definitions of social good, resulting from such opportunities in use in Scandinavia. A charity 'provider focus' with an elite set of sabbatical officers and students framed as consuming beneficiaries might deny the wider student body the opportunity to lead, and the development of additional formal qualifications, based on accredited prior learning portfolios, is being explored in some institutions.

4. **Across the students' union sector, many students' unions have developed a dedicated internationalisation strategy, electing dedicated officers, working to boost participation in international societies, encouraging more activity that mixes international students with home students and developing global partnerships with student organisations.** As the idea of the 'doctoral college' has taken hold, many have developed dedicated provision for postgraduate students, with leadership roles and student activity more closely aligned to the rhythms and concerns of (in particular) postgraduate students.

5. **Developing their role in relation to social capital, many students' unions are developing a deeper understanding**

of loneliness and friendship at university and its impact upon success rates, drop-out rates and graduate employment. They work with their institution to identify those that miss out and create activities programmes and interventions to close the gaps.

6. **Multiple students' unions are considering how they might facilitate debate on, and involvement in, complex or social issues outside of a 'vote on a resolution' format.** In some cases these go substantially beyond the creation of simple polling or electronic suggestion boxes. Models of participatory democracy are being trialled on wicked policy problems and community partners engaged more extensively.

7. There are sound reasons why Teaching students, Nursing students and others in work-based learning settings do not participate in student life in the same volume as others. Similarly, commuter students are less likely to take part. **As well as the traditional approach of seeking to amend existing offers to become more accommodating, many students' unions are focused on developing and facilitating dedicated strategies for students with non-traditional study patterns that are led by them and focus on first principles.** A coffee morning and lift-sharing scheme for students on placement may not be as glamourous as 10 newly-formed societies, but is likely to have similar beneficial impacts on mental health.

8. **Many students' unions are working to increase the number of events where students can showcase their interests and talents to others.** Some business models for students' unions remain dependent on high-profile and lucrative 'entertainment' events that often fail, but school plays always sell out. Event-maker volunteer programmes

support other students to develop skills in event planning, organisation and management.

9. There is a concern that the move in many universities of sports clubs into university sports departments may be masking issues of culture, initiations, equality and diversity. **A number of students' unions are working with universities on programmes of positive culture change within student sport – using events and activators to focus on team work, social leadership, equality, diversity and performance – and collaborating on university-wide conduct and behaviour frameworks for student groups.**

10. **Many students' unions are focused on place, and take the lead on Community Action and Volunteering, improving the positive impact students have on a locality or region.** This often includes the development of access to students for community groups and organisations, increasing the volume of student fundraising activity and community-organising strategies to tackle community-wide issues. Many unions are similarly leading on Student Enterprise projects, working with careers services and small and medium-sized employers to improve and expand support for students wanting to build social enterprises through competitions, campus markets, project support and campus outlet stockist opportunities.

In the United States, the development of the 'college union' has a long and related history and the 'student affairs' profession has a deep theoretical underpinning, development framework and a career structure that is recognised and respected across higher education. Students' unions in the UK would do well to identify if they are able to adapt these models.

Practice: student advocacy

We have seen that an enduring component of students' union activity has been to advocate for students both collectively and individually in relation to their rights. Again, the test is whether this activity can evolve to meet the needs of a more diverse set of students on diverse programmes in diverse institutions.

This also requires ambition. We ought to want to provide unrivalled support, training and development for students seeking change on their course, their community or in their world. We should be seeking to use evidence and research from the whole student body that understands their lives, not just their opinions. We should aspire to create a culture where students will work with academics, administrators and professional service staff to develop proposals and solve problems. We should want all students to be aware of their rights, be able to access support and advice in enforcing them and want to drive through policy change from such interventions.

1. **Many students' unions now have a formal research and insight strategy.** This often involves students from across the university both in research design and delivery, and seeks to engage the breadth of student demography in formative discussions about their lives, their interests and the student experience. A focus on understanding what leads to positive or negative outcomes rather than merely 'representing' student views can contribute to the acceleration of positive change.

2. **Individual advocacy for students should be celebrated, funded and regarded as a crown jewel but the growth in student numbers places it under pressure.** It has never

been more important to assist student 'Davids' in battles with university 'Goliaths'. This issue should be nationally discussed and it should be noticed as something missing from further education (as well as emergent private providers of higher education). It needs to be funded properly. Many students' unions work proactively to turn their findings, experiences and statistics into preventative action.

3. At the institutional level, support for student officers sat in endless hours of committees is a specific focus. **For their participation to be meaningful, student officers and their support staff should understand the issues facing contemporary higher education, and where they are effective at representing and securing interests, the student body should know.** If a sabbatical officer persuades a vice-chancellor not to do something in a forest and no-one is around to hear it, did they make a sound? In some cases, senior staff in students' unions support this function directly: protocols that enable meaningful support are being developed with universities, and the outcomes are emblazoned across students' union communications channels.

4. Many students' unions have developed internal capacity capable of working with providers to improve support for and effectiveness of student representation and feedback. In different examples this can mean:

•   reviewing structures and systems to ensure they are working on the issues that matter most to students;

•   in large institutions, embedding well-supported representation at programme or departmental level;

•   increasing the use of consultation, polling and debate, especially over controversial issues;

- identifying top student issues for action at school, faculty and institutional level;

- improving student involvement in course review;

- improving student involvement in disciplinary procedures; and

- being relentlessly focused on the dissemination of the impacts of representation.

5. **Many students' unions collaborate with their university on strategies for peer support, expanding the reach and effectiveness of groups like Nightline, pump-priming groups facing particular issues and delivering training for students on helping others.** 'How to help your housemate with mental health issues' may emerge as a training intervention, not a Buzzfeed article.

6. **Many students' union advice services are embracing the student protections and rights agenda by clarifying and promoting new rights emerging from consumer law, supporting students to make complaints where justified and promoting rights work about employment and housing too.** A key task for many unions is the conversion of dense academic policy to rights that empowered students can understand and advocate for themselves, driving change across institutions characterised by distributed leadership.

7. **Some students' unions are developing a deep understanding of their members from multiple perspectives – this often includes diversity and demographic splits, social segmentation and the perspectives of others at the margins.** Chairs of university committees should routinely be deterred from asking the student representative 'what do students think?' But, if

they do ask, in many cases student representatives are now able to answer with confidence and complexity.

8. While in the past students' union strategies have focused on capacity and participation, many now include long-term representational goals on the student experience. If mental health, costs on campus and assessment and feedback issues have been concerns for years, that indicates they need a strategic approach. **Building expertise and capacity to intervene on wicked policy problems that affect students within universities is becoming as important as goals related to finance, service delivery and organisational capacity.**

9. **Some students' unions have identified and employed individuals able to intervene on student rights issues.** In these cases student representatives are free to focus on the positive development of education, leaving 'problems and issues' to student-employed professionals that can intervene quickly and at a low-level, as is common in Scandinavia.

Practice: social enterprise

Students' unions have not always been traders. The commercial boom of the 1980s and 1990s was, arguably, more of a historical quirk than an enduring feature. For the most part, changes in student behaviour, university takeover / consolidation and external competition have reduced this activity. But large retail, catering and bar operations still thrive on university campuses in private hands, and not only do students still complain about price and quality, in some cases they represent a missed opportunity to deliver social and educational benefits when subcontracted out.

Shifting this provision to a social enterprise model might take many forms. Renegotiation of contracts might in the future include factors and conditions of the sort outlined below. Partnerships, of the sort pioneered at Leicester – where there is a jointly-owned catering company between the university and students' union – may provide a solution. Wholesale transfer of operations to students' unions might also provide a solution.

This requires ambition. We should want campus trading to be run efficiently, to a high standard and to generate a healthy surplus that can be ploughed back into spending on students. But, as well as this, we should employ a high number of student staff, who are paid well and gain valuable experience at all levels of these businesses. Campus trading operations run as social enterprises should be exemplars in relation to safety, security, responsible retailing and ethical practices and purchasing. Their programming and product ranges should meet the widest possible range of students' needs, focus on minorities as well as majorities, and provide a platform for student talent to shine.

1. **Many students' unions and universities are collaborating on a strategy for student employment.** This improves the range, quality and pay of part-time work opportunities taken up by students, in many cases offers exemplar recruitment and selection practice and enables students to boost employability from their experience.

2. Freshers' weeks that fund students' union core activities by plunging students into copycat club nights are still common, but are becoming much more diverse where support and funding allows. Many students' unions run activities that help students form valuable friendships in their first few

days, rather than pretending that an on-stage appearance from the Vengaboys at midnight before a 9am lecture delivers meaningful social networking.

3. **Trading operations run as social enterprises often complement universities' student enterprise goals.** In some examples students can access space, stockist opportunities and capital to build real businesses on campus that are nurtured to success by professionals from the field. 'In House' campus trading is also often deliberately ethical in character, often using a local suppliers or connecting directly with producers. In some on-campus trading operations, student managers work alongside professional staff. This drives up responsiveness to student ideas and trends and gives post-holders valuable experience.

4. **In some examples students' unions and university trading operations work together to reduce prices.** Pricing benefits generated through collective purchasing and VAT exemptions are used (at least in part) to alleviate student hardship rather than simply fund other activity.

5. Students need space. **Truly 'sticky campuses' not only need power sockets, coffee and social learning spaces, they also need space for students to meet, practise, perform and plan.** In many cases of the American concept of the 'third space' (focused on enjoyment, regularity, pure sociability, and apparent diversity) and the Scandinavian concept of 'studenthuset' ('student houses' run by and for students) are being researched, imported and incorporated into estates strategies.

David versus Goliath: The past, present and future of students' unions in the UK

Recommendations

As well as a focus on activity and emergent practice, there should also be a focus on the steps that others involved in higher education might take to enable this development and innovation more widely.

Government

1. Ministers and their advisers should relax the tendency to judge students' unions strictly through a student politics lens. Students' unions have the capacity and capability to deliver student outcomes and ensure that providers do too through local accountability. Policies that recognise and encourage this rather than berate them for social or political issues would help. **It is hard to argue that the Education Act 1994 should continue to be restricted in its scope to the traditional 'public' sector – consistency would be beneficial and provide assurance to students.**

Regulators

2. **The Office for Students, the Quality Assurance Agency, the Competition and Markets Authority and the Office of the Independent Adjudicator should consider how they might best enable students' unions to be more effective, particularly in the arena of academic governance.** This must go beyond briefing materials for student sabbatical officers or strategies that engage students in their work. It should consider how different aspects of students' union capacity might be supported to hold providers to account, understand data, influence quality and cause students to know and be able to enforce their rights.

3. **Specifically, the Office for Students should expend some effort in ensuring that student representatives are able to access, analyse and make use of data for the purposes of local accountability, both at institutional and subject level.** Data collection could be broadened in scope to include wider factors relating to the overall student experience at an institution, and its finances.

4. **The Office for Students should also develop a direct relationship with student representative bodies – if the water regulator (OFWAT) is able to champion independent consumer groups to be actively involved in the development of water supply and liaise directly with it as a regulator, that kind of relationship should not worry us in higher education.** It might usefully create an annual opportunity for students and student representative organisations to provide feedback to the Office for Students (or its designated quality body) on institutional quality and outcomes as part of intelligence gathering on an institution.

Sector bodies

5. **Traditionally, the NUS has acted as the principal capacity-building operation for students' unions, but a shared focus would be helpful.** If we are to get beyond seeing the success of a students' union through the 'tip of the iceberg' and shift to the iceberg itself, a number of interventions might be deployed:

• Senior students' union staff could be regarded as a community of practice within the Association of University Administrators;

- The Quality Assurance Agency might consider how it can support efforts to further develop the students' union Quality Model;

- Jisc might consider how its resources could support student activity and the adoption of technology; and

- AdvanceHE might usefully consider how it might contribute to the capacity of students' unions to be effective, particularly in relation to leadership, equality and diversity and student engagement.

Providers

6. Ultimately, in an autonomous higher education system, it is providers' actions through funding, support and cultural leadership that can do the most to realise the ambitions set out above. Emerging providers may argue instinctively that they do not need or want traditional students' unions but they will need student-led social, recreational and student representational activities that work for them. Traditional providers, on the other hand, should take care to ensure that their unions are funded properly, and that cultures in leadership are demonstrably appreciative of, responsive to and able to articulate with confidence the outcomes of student representation. **Crucially, providers of all character should ensure that their students have access to professional, well-funded independent advocacy in the event of a complaint or appeal.**

7. **As governing bodies begin to consider their own accountability – to communities, staff and students, their practice in involving students should develop too.** This should go beyond the engagement of one or two members of the governing body being drawn from the student body.

Instead it should involve students' unions in the facilitation of student involvement in university strategy, educational character and mission and assessment of institutional performance.

8. **Above all, the practice observed most commonly in institutional cultures – the induction of student leaders into the culture, practice and workings of universities – could usefully be turned on its head.** Student leaders occupy a unique position in emerging adulthood, where aspects of youth mix with rapidly developing concepts of responsibility. The best aspects of this, and the thing that makes working in students' unions so rewarding, are remarkable. Students are comfortable with difference and diversity. They are permanently curious, highly creative and unfailingly honest and direct with their feedback. They are full of praise, emotionally intelligent and prepared to be brave. They are focused on service to the student and always ask, 'why?' These are qualities a good few university officials could do with developing. Perhaps we should do more to induct higher education leaders into that culture rather than attempting to do the opposite.

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In this report, Mike Day and Jim Dickinson look at the past, present and future of student unions. Although almost every university has a students' union, there is little research or reliable data on their form, role or successes. They are often seen and judged through a 'student politics' lens or face criticism for being too radical, not radical enough or unrepresentative. In short, students' unions are often damned if they do and damned if they don't.

To understand today's students' unions – their role, contribution, critique and opportunity – requires an understanding of their history. This HEPI report traces their origins from 1088 to the present day and concludes by considering their future potential.