Governance of Scottish Higher Education: an Analysis of Institutional Governance Reform (2011-2017)

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Abstract

This thesis is concerned with the interface between the system and institutional governance of Scottish universities. More specifically, the study aims to further understand the nature of the relationship between Scottish Government and the nation's universities through an investigative focus upon the reform of Scottish higher education governance policy (2011 – 2017).

The study focuses upon the insights of key higher education actors from government, universities, university bodies and trade unions involved in the reform process. Fifteen qualitative semi-structured interviews were conducted remotely by telephone or Skype / video-technology between September and November 2018. The interview data was analysed using thematic analysis that drew upon two frameworks: Kingdon's (1984) multiple streams approach and a framework devised by Raffe (2016) to explore the relationship between universities and governments of devolved administrations. Supplementary data was drawn from analysis of documentation such as official documents that contributed to the reform, interactional policy resources and unofficial sources.

The study, firstly, highlights the influence of temporal, cultural and political contexts in the mobilisation of the reform. Secondly, the study presents a challenge to Scottish Government's reputation for developing policy through a Scottish policy style, concluding that the reform, while consultative and largely participative, was non-consensual in character. Thirdly, an extension of Raffe's (2016) framework, not only captures the fluidity of the relationship between Scottish Government and universities but identifies the factors currently at play in setting the equilibrium between institutional autonomy and central control. The research provides a snapshot of what appears to be a multi-factorial and evolving relationship between the sector and government and is well placed to inform policymakers as they consider possible future trajectories for the university system and its contribution to the nation's educational, economic, social and cultural enrichment.

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Abbreviations and acronyms

BERA	British Educational Research Association
C&AG	Comptroller and Auditor General
CSC	Committee of Scottish Chairs
DES	Department of Education and Science
ECR	Early Career Researchers
FE	Further Education
HE	Higher Education
HEFCE	Higher Education Funding Council for England
HEI	Higher Education Institute
HNC	Higher National Certificate
HND	Higher National Diploma
MSA	Multiple Streams Approach
MSP	Member of the Scottish Parliament
NUS	National Union of Students
NM	New Managerialism
NPM	New Public Management
OA	Outcome Agreement
PAC	Public Accounts Committee
rUK	Rest of the UK
RQ	Research Question
SDS	Skills Development Scotland
SE	Scottish Executive
SFC	Scottish Funding Council
SFEFC	Scottish Further Education Funding Council
SG	Scottish Government
SHEFC	Scottish Higher Education Funding Council
SNP	Scottish Nationalist Party
SP	Scottish Parliament
TU	Trade Union
UFC	Universities Funding Council
UGC	University Grants Committee

Acknowledgements

"It is part of the conventional wisdom to believe that he who pays the piper calls the tune. But there are limitations. To start with, it is no use calling outside the piper's repertoire, and there are some things some pipers will not play.
But in any event universities are not only pipers: they are also composers."

(Moodie and Eustace 1974, p.47)

Chapter 1

Introducing the Research

Introduction

In this preliminary chapter I introduce the field of study, address definitional issues and provide a brief overview of the research questions and design, followed by a consideration of the significance of the research and my own positionality and background. The last section provides a synopsis of the contents for each of the thesis chapters.

Research context

This thesis is concerned with the governance of Scottish universities. More specifically the study aims to explore relations between Scottish Government (SG) and the Scottish higher education institutes (HEIs) using the reform of Scottish higher education governance (2011 – 2017) as a lens through which to examine this relationship and the balance between governmental control and institutional autonomy.

University governance has a number of meanings and applications (Schofield 2009). Eurydice (2008, p.12) defines it thus:

> Governance refers to the formal and informal exercise of authority under laws, policies and rules that articulate the rights and responsibilities of various actors, including the rules by which they interact.

It relates to the institutional and system governance of universities. In this thesis, institutional governance is regarded as 'the constitutional forms and processes through which universities govern their affairs' (Shattock 2006a, p.1). While system governance is understood to concern, 'the institutional arrangements on a macro- or system-level (e.g. laws and decrees, funding arrangements, evaluations)' (de Boer

and File 2009, p.10). Institutional autonomy is considered to be the power of an HEI to direct its own goals without disproportionate intervention by the State (Berdahl 1990; de Boer and File 2009). Academic freedom, while related to autonomy, is not synonymous with institutional autonomy, but rather refers to the:

> … freedom of the individual scholar in his / her teaching and research to pursue truth wherever it seems to lead without fear of punishment or termination of employment for having offended some political, religious or social orthodoxy (Berdahl 1990 p.172).

The institutional governance of British universities has transformed in recent decades. Moodie and Eustace (1974) suggest that power should sit with the academic community:

> the supreme authority, providing that it is exercised in ways responsible to others, must therefore continue to rest with academics for no one else seems sufficiently qualified to regulate the public affairs of scholars (Moodie and Eustace 1974, p.233).

However, significant change has occurred since their depiction of a 'supreme academic authority' (Moodie and Eustace 1974, p.98; Shattock and Horvath 2020, p.1). In the intervening years the governance of HEIs, has in contrast, become increasingly associated with HE governing bodies, their modus operandi, the intersection between governance and management and their involvement in strategic decision-making (Shattock 2002, p.235; Bolden et al. 2008). The two models are very different and reflect a steady shift from collegiate to predominantly corporate approaches to institutional governance in UK universities (Middlehurst 2013; Shattock and Horvath 2020). That the balance of interests within higher education (HE) governance have shifted might be described as an evolutionary process, and one catalysed by the requirements of a progressively complex sector - the massification of HE; the knowledge economy; the Europeanisation and internationalisation of HE; and the development of the university as a 'multiversity' in which the central functions of teaching and research are combined with activities that support the nation's economic, social and cultural enrichment (OECD 2003; de Boer and File 2009; Maassen et al. 2017). As a consequence of such pressures the relationship between government and HEIs has changed with the sector becoming

the focus of greater political attention (Brown 2009). Indeed, government initiatives, reviews and reform since the 1980's have determined governance structures and processes, driving this shift towards corporate forms of leadership and decision-making (Shattock 2013a). Such transformations were not made as a result of shortcomings in HE itself but were rather, argue Kogan and Hanney (2000), driven by a government set to 'manage' the public sector and subject it to economic disciplines. Shattock (2008) similarly reflects that from the 1980s HE policymaking in the UK ceased to be driven by factors intrinsic to the system. In effect, policy was created on an 'outside-in' basis as opposed to the 'inside-out' approach manifest earlier in the century. Furthermore, highlighting HE's 'absorption into the public policymaking machinery of the state' (Shattock 2008, p.182). Moreover, the incursion of corporate forms of institutional governance has created tensions, with the rise of managerialism in UK HE the subject of strong critique (for example, see Deem et al. 2007).

In the twentieth century, the external governance of universities and the development of HE policy was British and largely uniform across all nations (Keating 2005; Shattock and Horvath 2020). However, in 1999 following parliamentary devolution, the Scottish Executive (SE), answerable to the new Scottish Parliament (SP), acquired legislative control of several policy areas including HE (Raffe 2016). Devolution was expected to precipitate divergence in HE policy and this expectation has been realised, in part because of the political nature of SG, particularly since the Scottish Nationalist Party (SNP) came to power in 2007 (Shattock and Horvath 2020). Indeed, the SNP have translated their vision of independence into a wider political programme with the development of educational policy taking a central position (Humes 2008; Arnott 2016; Arnott and Ozga 2016). A key policy divergence is that regarding tuition fees, SG has chosen not to charge tuition fees and HE funding is derived primarily from the government block grant and fees charged to students from the rest of the UK (rUK) and overseas (Bruce 2012). While the introduction of tuition fees has improved the financial infrastructure of the English HE system and provided a level of autonomy from government, the high dependence of the Scottish HE system upon public funding raises the very real risk of domination by government (Shattock and Horvath 2020). Indeed, the post-16 sector was the focus of significant levels of policy reform during the SNP's second term of office. Further,

commentators suggest that at this time a shift from consensual and consultative forms of education policymaking occurred with SG becoming increasingly centralizing after 2011 (Raffe 2016).

In 2011, in what Shattock and Horvath (2020, p.56) describe as 'the second major exercise in imposing a Scottish dimension on higher education policy', SG commissioned an independent review of Scottish HE governance which considered whether:

> Current institutional governance arrangements in the higher education sector in Scotland deliver an appropriate level of democratic accountability given the public funding in place (Scottish Government 2015a, p.7).

The Review of HE Governance in Scotland reported in 2012 and noted issues in university governance asserting that university leaders had 'created a business culture within institutions, that had subverted the academic mission and academic values' (Scottish Government 2012a, p.10; Wall 2016ab). In this regard, the Review's findings echo the academic literature, with countless UK studies describing a centralisation of power and a lack of academic participation in governance (for example see Deem et al. 2007), although, it should be noted that there is a limited evidence base focussing upon the leadership of the Scottish HE sector with which to draw comparison – a point also highlighted by the Review (Scottish Government 2012a; Humes 2018). The panel developed a 'very different model' for HE governance in which Scottish universities were positioned as 'independent public bodies' (McGettigan 2013, p.152). Most of the Review's recommendations were subsequently realised through a Scottish Code of Good HE Governance in 2013 (revised 2017) and enactment of the HE Governance (Scotland) Act in 2016.

Although, the process of reform of Scottish HE governance has not been the focus of extensive empirical study it has been the focus of critique and public debate, particularly during the passage of legislation. Also, studies by Raffe (2016) and more recently, Shattock and Horvath (2020) have provided valuable insights into the governance of Scottish HE and the nature of the relationship between SG and the HE sector. The Review recommendations and the ensuing development of the Code and Act precipitated public disputes between key stakeholders and dominated

Scottish public policy discourse, as possible future forms of institutional governance were debated (Brotherstone and Mathison 2018; Shattock and Horvath 2020). Controversy centred around the recommendations that the chair of the governing body be directly elected by staff and students and the guarantee of trade union (TU) representation on governing bodies, with concerns raised that the developments posed a risk to institutional autonomy (Carrell 2015; Macilwain 2015; Brotherstone and Mathison 2018). Such attempts to 'democratise' the internal mechanisms of university governance appears to be a distinctive aspect of the reform. Indeed, Shattock and Horvath (2020, p.56) observe that:

> the momentum of these reforms moved in an entirely different direction to those …in England, which … have tended to emphasize the need for greater external lay involvement and a more managerial role for the vice-chancellor.

Also, as Bacevic (2019a; 2019b) notes, despite an abundance of critique upon neo-liberalism in contemporary universities, there is a scarcity of policy action. Consequently, that Scottish HE governance became a focus of reform raises questions about the how and why of this policy change and its mobilisation in Scotland.

The reform occurred at the interface between institutional governance and system governance and through this policy action the tension between institutional autonomy and government control became manifest (Scottish Parliament 2015a). Indeed, the policy reform appears to embody Raffe's (2016, p.20) claim that institutional governance provides a test of relations between government and universities:

> If the government takes an interest in how universities run, is this a legitimate expression of its democratic mandate or an unwanted interference in the internal affairs of autonomous institutions?

While there has been limited empirical study of this reform, studies by Raffe (2016) and Shattock and Horvath (2020) indicate that the issue of governmental control and the institutional autonomy of Scottish universities remains a sensitive one, with a tension existing between the two. The reform of Scottish HE governance provides a

useful lens through which to examine the relations between SG and the HE sector, and the balance between governmental control and institutional autonomy.

Research aim

While the literature provides insight into the nature of the relationship between government and the university sector and shifts in modes of institutional governance at a UK level, what is largely absent in the research base is extensive scrutiny of the localised Scottish sector (Scottish Government 2012a). Arguably, the diverging nature, post-devolution, of HE in the four British territories makes the generalisability of UK studies problematic, and heightens the importance and value of research focussing upon the Scottish system. The overall aim of this research is to further understand the nature of the relationship between SG and the nation's universities through an investigative focus upon the reform of Scottish HE governance policy (2011 – 2017). To address this overall aim, the three research questions (RQ) considered in this thesis are:

1. How did the HE governance policy reform emerge?
2. What was the nature / style of the policymaking process during the reform of HE governance?
3. How did key stakeholders perceive institutional autonomy and governmental control post-reform?

The RQs are interdependent, each serving the collective purpose of explicating the nature of relations between universities and SG by considering the temporal, cultural and political qualities of HE policymaking, the character of the policymaking process and the balance of equilibrium between institutional autonomy and governmental control.

In order to address the RQs, I considered it important to access the insights and experiences of those within the Scottish HE policy community responsible for the development of the HE governance policy. Consequently, my research design reflects a constructivist-interpretivist stance and I used qualitative semi-structured

interviews as the primary data source. Fifteen interviews were conducted remotely by telephone or Skype / video technology, between September and November 2018, with key stakeholders involved in the policy reform. The interview data gathered was subsequently analysed using thematic analysis and drawing upon two frameworks: Kingdon's (1984) multiple streams approach and an analytical framework devised by David Raffe to explore the relationship between universities and the governments of devolved administrations (Raffe 2016). Supplementary data was drawn from analysis of documentation such as official documents that contributed to the reform e.g. the Report of the Review of Higher Education in Scotland (Scottish Government 2012a), interactional policy resources e.g. parliamentary committee reports, and unofficial sources such as newspaper reports (see appendix 1). A comprehensive discussion of the methodological approach is presented in chapter 4.

Significance of research

This thesis represents an original contribution to knowledge in several ways.

Despite significant changes in the HE sector and the diverging nature of HE policy in the four nations of the UK, there is a paucity of research evidence on governance focussing upon the localised Scottish HE context – a point noted by the Review of HE governance and other commentators (Scottish Government 2012a; Humes 2018). Nonetheless, Raffe's (2016) analytical framework provides a key contribution, with a more recent study by Shattock and Horvath (2020) providing useful insights into the impact of devolution upon university governance at a system and institutional level. The findings of this study provide additional insights that aim to connect with and complement those of Raffe (2016) and Shattock and Horvath (2020), contributing to a deeper understanding of the system governance of Scottish universities.

Using Kingdon's (1984) multiple streams approach the study reveals the multiplicity of factors involved in creating a window of opportunity for Scottish HE governance policy reform. The thesis provides novel empirical evidence highlighting the importance of temporal, cultural and political contexts in the mobilisation of Scottish

HE governance policy. Furthermore, the research contributes practical insights for HE policy actors striving to move issues into or up the Scottish HE policy agenda.

The thesis provides useful and practical insights into the nature of HE policymaking in Scotland. The study presents a challenge to SG's reputation for developing policy through a Scottish policy style, concluding that the reform of HE governance, while consultative and largely participative, was non-consensual in character (Cairney et al 2016). Furthermore, while Raffe (2016) and others highlight the ability of the Scottish sector to work together as a coordinated political force to exert influence upon the direction of HE policy, this study demonstrates that it's not an ability to be taken for granted. The research underlines the fragility of 'taken for granted' policymaking approaches, and highlights the importance of the Scottish sector developing cohesive understandings and policy approaches in order to maintain its policy influence.

Drawing upon Raffe's (2016) analytical framework, this research offers unique insights and a valuable contribution to the field of systemic HE governance in devolved territories. Using this framework, I explore the factors identified by interviewees as posing a threat or acting to protect the institutional autonomy of Scottish universities post-reform. As a result, the study presents an extension of the analytical framework first proposed by Raffe (2016) that not only captures the fluidity of the relationship between SG and universities but identifies the factors currently at play in setting the equilibrium between institutional autonomy and central control. The extended framework is presented diagrammatically on page 173. The framework advanced in this research could be drawn upon by other researchers, providing a useful starting point from which to explore the evolving relations between SG and HEIs, and perhaps also, to examine the issue of university autonomy within other devolved nations of the UK. The use of Raffe's (2016) analytical framework has not been reported in an empirical study and this represents one modest, but useful methodological contribution of the thesis.

While acknowledging that the coordination of contemporary HE occurs in a complex policy environment of multiple, interconnected policy levels reflecting both international and local policy agendas (Ozga and Jones 2006; Raffe 2013a), the

study highlights the on-going relevance and significance of the national and cultural setting of universities. In particular, my research draws attention to the considerable power of national government in shaping the local sector and influencing the dynamic equilibrium between public accountability and the institutional autonomy of universities. In addition, the study draws attention to the role of national government as a critical influence or determinant of the internal mechanisms of university governance.

HE does not stand still, is not in 'place' and in reflection of this the thesis makes a contribution to on-going policy narratives, suggesting possible future policy scenarios within the context of the current political landscape. I argue that the development of a shared, sustainable understanding of the Scottish university system will be pivotal to finding an effective balance between the institutional autonomy that underpins the quality of intellectual life with the expectations of society and SG for accountability. For this reason, the study suggests that a fine-grained analysis of the Scottish HE sector may provide the opportunity to further explore systemic HE governance and consider, how, in the 21st century one best develops policy to reconcile government control with the institutional autonomy that is vital for the ascendancy of the sector within an international sphere. The conclusions generated in this study highlight potential opportunities for future reform and development of the Scottish HE sector, and it is hoped that they may act as a stimulus for discussion amongst the key stakeholders involved in the development of HE policy.

In sum, the study provides a snap shot of what is a fluid, multifactorial and evolving relationship between the HE sector and SG, and it is well placed to inform and influence policymakers as they consider possible future trajectories for the Scottish university system and its contribution to the nation's educational, economic, social and cultural enrichment.

Personal and professional context

The primary motivation for my research was one of curiosity. A curiosity piqued by my personal and professional experiences as an educator in the Scottish university system, and as a doctoral student at the University of Sheffield. At the time of the HE governance reform I was employed at an HEI whose governance had been the focus of public and political attention in 2011, and as a consequence I followed initial policy developments with interest. Early in 2015, as part of my studies I was tasked with writing a critical piece on a contemporary debate in education – I chose to write about new managerialism in UK universities and the potential for change in Scotland. This was followed in 2016 by a preliminary analysis of the Scottish HE governance reform. As a result of my initial studies I was intrigued by SG's decision to mobilise policy in this area, particularly given the lack of policy action in the rUK, despite similar reports of managerialism across the UK HE system. That the policy process, through Review, Code and Act stages, faced opposition and claims of inappropriate government intervention, encouraged my interest in the nature of HE policymaking and more fundamentally, in the relations between the HE sector and SG. Yet, in those initial critiques, I was struck by the paucity of studies in the field. Indeed, the lack of literature on governance in the Scottish sector made my research very difficult to contextualise as I was heavily dependent upon the wider UK research base, which seemed increasingly inappropriate given divergence in the systems post-devolution. As a consequence, the design of my doctoral studies was underpinned by a desire to answer my own personal queries about the governance of the sector, to attend to the gap in the literature, and further, to develop my competence as a qualitative researcher.

Thesis structure

The thesis comprises eight chapters. The current chapter has introduced the research context, the rationale for the study and its design, the significance of the investigation and my positionality. Subsequent chapters are organised as follows:

Chapter 2 is the literature review. The chapter situates the study within the existing literature, providing the foundation and context for the research project. The chapter is subdivided into two sections. Firstly, the Scottish frame of reference is considered, in particular the nature of policymaking in a post-devolution Scotland and the role of narrative, shaping myths and nationalism in the SNP's approach to the development of education policy. In the second section, the interface between the system and institutional governance of Scottish universities is examined throughout the 20th century to date. A narrative that highlights the critical role of national government policy in framing shifts in the institutional governance of universities. Further, demonstrating that government has become increasingly proactive in its direction of the sector over time and that this intervention has seen institutional governance steadily shift from a collegiate to business model. Detailed attention is given to the relationship between SG and the university sector post-devolution and an overview of the SNP's reform of Scottish HE governance during the period 2011 – 2017 is presented. As the issues of institutional autonomy and governmental control were at the heart of the reform of Scottish HE governance, the policy process is presented as an apt lens through which to empirically research the balance of this relationship.

Chapter 3 presents the theoretical and analytical frames used to support examination of the reform of HE governance and, consequently, the balance of relationship between SG and the university sector: Kingdon's multiple streams approach to investigate the multiplicity of factors involved in mobilising policy action (Kingdon 1984), and Raffe's analytical framework to support examination of the policymaking process and the factors influencing the institutional autonomy of universities within the devolved administration (Raffe 2016).

Chapter 4 presents the methodological framework and chosen research methods for this study. The research paradigm adopted in the study is identified as constructivist-interpretivist and qualitative semi-structured interviews and documentation are established as the data sources. Issues regarding data collection, sampling, ethics and the methods used to analyse the data are considered. I also explain the critical role of reflexivity in the investigative process.

In chapters 5, 6 and 7, I advance my findings and analysis of the research data. The key findings are explored and discussed within the context of the wider academic literature. Chapter 5 addresses the first of the RQs and reveals that the reform was driven by a multiplicity of factors whereby the HE governance problem stream, the Scottish solution and political stream coalesced to generate a window of opportunity for change. In chapter 6, I address RQ 2 and explore the nature of the policymaking process. The reform of HE governance, while presented as consultative and largely participative, is deemed to be non-consensual. In chapter 7, RQ 3 is addressed, and the balance of the relationship between governmental control and institutional autonomy post-reform, as perceived by key stakeholders, is examined. An extension of Raffe's (2016) analytical framework is presented, providing insights into the dynamic, evolving nature of the relationship between universities and SG post-devolution.

Chapter 8 summarises and reviews the chief findings in each of the RQ areas, attempting to combine all that has been elucidated in a reflective manner. In addition, on-going policy narratives are examined within the context of my research findings, and consideration given to how these may unfold and bear upon Scottish HE policymaking in the future.

Chapter 2

The Scottish policymaking context and Scottish HE governance

Introduction

Chapter 2 begins with a consideration of the Scottish frame of reference or context in post-devolution HE policymaking. The nature of policymaking and policy relations in a post-devolution Scotland are discussed with a critical examination of what is described as the Scottish style or Scottish approach to policymaking. The power of narrative and shaping myths and the role of nationalism in the SNP's approach to the development of Scottish education policy in government are reviewed.

What the second section of this chapter aims to do is to examine the interface between the system and institutional governance of Scottish universities. In order to do so, I attempt, first, to demonstrate that the governance of the Scottish university system has undergone multiple transformations, second, to identify the factors involved in driving this evolution, and third, to consider the complexity of the relationship between state and the Scottish HE sector. In order to provide context and to foreground discussion of the governance of the Scottish HE system, the account begins with an overview of the current architecture of the HE sector in Scotland. After which, the narrative then focuses upon transformations in the governance of universities from the 20th century. I trace the pattern of systemic governance over time, exploring the shifting balance between institutional autonomy and governmental control of the HE system. Furthermore, I examine the consequences of such shifts for the internal mechanisms of university governance. The relationship between SG and the university sector post-devolution are closely examined, with a particular focus upon HE policy events under the SNP governments from 2007 – 2017. The chapter's review of shifts in HE governance over a period of more than a century culminates with an overview of the reform of Scottish HE governance during the period 2011 – 2017. The reform of HE governance is, within the context of this study, considered to be a 'test' of the relationship between universities and SG, and is used as a lens through which to

empirically research the relationship and the balance between institutional autonomy and governmental control (Raffe 2016).

Section 1: The Scottish frame of reference: policymaking in a post-devolution Scotland

HE has been a focus of policy attention by the SG since devolution (Riddell 2016). It has been seen as a central element of overall political strategy, interlinked with other policies – economic development, citizenship, environment, health and social capital (Arnott and Ozga 2016). Indeed, the high level of policy reform, some of which is reviewed later in this chapter, reflects the high importance government attach to HE (Raffe 2016). In this section attention is given, firstly, to how policy is made within the Scottish HE context and, secondly, to the role of nationalism in the SNP's approach to the development of Scottish education policy in government.

A Scottish style of policymaking

As a consequence of devolution SP acquired control in a number of important policy areas including HE (Keating 2010). Humes (2008) suggests that devolution offered an opportunity, potentially at least, to develop a new mode of politics which were encapsulated in the operational principles for the new SP:

> the Scottish Parliament should be accessible, open, responsive and develop procedures which make possible a participative approach to the development, consideration and scrutiny of policy and legislation (Scottish Office 1998, p.3).

Have these aspirations for policymaking been realised post-devolution? On one hand, many commentators suggest that policy development in a devolved Scotland is more inclusive, collaborative and democratic and less 'politicised' than in England (Ozga and Jones 2006; Raffe and Spours 2007; Hodgson et al. 2011; Gallacher and Raffe 2013; Raffe 2013b). For example, Grek (2011, p. 233) states:

> Since parliamentary devolution there has been (at least at the level of discourse) a strong move to shift away from the traditionally highly centralized

forms of policy-making in education towards a more negotiated, decentralized and network form of governance, with more attention to processes of consultation and accountability.

Similarly, Cairney (2008) describes a form of public policy development that is underpinned by the concepts of power sharing, accountability, equity, transparency and participation. Likewise, Keating (2005) describes policymaking in post-devolution Scotland as participatory, a form of democratic dialogue in which policy is co-constructed between SG, universities and other stakeholders. Nevertheless, while the policy style is one which, reportedly, emphasises consultation and, often, the search for consensus, commentators have noted that consultation does not necessarily equate with meaningful influence upon policy outcomes (Cairney 2008; Keating 2010). This open, consultative, consensual and potentially distinctive approach is often depicted by the SG as the Scottish model or Scottish approach, and by academics as the Scottish policy style (Cairney et al. 2016). 'Distinctive' here normally relates to comparability with policymaking approaches taken by Westminster, which can, as Cairney et al (2016, p.334) point out, 'become a convenient target' for SG.

However, what Keating (2010, p.257) describes as a 'distinct Scottish policy style' may reflect the small size or scale of the system rather than a culture of consensus politics. As with other devolved governments in Europe, the SP and SG have limited powers. This relates not only to the devolution settlement but is associated with size and the limited policy resource and capacity of a small independent state. A consequence of such limited policy capacity is the necessity for SG to collaborate with other stakeholders, encouraging negotiated forms of policymaking which are also, to a large extent, consensual (Keating 2010, Cairney 2008; 2017a; Cairney et al. 2016; Cairney and Widefeldt 2015). In addition, in a small state, with more routine access to ministers, the relations between government and stakeholder groups may be more intimate, with policy actors familiar with one another (Grek 2011; Gallacher and Raffe 2012; Shattock and Horvath 2020). What is more, Keating (2010) and others observe that the SNP as a new and minority administration in 2007 did not have the networks enjoyed by its predecessor and consequently had to work to engender support within local government, TU's, industry and the professions,

thereby encouraging collaborative approaches to policymaking. Furthermore, that the SNP have an overarching goal of independence also discouraged the adoption of confrontational policies and policy approaches lest they act to divide the nation and undermine support for their main political objective.

Raffe (2016) and other commentators suggest that the close proximity between SG and universities offers opportunities for the HE sector to influence debate (Hodgson et al. 2011; Gallacher and Raffe 2012; Riddell 2014; Riddell 2016; Shattock and Horvath 2019). Furthermore, Raffe (2016) highlights the ability of the Scottish sector to speak with one voice and work effectively as a coordinated political force to exert influence upon the direction of HE policy. Indeed, in considering HE policymaking, Kemp and Lawton (2013; p.38) claim that such partnership working is 'part of the DNA of the Scottish sector'. Moreover, Grek (2011) suggests that Scottish HEIs took advantage of post-devolution approaches to policy development and the opportunity to influence policy debate. For instance, exerting influence over policy through involvement in the Joint Future Thinking Taskforce, which generated the New Horizons strategy (2008), and the joint Technical Working Group, which considered potential funding solutions between 2010 – 2011 (Arnott and Ozga 2009; Raffe 2016). Furthermore, the research pooling policy initiative came to fruition through a collaborative policy process (Conn 2010). Similarly, Cairney (2008) describes the consultation over fee reform following the Cubie report as indicative of a Scottish policy style in HE policymaking. Indeed, Keating (2010) describes HE policy formation in early post-devolution as consistent with a Scottish policy style of consultation and negotiation with sectoral stakeholders and producing an evolution of policy rather than radical policy change.

While commentators assert that in the early days of devolution, a commitment to consensual and consultative education policy was highly marked, there is also suggestion that after an initial enthusiasm for participatory policymaking SG found democratic approaches to be rather drawn out (Humes 2008; Gillies 2018; Bryce and Humes 2018). Commentators further suggest, that the prolonged nature of participatory decision-making was potentially problematic for a SG keen to make its mark and promote flagship policy. What is more, Bryce and Humes (2018) reflect that political parties in office for extended periods of time and facing minimal political

opposition tend to be drawn towards authoritarianism. In addition, Bryce and Humes (2018) argue, that those in power may be reluctant to relinquish authority. As a consequence, the SNP, as a majority government, adopted in part, more conventional forms of policy development and exercising power. A shift in HE policymaking style was also noted by Raffe (2016) who reports an increasingly centralizing SG after 2011. More recently, Shattock and Horvath (2019; 2020, p.65) observe non-consensual or 'aggressive' approaches to HE policymaking by the SNP. While, there is a limited empirical evidence base relating to the character of HE policymaking post-2011, research upon other policy areas such as health suggest that earlier cooperative approaches may have been based upon a post-devolution 'honeymoon' period and a favourable economic context (Cairney et al. 2016a). Arguably, analysis of the reform of HE governance provides an opportunity to examine the nature of HE policymaking in Scotland to provide insights into this research area. Consequently, research question 2, (see page 15), is constructed to attend to the gap in the literature by explicating the character of the HE governance policy reform, and thereby contribute to a deeper understanding of the nature of the relationship between SG and the nation's universities.

Nationalism and HE policymaking

Anderson observes:

> If a Scottish parliament is to determine university policy, the nature of Scottish traditions will become a practical as well as an academic question. For it is a well-known feature of Scottish educational discourse that it commonly includes an appeal to the past, or at least to an idealised version of it (Anderson 1992, p.67).

Anderson's claims reflect the significance of the Scottish education system. Education was, and continues to be, a key Scottish institution. In 1707 the union of the Parliaments of England and Scotland acted to create political and cultural union between the nations. Nevertheless, Scotland retained autonomy over 'low politics' and Scottish civil society, maintaining control over education, law and the Church (Withrington 1992; Paterson 2003). As a result, the traditions of Scottish HE, its system of education in general, along with its legal system and the Church have

subsequently had enhanced significance, acting to express Scotland's cultural identity and shape its characteristic distinctiveness from England, Wales and Northern Ireland (Anderson 2008; McCrone 2008; Paterson 2009; Grek 2011; Arnott and Ozga 2016).

The historically embedded ideas of a distinctive Scottish HE system originated in the establishment of a national education system by the early 18th century, one with universities at its apex (Carter and Withrington 1992; Anderson 2018). It was a publicly supported educational structure that delivered a broad curriculum and was constructed, in part, to provide opportunities for the upward social mobility of gifted individuals from the lower social classes (Horner 1992). These themes combine to construct the 'democratic intellect' and 'the 'lad o' pairts' - the poor student who progresses and makes his way in the world through education, particularly HE, as promoted by Davie in his text, 'The Democratic Intellect: Scotland and her universities' (Davie 1961; Bell 2000; McCrone 2008). While contestable and perhaps not representing democracy or accessibility in the sense it is understood today, it did reflect a civic tradition in which institutes were considered to be an essential element of their local society, and where students from modest social backgrounds could achieve a broad-based education (Paterson 1998; Anderson 2018). The themes create a mythology of Scottish education which alludes to those convictions or narratives that are hard to substantiate but are considered as 'self-evident truths' in society (McCrone 2001, p.90). What is more, that 'democratic intellectualism' emphasises the democratic social role or 'popular character' of the universities offers a potent resource with which to build a nationalist narrative (Arnott and Ozga 2016). Attention now turns to an examination of the way in which SNP have drawn upon this resource of the democratic myth and the traditions of a meritocratic, and to some extent egalitarian, Scottish education system to mobilise their policymaking in education.

The SNP are a nationalist party with the issues of independence and self-determination central to the party's political programme (Gillies 2018). In government the SNP has translated this vision of independence into a wider political programme with the development of educational policy taking a central position (Humes 2008; Arnott 2016; Arnott and Ozga 2016). Indeed, securing statehood provides a constant

backdrop to education policy development over their governing years (Ozga 2011). Moreover, Arnott (2016) suggests that education is a crucial area of social policy, in part because of its fundamental importance to the nationalist agenda and well-established concepts of national identity, but also through its links to contemporary economic, social and cultural concerns. A point highlighted by Arnott and Ozga:

> Education policy is a key area for the SNP because it combines a central focus on the economy with well-established, if implicit, ideas of national identity (Arnott and Ozga 2010b, p.93).

Arnott and Ozga (2010a; 2010b) explore, through examination of policy documents and interviews, the role of nationalism in the SNP's approach to education policymaking. The authors assert that government have used education and its historic traditions as a policy resource – describing it as an arena in which ideas of nationalism and national identity are invoked both implicitly and explicitly to facilitate policy development. In essence, that the SNP have crafted a narrative connecting education with nation in order to evoke an image of a future independent Scotland (Arnott and Ozga 2010a, p.335). Furthermore, highlighting the way in which 'historically embedded qualities of the Scottish polity are linked to newer more contemporary imperatives' (Arnott and Ozga 2010a, p.339) and using the policy development process to support a 'modernised nationalism' (Arnott and Ozga 2010a, p.344). Arnott and Ozga (2010a) suggest that the SNP construct this modernised view of nationalism through an intricate blend of inward and outward referencing. The inward referencing emphasises deep-rooted ideas of civic national identity and a meritocratic education system (McPherson and Raab 1988). In particular, the authors note the SNP's use of shaping myths and traditions in which universities are portrayed as important independent civic institutions long committed to creating an equitable society in which 'the democratic intellect' is fostered. Additionally, universities through their educational, social, cultural and economic contributions are presented as the 'soul of Scotland' by government (Arnott and Ozga 2010b, p.95). The deployment of myths and traditions in this manner acts to shape the process of policymaking by influencing the 'national ideology' and 'assumptive world' of the policy community (Ozga 2005). The inclination of nationalists to deploy specific narratives of the past to advance contemporary nationalist causes in this way has been noted by others including Nairn (1977), Gellner (1983) and Mooney and Scott

(2016). The authors describe the simultaneous use of outward references in which economic growth, skills and a flourishing Scotland are emphasised. In addition, such outward referencing attempts to position Scotland in the wider international policy-scape. A central element of this discourse is a focus upon selected small economically strong social democratic Nordic and European states which is used to frame the way a future Scotland is imagined. Such outward referencing acts not only to position Scotland on the European / global policy-scape but also distinguishes it from England. In this way, a future Scotland is positioned within 2 unions, the UK and Europe (Grek et al. 2009). Arnott and Ozga (2010ab) assert that such blending of inward and outward references creates a 'modernised nationalism' in which Scottish traditions of public education are positioned within an international policy field (Arnott and Ozga 2010a, p.344). Furthermore, in this way, the SNP mediate the tension between highlighting socio-cultural characteristics of the nation through education, and the knowledge economy focussed programmes for modernisation that have predominated in the UK and Europe (Grek et al. 2009; Arnott and Ozga 2009).

In addition, studies indicate that education policymaking is used by the SNP as an area with which to position Scotland in a social democratic policy-scape – what Arnott and Ozga (2010a, p.339) describe as 'social democratic with a Scottish accent'. Similarly, in a 2011 study of Scottish educational policy texts, Ozga (2011) reports a harnessing of educational policymaking to a fairer agenda in which the SG explicitly link a successful education system with traditions of meritocratic egalitarianism, themes of inclusive social welfare and knowledge economy priorities. As Cuthbert and Cuthbert (2009) suggest it seems that the SNP offer a variant of neo-liberalism in which equity is interlinked with their economic vision for Scotland. Similarly, Arnott and Ozga (2016, p.259) note that 'speaking social democratic and acting neo-liberal' is a constant in SNP education policy whereby international pressures for modernisation and economic growth combine with national themes of inclusivity and fairness.

More recently, Arnott (2016, p.46) describes a 'translation of nationalism to education policy'. Again, the author observes that themes around meritocratic

education, fairness and collectivism hold a privileged position in the policy discourse. In addition, an operationalizing of citizenship as opposed to consumerism is apparent in the discourse which acts to distinguish Scottish policymaking from that in England (Grek 2011; Arnott 2016). Further, in an analysis of SG policy text 2007 – 2014, Arnott and Ozga (2016) again note a harnessing of education policy to a fairness agenda. Arnott (2016) and others, including Mooney and Scott (2016), observe that reference to tradition, collectivism and social welfare are attractive to the nationalist agenda because the themes are politically potent. After all, they are highly symbolic and resonate with the way in which a community wishes to think of itself and have others perceive it (McCrone 2001). Furthermore, through the continued use of inward and outward referencing the SG promote an image of Scotland as a 'learning nation' en route to independence, thereby engendering support for policy action (Arnott and Ozga 2016, p.262).

In a recent study of education and nationalism in Scotland, Arnott and Ozga (2016) describe education as an active policy field for the SNP in government. They note the continued use of both inward and outward referencing by the SNP in the formation of education policy, including HE policy, and use the First Minister's confirmation of 'no-fees' as an illustration of this:

> And this nation pioneered free education for all, which resulted in Scots inventing and explaining much of the modern world. We called this the Scottish Enlightenment. And out of educational access came social mobility as we reached all the talents of a nation to change the world for the better. We can do so again — 'the rocks will melt with the sun' before I allow tuition fees to be imposed on Scottish students—upfront or backdoor … this is part of the Scottish Settlement, our social contract with the people. (Salmond, Speech to SNP Conference March 2011, cited in Arnott and Ozga 2016, p.261).

Furthermore, Arnott and Ozga (2016) report the reference by SG to ingrained and historical ideas of a public HE system and the 'democratic intellect' in the reform of Scottish HE governance. Used, on this occasion, to highlight the public nature of universities and their governance in order to mobilise policy action. What is more, Arnott and Ozga (2016) suggest that the review of HE governance might be interpreted as an attempt by SG to instigate discussion with the HE sector about the

civic role and duties of universities, and to demonstrate publicly the sector's acceptance of accountability mechanisms.

Research on education policymaking under the SNP appears to reinforce the view that links between education and national identity are strongly embedded, echoing Novoa's (2000, p.46) observation, 'education is, by definition, the space for the construction of national identity'. Nevertheless, a more realist world-view is also apparent as 'governments … think about the relationship between education and economy in new ways' (Mundy 2007, p.347). Although empirical research has examined the influence of context and nationalism upon education policymaking in Scotland, there has not been extensive study focussing upon the character of the reform of Scottish HE governance. There is, therefore, scope to examine, through empirical study, how the Scottish context came to bear upon the development of HE governance policy by the SNP. Based upon this review and understanding of the literature, research questions 1 and 2 (see page 15), are constructed to enable this study to address the paucity of research in this area, and to investigate the significance of cultural and national setting in the balance of the relationship between government and universities in Scotland.

Section 2: The Scottish university system and its governance: a historical overview

The section begins with an overview of the current architecture of the HE sector in Scotland. After which, the narrative focuses upon transformations in the governance of universities from the 20th century. The chapter traces the pattern of systemic governance over time, exploring the shifting balance between institutional autonomy and governmental control of the HE system. Furthermore, examining the consequences of such shifts for the internal mechanisms of university governance. The review of shifts in HE governance over a period of more than a century culminates with an overview of the reform of Scottish HE governance during the period 2011 – 2017. The reform of HE governance is, within the context of this study, considered to be a 'test' of the relationship between universities and SG, and is used as a lens through which to empirically research the balance between institutional autonomy and governmental control (Raffe 2016).

The Scottish university system

The purpose of this subsection is to define the bounds of the study, and to present an overview of the architecture of the Scottish HE sector during the period of interest i.e. during the reform of HE governance (2011 – 2017).

Attention in this study focuses solely upon the governance of universities and HEIs - upon those institutes whose governance was the focus of reform during the period 2011 - 2017. The thesis does not attend to the governance of FE colleges given their distinctive governance arrangements and, because, the intent of this study is to examine the relationship between Scottish universities and SG. However, it is important to acknowledge that in Scotland a significant share of HE is delivered in further education (FE) colleges. Indeed, in 2017/2018, more than a quarter of first-degree entrants (Scottish domiciled) articulated into university from college via the Higher National Diploma (HND) and Higher National Certificate (HNC) route (Universities Scotland / Colleges Scotland 2020).

In Scotland, post-devolution policy on FE and HE policy has formed part of a wider lifelong learning policy agenda. FE and HE are not considered to be distinct fields of policy and provision, but as endeavours connected to one another and, to other areas of lifelong learning such as vocational training. The emphasis upon the theme of lifelong learning is accompanied by an expectation that HEIs work closely with FE colleges to facilitate ease of continuity and progression between them. The intention to create a more coherent system of tertiary education has been reflected in, and supported by, the decision to merge the higher and further education councils to form the Scottish Funding Council (SFC) (Gallacher 2009; Bruce 2012; Raffe 2016). The policy framework for post-compulsory education considers colleges to have a central responsibility for the delivery of comprehensive educational opportunities to their communities, and expressly, in widening access to FE and HE. Indeed, in Scotland the articulation of students from college to university and the recognition of previous HE studies at college, is considered to be an important feature of widening access to HE, and of improving educational and employment prospects for learners (Gallacher 2009; O'Donnell and Murphy 2018; Universities Scotland / Colleges Scotland 2020). Consequently, universities have a commitment to supporting

articulation through outcome agreements that are negotiated with the SFC (Universities Scotland / Colleges Scotland 2020).

Government have also placed emphasis upon skills and employability, with the HNC and HND qualifications perceived as vocationally relevant and an essential means by which colleges contribute to the skills agenda (O'Donnell and Murphy 2018). The SFC and Skills Development Scotland (SDS) work collaboratively on skills provision and articulation programmes, and with universities and colleges (Universities Scotland / Colleges Scotland 2020). Collaborative working between SFC, SDS, colleges, universities and businesses has been further encouraged, in the face of the pandemic, to facilitate delivery of increasing numbers of integrated degrees and graduate apprenticeships (Scottish Government 2020).

While FE colleges have a key role in the delivery of higher education in Scotland, institutional governance arrangements in the FE sector are distinct from those in the Scottish university sector. Indeed, the structure of college governance was the focus of its own review in 2011, culminating in the publication of the Grigg's Review (Scottish Government 2012c). Consequently, this thesis will not incorporate an examination of the governance of FE colleges but will focus upon the system governance of Scottish HEIs through analysis of the reform of HE governance (Scottish Government 2012a). The narrative will now turn to present the architecture of the Scottish HEIs of interest in this study.

While in legal terms there are six groups of Scottish HEIs, the universities are customarily arranged into three categories:

- Ancient universities – founded before 1600
- Chartered universities – created in the twentieth century
- Post-1992 universities – the new HEIs and small specialist institutes (Humes 2018).

Figure 1, overleaf, depicts Scotland's nineteen universities in groups as defined by legal category (Scottish Government 2012a; 2015a).

Figure 1: Legal categories of Scottish universities (Adapted from Scottish Government 2015a, p.6)
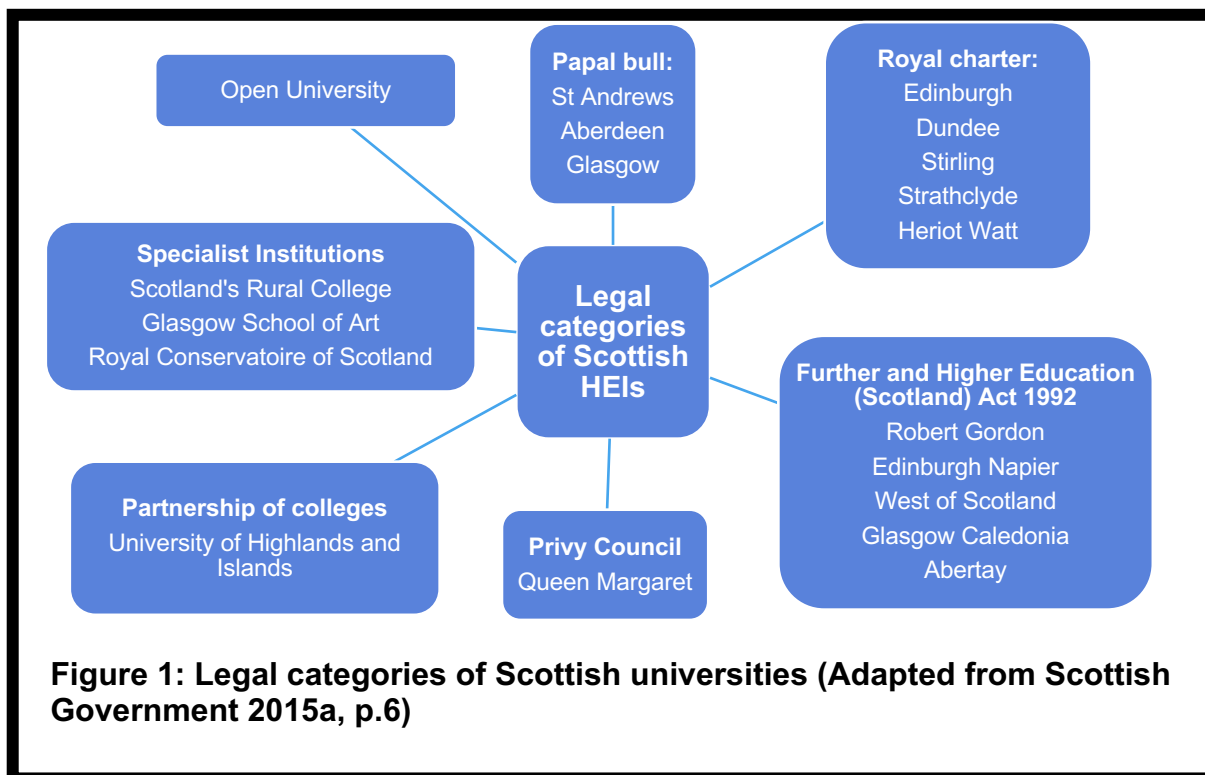
Scottish HEIs are not only subject to the legislation that established them, but also to other legislative measures. Some are applicable sector wide while others apply to subsets within the sector or only to specific HEIs. As a result, there is a high level of complexity involved in sector-wide analysis of Scottish HE governance (Scottish Government 2015a). Scottish HEIs, like universities in the rUK are, without exception, independent corporations and charitable bodies (Smith 2018).

Legal forms such as charters and statutes endorsed by Privy Council or laws preserve the framework of university governance. Nevertheless, the body of laws and regulations underpinning HE governance arrangements have not discouraged change in practice or protected HEIs from government interference (Shattock 2017, p.2). Indeed, the model of institutional governance in Scottish (and UK) universities has been subject to multiple transformations despite the legal protections for autonomy, with the nature of relations between government and the HE sector representing a critical influence (Bargh et al.1996; Leisyte 2007; Capano 2011; Shattock and Horvath 2020). The narrative will now turn to an examination of the shifts in balance between institutional autonomy and government control in the twentieth century to date, and the consequences for the internal mechanisms of university governance.

Government and Scottish HE from the 20th century: examining the interface between system and institutional governance

Up to 1980

When writing about the governance of British universities Moodie and Eustace (1974) report a widespread belief in the merits of institutional autonomy and describe a long tradition of non-intervention by the state into the affairs of universities. They do, however, acknowledge that, in Scotland, nineteenth century reforms such as Royal Commissions intervened not only by statute but also into issues relating to the curriculum. Indeed, intervention by the state was presented as both a right and duty (Bell 2000; Paterson 2003). The commissions proceeded with a clear assumption that universities were civic institutions (Carter and Withrington 1992), a status emphasised by James Donaldson, the principal of St Andrews, noting that in 1902, in contrast to England:

> From the first the Scottish Universities were under State control. The State was responsible for them and bound itself to maintain them in full efficiency ... The Scottish people held that all education concerned the common weal. (Donaldson 1914, cited in Anderson 1992, p.69).

Nevertheless, following the formation of the University Grants Committee (UGC) in 1919 Scottish universities were answerable to a British agency for the first time and became separated from the rest of the education system in Scotland (Bell 2000; Keating 2005). Consequently, the following decades saw the Scottish and English university systems converge. However, the Scottish HE system proceeded to operate in two nations: British in external governance, funding and academic networks; and predominantly Scottish in student recruitment, training for the Scottish professions, with strong links between institutes and rooted in local civil society (Paterson 2003; Keating 2005).

In the period from 1919 to 1946, the state provided on average 30 per cent of HE funds with the remainder raised by courts and councils (Henze 2010; Shattock 2017). As a consequence, 'the internal powers of court and council were virtually unqualified' with lay governors entitled 'to review and control or disallow any act of

the senate or give directions to be obeyed by the senate' (Moodie and Eustace 1974, p.34). However, following the second world war, the balance of authority shifted when the state assumed responsibility for the funding of UK universities, thereby removing the court's role of raising and administering institutional funding (Shattock 2017). The UGC, while the responsibility of the Chancellor of the Exchequer (the Treasury) in London, was led by university academics and had considerable autonomy from government. Described by Berdahl as a 'benign' agency it was essentially an academic body working at the HEI / state interface (Berdahl 1959; Shattock 2006b). The UGC administered university funding and the agency was providing almost 95% of the recurrent funds of most universities in the immediate period after the second world war (Shattock 2002). Despite its major contribution to university finances the state respected institutional autonomy. A status encapsulated by Shattock (2008, p.183), 'deference to university autonomy was entrenched at all levels, including government…'. Shattock (2006b) describes this as a time of bottom up 'inside-out' policymaking in which developments were driven by the internal dynamics and actors of the HE sector. Consequently, the post war period up to the mid-1970s is often described as universities' 'Golden Age' during which HE sector enjoyed its most comfortable planning and funding framework (Shattock 2002; 2008; 2017). The transformation in external university governance influenced the internal mechanisms of academic self-government. At this time, the powers of faculty in matters of internal governance grew while that of the governing body declined (Shattock 2002). Indeed, the UGC advocated against awarding full university status to those institutes considered too acquiescent to lay members of their governing body (Shinn 1986). In the 1960s Robbins conducted a detailed analysis of HE (Committee on Higher Education 1963). Robbins not only recommended expanding the HE system and widening access but also established principles regarding internal university organisation. As Robbins considered senate at the apex of academic government the resultant model of university governance diminished the powers of lay council and widened that of the academic body (Williams 2013; Shattock 2017). Statutes providing guidance for new HEIs reinforced the position of senates, identifying them as supreme in academic-related affairs and advocating their input into policy development (Dearlove 1998). Moodie and Eustace (1974, p.36) consider the developments of this period to be 'a substantial move towards internal academic self government in all major areas of decision-making'. This

collegiate model of governance is underpinned by an assumption that academics are best placed to govern HEIs given their appreciation of the core business of teaching and research (Trakman 2008). Tapper and Salter (1992) describe the consensual academic-dominated approach as a form of 'academic democracy' in which institutional autonomy and academic freedom are:

> an essential pre-condition for the disinterested search for knowledge and the preservation of those values on which a civilised society depends (Tapper and Salter 1992, p.11).

However, these conditions were to change sharply with the arrival in 1979 of a Conservative government under the direction of Margaret Thatcher (Keating 2005; Shattock 2006b). In the following years universities would cease to be:

> well and publicly funded by a state prepared to grant them autonomy, so that they are able to govern themselves as collegial democracies, in such a way as to leave professional academics free to teach and undertake research of their choosing (Dearlove 1997, p.59).

The subsequent period sees considerable change in both the processes of system and institutional governance of universities. The transformation from self-governance to public governance of the university sector will now be traced along with the concomitant shift in balance from academic-dominated forms of internal governance towards corporate-dominated approaches.

1980 - 1998

The latter part of the twentieth century, like earlier decades, saw HE policy that was British and largely uniform across all the home nations (Keating 2005). Following election in 1979 the Conservative government, concerned with a fiscal crisis and the high costs of universities, proceeded to impose severe cuts to the public funding of the HE sector (Keating 2010). The UGC was substituted by the Universities Funding Council (UFC), a body more directly controlled by government (Shattock 2017). Action in this period reflected several inter-related developments - the massification of HE; the Europeanisation and internationalisation of the sector; the emergence of a knowledge economy; and a disillusionment with the governance mechanisms of

universities (de Boer et al. 2010). Consequently, given the continuing substantive costs of HE to the public purse, the government harnessed education to the economic agenda: HE was re-cast in line with market principles (Hazelkorn and Gibson 2017). Indeed, the period saw the relationship between state and HE change significantly. Dill (1998, p.362) reports a 'shift from an earlier uneasy balance between professional and state control to some new combination of state and market control'. HE switched from self-governance to a governance which involved more explicit interference by the state – in effect universities remoulded as state institutes on almost continental lines (Shattock 2008). This extensive reform of HE reflected changes applied to the public sector as a whole and was underpinned by an ideological framework often described as new public management (NPM) or new-managerialism (NM) (Deem et al. 2007; Shattock 2008). NPM is described by Peters (2013, p.20) as:

> a management philosophy used by government to modernize and restructure the public sector based on the hypothesis that a more market orientation ... will lead to greater cost-efficiency for governments, without negative side effects.

The approach is underpinned by a belief in market solutions as a mechanism through which to drive the modernisation, efficiency and productivity of the public sector (Ferlie et al. 1996; Clarke and Newman 1997; Deem et al. 2007). As NPM draws upon the corporate world it required universities, as publicly funded institutes, to enter the market place and employ the systems, practices and ideals of the for-profit sector (Exworthy and Halford 1999). Consequently, the reforms in this period had considerable implications for the internal processes of HE governance shifting from what Moodie and Eustace (1974, p.221) described as 'consensual democracy' to increasingly corporate approaches (Shattock 2013a). Indeed, the corporate model of HE governance was strongly advocated by governments from the mid '80s and emphasised in several influential reviews including the Committee of Vice Chancellors and Principals or Jarratt Report (CVCP 1985). At a time of extensive reductions in the public funding of HE the Jarratt Report concluded that the traditional collegiate model of HE governance represented poor quality university management that was both outmoded and inefficient. The report advocated the

implementation of a top-down, corporate-style governance model in order to improve efficiency and encourage modernisation (Shattock 2010).

In order to address this perceived shortcoming in governance the report established new guidelines in which governing bodies were given responsibility for strategic planning thereby increasing their powers. Meanwhile the influence of senate was reduced and consigned to academic matters (Shattock 2008). Kogan and Hanney (2000, p.186) describe this as a 'shift in power from senior academics and their departments to the central institution and the dominance of systems over academic values'. The report also recommended that vice chancellors or principals be considered chief executives with their leadership role central to effective governance. The report continued to influence debate on HE governance, with succeeding governments regarding collegiate forms of university governance weak and ineffectual (Smith et al. 2007; Deem et al. 2007; Shattock 2008). Shattock (2017) asserts that the influence of governing bodies was further strengthened at this time by legislation e.g. lay councils became responsible for academic freedom and gained powers to dismiss academics. In addition, a Financial Memorandum was introduced setting out the relationship between university and Funding Council, whereby the governing body gained control of financial management and strategic planning as a requirement of government funding (Shattock 2006a).

In 1992 a commitment to the massification of HE and the competitive model, led government to abolish the binary divide. Accordingly, the Further and Higher Education (Scotland) Act of 1992 shifted the function for funding Scottish HEIs from the UK-wide UFC to a separate Scottish governing system through the Scottish Higher Education Funding Council (SHEFC) (Keating 2010). The funding council, with responsibility for the new system of Scottish universities including former central institutions, was to act as a mediating body between central government and universities. Of this development Peter Scott (1995, p.27) concluded:

> The new funding councils are agents of government not buffer bodies … The job of HEFCE and other councils is to implement government's predetermined objectives through second order politics.

That the funding council increasingly acts as an agent of SG rather than a buffer body is a viewpoint echoed more recently in the academic literature (Shattock 2006b; Bruce 2012; Riddell 2016). What is more, the 1992 Act exposed the HE system to new forms of leadership with the post-1992 universities more familiar with commerce-dominated governance than the older universities (Shattock 2006a; Taylor 2013). Indeed, Shattock and Horvath (2020, p.4) reflect that the Act of 1992 was, 'in hindsight, a very clear break with the previous governance culture of the British university system'. Furthermore, the creation of SHEFC (and the Scottish Further Education Funding Council, SFEFC) had an additional consequence in that it acted to re-introduce the Scottish frame of reference to HE which had been subsumed by UK-wide discourses in previous decades (Caldwell 2008; Shattock and Horvath 2020).

In 1996, the Dearing Committee reviewed the structure, function and funding of the UK HE system. A sub-committee, the Garrick Committee was appointed to review Scottish HE thereby incorporating a Scottish frame of reference reflecting the distinct characteristics of the Scottish system such as the broad curriculum, four-year degree programme and the role of colleges (Keating 2005; Caldwell 2008). The Dearing Report of 1997, like the earlier Jarratt report, advocated a strengthening of HE governing bodies at the expense of senates (de Boer et al. 2010). However, Dearing accepted that the complex nature of the academy required a different form of leadership to the commerce-based model promoted by Jarratt (Deem et al. 2007). Dearing identified key principles fundamental to the distinctiveness of academic life: regard for institutional autonomy and academic freedom, and openness in governance. Furthermore, Dearing acknowledged the possible risk posed by unrestrained executive powers to both academic freedom and institutional autonomy, and highlighted the important role of collegiality in effective university governance (Smith et al. 2007). Nevertheless, Shattock (1998) has argued that Dearing's focus upon accountability and the recommendation of a code of governance contradicted the spirit of the key principles.

In the latter decades of the twentieth century, the transformation in the processes of internal university governance were not made as a result of shortcomings in HE itself but were, argue Kogan and Hanney (2000), driven by government set to 'manage'

the public sector and subject it to economic disciplines. Braun (1999, p.17-18) shares this mode of thought stating:

> The United Kingdom has taken giant steps from a 'collegium model' which granted the most freedom to universities among all governance models to the new managerial model. This shift can be explained by the strong role of government in the majoritarian democracy of the United Kingdom. This factor alone would not have sufficed, though. It was the adoption of a major ideological reform project of the Thatcher government, based on a neo-liberal philosophy and on the new-managerialism, and the political will to implement this model which helped to move so far. The academic community lacked the veto-power to resist them.

Similarly, Shattock (2008) reflects that from the 1980s HE policymaking in the UK ceased to be driven by factors intrinsic to the system. In effect, policy was created on an 'outside-in' basis as opposed to the 'inside-out' approach manifest earlier in the century. Furthermore, highlighting the shift in the equilibrium between private and public policymaking:

> Thus the evolution of British higher education policy since the early 1980s can be seen not as a narrative driven by a changing higher education agenda but mainly by a series of agendas, financial, social, and economic, consequent on higher education's absorption into the public policy making machinery of the state. And this state machinery exists not to act as a protective buffer for higher education but 'rather to conceal the state's control of policy' (Shattock 2008, p.182).

While the frameworks of self-government remained unchanged Shattock (2008) believes that by the end of this period UK universities had become subject to state steering to an extent comparable with other European systems.

A theme running through this period of reform is a perceived deficit in collegial forms of institutional governance that could only be addressed by the adoption of a corporate-dominated model. Shattock (2003), however, considers there is negligible evidence to attest that corporate mechanisms of governance have better enabled HEIs to deliver academic success. Indeed, institutes that dominate the league tables accentuate collegiate rather than corporate forms of governance. Conversely, those HEIs in the lower half of several HEI league tables are those with least academic involvement in governance (Shattock 2003; McNay 2005; Taylor 2013). What is more, as the corporate governance model does not reflect the cultural attributes and

values of the sector, its implementation has created tensions. Indeed, the rise of managerialism within UK HE has been the subject of strong critique (for example, see Deem et al. 2007) – although it must be noted that the evidence base within the localised Scottish sector is very limited (Scottish Government 2012a). For instance, a lack of academic involvement in university governance has been widely reported in UK studies (Deem 2001a; Hellawell and Hancock 2001; Schofield 2009; Jameson 2012; Shattock and Horvath 2020). Moreover, Shattock (2013a; 2013b) claims the growth of the executive has culminated in a centralisation of power and decision-making by senior management who are increasingly unaccountable to the academic community. There seems to be a fundamental separation of academic life from the formal structures of HE governance (Wall 2016b). Indeed, McNay (1999, p.42) asserts 'the voice of ... the academics within institutions has been muted'. Equally, Lapworth (2004, p.301) surmises that, 'academic participation is marginalised: governance is done to, rather than by, academics'. Nevertheless, research suggests that the academy is fragmented with variables such as seniority, role and discipline influencing perspectives of governance and management (Deem and Brehony 2005; Locke and Bennion 2011). As Tight (2014, p.303) asserts, 'views on the collegiality / managerialism debate, are ... closely related to your experience'. For example, Johnson and Deem (2003) report that while academics describe the predominance of managerialism, manager-academics play down its incidence. Furthermore, it is argued that many within the academy have formed a bilingualism in which they maintain collegiality as a valued principle but adapt to, and adopt, new market philosophies (Davies et al. 2006; Clegg 2008). This is demonstrated by Kolsaker (2008) who, while recognising the prevalence of managerialism, asserts that it has 'simply changed the ways in which power is exercised in English universities' (p.515-516). Kolsaker (2008), further argues that although the critic may 'decry the "corporatisation" of universities ... the pragmatist might be less concerned' (p.515) and 'academics appear, on the whole to accept managerialism...' (p.522). The shifting locus of authority within British universities is, it seems, subject to a broad range of viewpoints (Wall 2016b).

Scottish Government and HE 1999 - 2017

In 1999, following parliamentary devolution, the SE, answerable to the new SP, acquired legislative control of several policy areas including HE and oversight of SHEFC (Raffe 2016; Shattock and Horvath 2020). SP does not have responsibility for reserved matters such as international relations and immigration which remain under Westminster control (Ozga and Jones 2006). What is more, fiscal policy is not a devolved area, and modifications to the Scottish budget are based upon policies in England (Gallacher and Raffe 2012). Despite devolution, the Scottish HE system continues to operate in a highly articulated UK policy area (Keating 2005; Keating 2010; Bruce 2012). For instance, the funding council's interaction with UK-wide accountability measures such as the Quality Assurance Agency, the Research Assessment Exercise / Research Excellence Framework continue as before devolution (Raffe 2016). Also, Universities UK has a Scottish arm, Universities Scotland, which enables representation at a national level. Furthermore, Scottish universities share those challenges faced by the HE community in England and beyond: the development of a mass system, marketization, reduced public funding and the growth of an international knowledge economy (Raffe 2013a; Shattock 2014). SG expects HE to accommodate rising student numbers; deliver graduates skilled in high-knowledge fields; meet stringent funding and regulatory criteria; stimulate social equity and contribute to the knowledge economy at national and international levels (Lowe and Gayle 2011). Consequently, Scottish HE has become a focus of government and policy attention as it strives to ensure HE meets this wide range of social, cultural, economic and political obligations (Riddell 2016). Indeed, Ozga et al. (2006) report a steering by SG in which HEIs are aligned to the economic and political priorities of the government. Meanwhile Arnott and Menter (2007) suggest that reforms post-devolution have been underpinned by an anti-Thatcherite rhetoric. Despite this, as in the previous period, HE continued very publicly as part of a national governmental policy process following a neo-liberal agenda, albeit a variant described as 'neo-liberalism with a heart' (Cuthbert and Cuthbert 2009, p.106). While the complexity of the higher education policy field (e.g. through its international mission and interdependencies between Scotland, UK and European frameworks) has resulted in widespread policy convergence between the nations

there are, however, aspects of policy divergence in Scotland (Mitchell and Bradbury 2004; Gallacher and Raffe 2012; Shattock and Horvath 2020).

The key HE policy events in the period 1999 – 2017 are presented in table 1, overleaf, and are reviewed in this subsection, followed by an introductory examination of Scottish HE governance reform. Whilst not providing a comprehensive overview of post-devolution Scottish HE policymaking, the subsection attempts to provide an insight into those areas of reform which reflect the evolving relations between the state and universities and have implications for institutional autonomy.

Devolution was expected to precipitate divergence in HE policy and this expectation was realised when the newly formed SE, as a coalition of Liberal Democrats and Labour, eliminated tuition fees and established the graduate endowment (Bruce 2012). What is more, the SE and Parliament initiated several 'stock-taking' strategic reviews in the period directly after devolution (Keating 2010; Raffe 2016). The resultant reporting between 2002-2004 asserted the importance of HE's economic, social and cultural contributions, appraised funding options, participation levels and governance. A new relationship between HEIs, the SE and the SHEFC was made explicit with the latter expected to develop a strategic and coordinating role. Bruce (2012, p.73) describes 'strong political pressures to revise their [council] remits so that they can intervene more directly in support of national objectives'. Furthermore, the theme of lifelong learning was emphasised with an expectation that HEIs would work closely with schools and colleges to facilitate ease of continuity and progression between them. As a consequence of this latter objective SHEFC and SFEFC were combined creating the SFC. Subsequently a report by Riddell (2014) suggested that the SFC had less influence and scope to interpret and mediate the Government's very specific demands.

Table 1: Key HE policy events 1999-2017

Year	Event
1999	Parliamentary devolution: Scottish Executive acquires oversight of Higher Education and SHEFC
1999	Scottish Parliament: coalition of Liberal Democrats and Labour
1999	Cubie Report: Independent Committee of Inquiry into Student Finance Recommends the introduction of means tested graduate endowments to replace up-front fees
2000	Implementation of graduate endowments
2001	Scottish Higher Education Review: first consultation paper: the performance of the Scottish Higher Education Funding Council
2002	Scottish Higher Education Review: second consultation paper: Shaping our future
2002	Enterprise and Lifelong Learning Committee: Report on Lifelong Learning
2003	A Framework for Higher Education in Scotland: Higher Education Review Phase 2
2004	The competitiveness of Higher Education. Higher Education Review, Phase 3
2005	**Further and Higher Education (Scotland) Act** Separate funding councils for FE and HE merged, forming the Scottish Funding Council
2006	Top up fees introduced in the rest of the UK
2007	Minority SNP government formed Scottish Executive becomes the Scottish Government Abolition of graduate endowment Free tuition for Scottish students Joint Future Thinking Task Force on Universities
2008	New Horizons: Responding to the Challenges of the 21st Century
2011	Majority SNP government Report of the Scottish Government – Universities Scotland Technical Group on Higher Education Putting Learners at the Centre: Delivering our ambitions for post-16 Education Review of HE Governance in Scotland
2012	Report of the Review of HE Governance in Scotland Outcome agreements introduced
2013	**Post 16 Education (Scotland) Act** Code of Good HE Governance (1st edition) Outcome agreements placed on statutory basis and linked to funding
2014	Consultation paper on the HE Governance Bill ESRC Project Higher Education in Scotland, the Devolution Settlement and the Referendum on Independence Independence referendum
2015	Introduction of HE Governance (Scotland) Bill Stages 1 and 2 of the passage of HE Governance (Scotland) Bill
2016	Stage 3 of the passage of the HE Governance (Scotland) Bill **HE Governance (Scotland) Act** Review of Code of Good HE Governance Minority SNP Government
2017	Code of Good HE Governance (2nd edition)

Following success in the 2007 election the SNP formed a minority administration. Student funding was high on the agenda and the new SG quickly acted to abolish the graduate endowment and provide Scottish-domiciled students with free access to HE (Bruce 2012). As the SG has chosen not to charge tuition fees, HE funding is derived primarily from the government block grant and fees charged to students from the rUK and overseas (Bruce 2012). The policy regarding tuition fees reflects very different political approaches to HE provision between Scotland and England. England favours market-driven approaches while marketization of HE is less pronounced in Scotland (Filippakou et al. 2010; Gallacher and Raffe 2012; Raffe and Croxford 2015). Although, it must be noted that a reliance upon rUK and overseas fees has encouraged more market-oriented approaches by Scottish HEIs as they attempt to redress shortfalls in funding through active recruitment programmes (Shattock and Horvath 2020). Furthermore, while the introduction of tuition fees has improved the financial infrastructure of the English HE system and provided a level of autonomy from government, this is not the case in Scotland. Indeed, Shattock (2010) cautions that the high dependence of the Scottish HE system upon public funding raises a very real risk of domination by government. Nevertheless, in considering the level of government scrutiny at this time David Caldwell (2008, p.65), director of Universities Scotland writes:

> The increase in attention and scrutiny from both government and parliament can be perceived as presenting a threat of excessive political interference which might undermine the autonomy of higher education institutions. It would be reckless to say that this could not happen; but to date it has not. Ministers have concentrated on broad strategic direction, resisting the temptation to become involved in the detailed management of the sector. The outcome has been positive: we have parliamentarians, ministers and senior officials who are better informed about higher education than their predecessors, and whose improved understanding of its potential has benefited the sector.

Yet, the tuition fees policy led to further policy intervention. Reform continued in 2007 when the SG set up the Joint Future Thinking Task force on Universities and in a similar vein to earlier reviews considered how to maximise the economic, social and cultural contribution of the HE sector. The subsequent report, New Horizons, shifted relations between the SG, HEIs and the SFC (Scottish Government 2008; Raffe 2016). As a result of the review, the SG committed to maintaining funding parity with England in return for the HE sector's acceptance of its tighter alignment with the

SG's objectives. The HE sector not only received an increase in funding but Raffe (2016) suggests that universities also cemented their role as partners in Scottish HE policymaking at this time. Later, in the face of continuing concern about the funding position of Scottish HE, a technical working group comprised of government, universities and the SFC reviewed various funding options in 2011. As a result of joint negotiations, the SG agreed to supplement university finances to close funding gaps and to maintain free tuition fees. In doing so, Raffe (2016) suggests that the outcomes of this reform acted to alleviate the sector's anxieties about income and their ability to maintain a competitive position nationally and internationally. Nevertheless, Raffe (2016) further suggests that during this period HE struck a Faustian bargain with the SG in which they traded a minor loss of autonomy for financial security. A position perhaps exemplified by the following extract from the New Horizons report:

> …Universities should be explicitly recognised as a key sector of the Scottish economy and accept the challenge of demonstrating how their objectives align closely with the Scottish Government's Purpose and Strategic Objectives. By accepting this challenge, their case for continuing and increasing levels of funding will become much stronger. This is the crux of the 'something for something' deal between the Scottish government and our universities (Scottish Government / Universities Scotland 2008, p.27).

The SNP continued in power with a majority government after the 2011 election. HE remained high upon the policy agenda with SG indicating its plans for substantial reform in the post-16 sector early in their second term of office (Bryce and Humes 2018; Scottish Parliament 2011a), with the Cabinet Secretary for Education and Lifelong Learning Michael Russell MSP stating:

> My reform proposals will include establishing more efficient and flexible learner progression...; incentivising learning provision, so that it is better aligned with our ambitions for jobs and growth; creating structural change across the entire post-16 education landscape, so that public funds for education and training are used more efficiently; guaranteeing wider access, including lowering socioeconomic barriers to involvement in education and training; maintaining Scotland's world-leading position in university-led research; developing revised student support arrangements that are fair and affordable; ensuring that governance in colleges and universities provides greater accountability for public funding and commands greater public respect (Scottish Parliament 2011b, para. 17).

The HE reform is extensive demonstrating SG's wide expectations of the sector. The proposals encompass the educational, social, economic and cultural contributions SG expects HEIs to deliver, and reflect the suggestion in the academic literature that devolved territories demand more from their HEIs (Court 2004; Bruce 2012; Raffe 2016; Shattock and Horvath 2019). HE governance forms one element of the proposed reforms and attention now turns to an examination of policy action in this area in the period 2011 – 2017.

The reform of Scottish HE Governance 2011 – 2017

In order to provide context, the key stages of the HE governance policy process are summarised before a detailed examination of the policy action. In 2011, the SNP, as a majority government commissioned a Review of HE Governance in Scotland (the Review). The Review reported in 2012 and this was followed, in 2013, by publication of the first edition of the Scottish Code of Good HE Governance (the Code). A year after the Code's introduction a report was published on progress with implementation, and consultation upon an HE Governance Bill conducted. The HE Governance (Scotland) Bill was introduced in 2015. The Bill proceeded through stages 1 and 2 in 2015, followed by stage 3 and enactment in 2016. The first edition of the Code was reviewed in 2016 and a revised, second edition published in 2017. The policy chronology is summarised in table 2, below.

Table 2: Key events in the reform of Scottish HE governance

Year	Event
2011	Majority SNP government formed Review of HE Governance in Scotland commissioned
2012	Report of the Review of HE Governance in Scotland published
2013	Scottish Code of Good HE Governance (1st edition)
2014	Consultation paper on the HE Governance Bill Implementation Report on the Scottish Code of Good HE Governance Independence referendum
2015	Introduction of HE Governance (Scotland) Bill Stages 1 and 2 of the passage of the HE Governance (Scotland) Bill
2016	Stage 3 of the passage of the HE Governance (Scotland) Bill HE Governance (Scotland) Act Review of Code of Good Governance Minority SNP government UK European Union membership referendum
2017	Scottish Code of Good HE Governance (2nd edition)

In 2011, in response to the public disputes between principals, their governing bodies and faculty, the SG commissioned an independent review of Scottish HE governance, chaired by Professor von Prondzynski, Principal of Robert Gordon University (RGU) (Brotherstone 2012; Humes and Bryce 2018). Professor von Prondzynski, at that time, a recent appointee to the principalship at RGU, had previously served a ten-year term as President of Dublin City University (DCU) (2000 – 2010). He became Principal of RGU in March 2011 and was appointed chair of the Review in June of that year. The appointment of von Prondzynski as chair of the panel was initially criticised by UCU Scotland due to an on-going union-recognition disagreement he had inherited upon his arrival from DCU (UCU Scotland 2011a). Nevertheless, a fellow member of the Review panel, reflected that von Prondzynski had lacked 'the complacency about governance exemplified by the Universities Scotland submission to the panel', had demonstrated an interest in developing a better understanding of the Scottish HE system and drawn upon his Irish experience during the process (Brotherstone 2012, p.10). Professor von Prondzynski continued as Principal of RGU until his voluntary resignation in 2018.

Details of the Review, including panel membership, its remit and main recommendations are set out in further detail in appendix 2. The Review aimed to consider whether:

> Current institutional governance arrangements in the higher education sector in Scotland deliver an appropriate level of democratic accountability given the public funding in place (Scottish Government 2015a, p.7).

The Review of HE Governance in Scotland reported in 2012 and raised concerns about university governance asserting:

> A significant number of submissions to the panel have argued that the senior management *modus operandi* has sometimes contributed to a culture of 'managerialism' in universities, thereby compromising collegiality (Scottish Government 2012a, p.9; Wall 2016ab).

The report stated that the extent to which the broader university community could participate in institutional governance was restricted, thereby undermining collegiality. What is more, they considered there to be a lack of democratic accountability in governance, asserting that university leaders had 'created a

business culture within institutions, that had subverted the academic mission and academic values' (Scottish Government 2012a, p.10; Wall 2016a). Nonetheless, the report acknowledged the necessity of an efficient and professional administration to satisfy the needs and complexity of HE in the 21st century. The report highlighted institutional autonomy as a key principle of the academy and the importance of minimal political interference. However, they emphasised that institutional autonomy ought to respect academic freedom and be publicly accountable. The Review's findings echo the academic literature, with countless UK studies describing a centralisation of power and a lack of academic participation in governance (Hellawell and Hancock 2001; Deem et al. 2007; Lock and Bennion 2011; Jameson; 2012). Although, it should be noted that there is a limited evidence base focussing upon the leadership of the Scottish HE sector with which to draw comparison – a point also highlighted by the Review (Scottish Government 2012a; Humes 2018). In order to redress the identified 'crisis of democratic accountability in a university system' (Brotherstone 2012, p.2; Wall 2016a) the panel made over 30 recommendations for reform including:

> the institutional and legal framework of universities; the role of governance; appointment and remuneration of principals; role, composition and appointment of governing bodies; role, composition and appointment of academic boards; the role of stakeholders and other issues (Scottish Government 2012a, p.27-28).

The panel developed a 'very different model' for HE governance in which Scottish universities were positioned as 'independent public bodies' (McGettigan 2013, p.152). Recommendations sought to improve openness and accountability to the wider university community through, for instance, public meetings, elected chairs and guaranteed trade union (TU) presence on governing bodies. The SG subsequently accepted almost all of the recommendations (McGettigan 2013; Scottish Government 2015a). Following the Review, the Cabinet Secretary for Education and Lifelong Learning, Michael Russell MSP, determined:

> The most effective approach to implementing the recommendations is to do so in three distinct ways: first, by engaging key sector stakeholders as implementing partners; secondly, by engaging the sector itself in implementing the recommendations by agreement and adapting them as necessary to reflect existing good practice; and thirdly, by employing legislation as required. (Scottish Parliament 2012a para.18).

Many of the Review's recommendations were subsequently realised by the Scottish Code of Good HE Governance in 2013. The Code, commissioned by the Committee of Scottish Chairs, sets out 18 main principles of good governance that will 'promote the enduring success, integrity and probity of the sector as a whole' (Committee of Scottish Chairs 2013, p.1; Wall 2016a). In particular this comprises:

- Supporting its mission as an autonomous institution
- Ensuring the proper and effective use of its funds
- Promoting an appropriate participation of its key constituents, including students and staff
- Guarding against potential conflicts of interest
- Maintaining and observing clear statements of authority and responsibility throughout the institution
- Matching such authority and responsibility with accountability to key internal and external stakeholders (Committee of Scottish Chairs 2013, p.1).

The Code distinguishes 'the role of the governing body in determining overall strategic direction and setting institutional values' from the day-to-day management of the HEI by its senior management team (Committee of Scottish Chairs 2013, p.1). In addition to the main principles, the Code provides supporting guidelines and illustrative examples of good practice from across the Scottish HE sector.

While the Code took on board a number of the Review's recommendations and, in von Prondzynski's view, offered 'a useful addition to the framework of governance', it left a number of recommendations unaddressed (von Prondzynski 2014, para.2). Indeed, commentators, principally from the TU movement, considered that the Code represented a watered-down version of the Review's recommendations (Matthews 2013; UCU Scotland 2015a). What is more, TUs were critical of the process by which the Code was developed, reflected in a statement by UCU Scotland president, Dave Anderson:

> This looks like a code written by managers for managers, which is perhaps unsurprising considering the lack of staff and student involvement in the steering group and code development (UCU Scotland 2015b).

The Code operates upon the basis of 'comply or explain': universities are expected to comply or explain any non-compliance and demonstrate how the general principles are met. Although the Code is voluntary, the Post-16 Education (Scotland) Act 2013 has important provisions, setting out that universities must meet recognised principles of good governance as a requirement of funding from the SFC (SFC 2015) (see appendix 2 for a brief summary of this legislative action). SFC funding also requires HEI's to meet outcome agreements (OAs) in several priority areas such as widening participation, articulation from college to HE, the development of highly employable graduates and collaboration with industry. Through OAs government are able to regulate HE at a distance and Raffe (2016) describes this development as one which has significantly affected relationships between the HE sector and the SG. Further, in a study of education policy and nationalism, Arnott and Ozga (2016) note, of the 2013 legislation, opposition parties' criticism that the SNP were adopting a centralizing approach to HE policy. This viewpoint was also reflected in an ESCR study by Riddell (2014) on Scottish HE, devolution and independence which reported:

> The majority of senior managers [in higher education institutions] believed that the Scottish Government had centralising tendencies, and saw outcome agreements as a new form of governance which was likely to impinge on their autonomy (Riddell 2014, p.34).

Nevertheless, counter views were present in Riddell's study, for instance a senior manager of a post-1992 institute stated, 'I don't actually see any desire by the Scottish Government to restrict university autonomy' (2014, p.15). Another felt:

> Compared to other European models we have good autonomy in Scotland … in fact it's a small relative decline in autonomy. The position in a Scottish university is still way better than the position in an Italian one or a Spanish one (2014, p.15).

Similarly, Raffe (2016) suggests that as each university agrees its OAs through the SFC annually, there is flexibility in the system, which enables HEIs to shape their own strategic agenda while responding to the needs of the state. However, Raffe (2016) and other commentators have raised the potential risk of less flexible use of OAs in the future presenting a considerable threat to university autonomy (Shattock and Horvath 2020).

In 2016, the HE Governance (Scotland) Act (the Act) was enacted by SP. A summary of the legislation is presented in appendix 2. The Act is a legislative lever for the governance reform and attends to some of the Review recommendations not encompassed by the Code (Scottish Government 2016; Wall 2016a). While a transitional period provides universities until the end of 2020 for full implementation, HEIs have already begun to implement the requirements of the Act (Brotherstone and Mathison 2018). In 2016, the Code of 2013 was reviewed, and as a product of that review, a second edition of the Code published in 2017 (Committee of Scottish Chairs 2017a). The Code was developed by a steering group that comprised representation from all HEI types, stakeholders from across the Scottish HE sector including students and TUs, and those from out with the sector (Committee of Scottish Chairs 2017c). The revised Code builds upon the first Code, but includes additional elements including:

- Principles of governing body membership clarified
- New requirement to seek input on senior remuneration from staff and student representatives
- New guidance on kinds of evidence that remunerations committees should consider
- New section on equality and diversity
- A new requirement for an annual public meeting at which the Principal and members of the governing body should give an account of institutional performance and strategy
- Increased emphasis upon induction and development opportunities for governing body members
- Changes to ensure that the HE Governance (Scotland) Act 2016 is accommodated (Committee of Scottish Chairs 2017c, p.3-4; Committee of Scottish Chairs 2017d, para.3)

As for the earlier Code, the revised Code operates on a 'comply or explain' basis (Committee of Scottish Chairs 2017c). Furthermore, the revised Code, as for the first, is employed by the SFC to embody the principles of good governance referred to by the Post-16 Education (Scotland) Act 2013 as a condition of public funding.

Lastly, although not an aspect of the HE governance reform, the SFC came under scrutiny in 2016 when SG proposed its incorporation into a national board along with several enterprise agencies under the direction of a government minister. The action was perceived by the sector as a centralizing action by SG and, as a consequence, it precipitated robust opposition from the HE sector claiming that the loss of an independent, intermediary body would compromise the autonomy of universities. The proposal was subsequently rejected (Humes 2018; Brotherstone and Mathison 2018).

Although the process of reform of Scottish HE governance has not been subject to extensive empirical study it has been subject to critique and public debate, particularly during the passage of legislation. Also, studies by Raffe (2016) and more recently, Shattock and Horvath (2020) have provided valuable insights into the governance of Scottish HE and the nature of the relationship between SG and the HE sector. The Review recommendations and the ensuing development of the Code and Act precipitated public disputes between key stakeholders that dominated Scottish public policy discourse, as possible future forms of institutional governance were debated (Brotherstone and Mathison 2018). While there is a dearth of empirical research investigating the character of the policy process, it appears to have been a conflictual and non-consensual process, and one which sits in contrast to the Scottish policy style reputedly used by the SG (discussed in section 1 of chapter 2). While the policy reform attracted good staff and TU support there was strong opposition from an HE leadership attempting to preserve the status quo and independence in decision-making (Haversgal 2014; Macilwain 2015). Controversy centred around the recommendations that the chair of the governing body be directly elected by staff and students and the guarantee of TU representation on governing bodies, with concerns raised that the developments posed a risk to institutional autonomy (Carrell 2015; Macilwain 2015; Brotherstone and Mathison 2018). The chair of the Review, von Prondzynski, acknowledges the controversy created by the recommendation to elect chairs:

> One of our recommendations was that chairs of governing bodies should be elected by staff, students and other stakeholders. This recommendation, which we suspected would be controversial, has been vehemently resisted by governing body chairs and others within the universities, with one of the

objections being that if implemented it would compromise university autonomy (von Prondzynski 2013, para.2).

That the fundamental argument underpinning the policymaking process and development of legislation related to sectoral concerns about government control of Scottish universities was highlighted by the Education and Culture Committee during the legislative process:

> At its heart, however, the debate is about the legitimate level of ministerial control over HEIs and the degree to which this control may impinge on their autonomy (Scottish Parliament 2015a, p.4).

SG maintained that the aim of reform was 'not to increase Ministerial control over our institutions, but to support them to develop and refine their own governance systems' (Scottish Government 2014, p.3), but still, nevertheless, the policy development was perceived as an act of inappropriate government intervention into the affairs of autonomous institutions by those opposing the reform (Scottish Government Social Research 2015). Exemplified by a British Council study which revealed that senior staff and stakeholders in Scottish HE:

> clearly considered that the Scottish government [was] seeking to involve itself too directly in how universities are run, and that the prescriptions of the governance review [were] inconsistent with university autonomy (Kemp and Lawton 2013, p.6).

A perspective similarly expressed by a senior university figure interviewed in a study of HE governance by Shattock and Horvath (2020, p.57), who described the challenge of defending 'the autonomy and the diversity of higher education institutions in Scotland … against an increasingly … top-down, controlling government'. However, the British Council study also reported that the wider staff and student community were supportive of the proposed reforms (Kemp and Lawton 2013). Advocates of reform considered that through policy action 'universities ... are set to become a touch more democratic' and that it presented an opportunity to develop transparent, participatory mechanisms of institutional governance that increased accountability to faculty (Macilwain 2015 p.277). Brotherstone (2012, p.4) observes that the policy debate is significant in that it indicates the contrasting

perspectives of university leadership and the wider HE community on the direction of change with:

> … the latter, it should be towards collegial accountability and meaningful consultation; for the former, towards increasing management control and the ongoing march of business models.

In this regard, the debate appears to corroborate Tight's (2014) assertion that one's views upon the managerialism and collegiality debate are highly dependent upon one's experience. That neo-liberal approaches to universities and their governance has been the focus of extensive critique was noted earlier in this section, and in this regard the debate within Scotland might be considered to echo the tenor of wider discourse. Yet, as Bacevic (2019a; 2019b) notes, despite an abundance of such critique upon neo-liberalism in contemporary universities, there is a scarcity of policy action. For this reason, the attempt to 'democratise' the internal mechanisms of university governance appears to be a distinctive aspect of the reform. Indeed, Brotherstone and Mathison (2018, p.661) describe the reforms as 'a modestly but distinctively innovative approach to university governance in Scotland'. A view echoed more recently in a study of the governance of British HE by Shattock and Horvath (2020, p.56) who observe that in Scotland:

> the momentum of these reforms moved in an entirely different direction to those …in England, which … have tended to emphasize the need for greater external lay involvement and a more managerial role for the vice-chancellor.

That Scottish HE governance became a focus of reform raises questions about the how and why of this policy change and its mobilisation in Scotland, and more fundamentally, about the nature of the relationship between the sector and SG. Consequently, research question 1 (see page 15) is constructed to address the question of how the HE governance policy emerged, and thereby provide a deeper understanding of the relationship between SG and the nation's universities.

The reform occurs at the nexus between institutional governance and system governance and through this policy action the tension between institutional autonomy and government control became manifest. Shattock and Horvath (2020) note that the Act represents the 'first instance of government intervention in

institutional self-governance arrangements since the Second World War' (p.10) and observe that 'it was imposed on a university system over an extensive barrage of protest' (p.57). Nevertheless, despite this observation, and reporting of a conflictual, non-consensual policy process, there is a lack of empirical research on the character of the reform process. Consequently, research question 2 (see page 15) is constructed to address this gap in the literature and, interrogate the nature of the governance policy reforms.

The policy reform appears to embody Raffe's (2016, p.20) claim that institutional governance provides a test of relations between government and universities:

> If the government takes an interest in how universities run, is this a legitimate expression of its democratic mandate or an unwanted interference in the internal affairs of autonomous institutions?

Consequently, in this study the reform of Scottish HE governance is used as a lens through which to examine the relations between SG and the HE sector and, the balance between governmental control and institutional autonomy. While there has been limited empirical study of the reform, the evidence base suggests that the issue of governmental control and autonomy remains a sensitive one, with a tension existing between the two, and moreover, that the relationship between SG and the nation's universities is an evolving one (Raffe 2016; Shattock and Horvath 2020). The review highlights a lack of empirical research into the system governance of Scottish universities, and consequently, research question 3 (see page 15) is constructed to examine the issue of governmental control and institutional autonomy, thereby contributing to a deeper understanding of the relationship between SG and the nation's universities.

Chapter summary

Academic evidence discussed in section 1 of this chapter suggests that public policymaking in a post-devolution Scotland is considered by many to be a participatory, consultative and often consensual process, perhaps, in part, because of the small size and scale of the Scottish policy environment. This review has also demonstrated that the SNP has translated their vision of independence into a wider

political programme with the development of educational policy taking a central position (Humes 2008; Arnott 2016; Arnott and Ozga 2016). The research suggests that SG have used HE and its historic traditions as a policy resource crafting a narrative of a modernised nationalism in which 'historically embedded qualities of the Scottish polity are linked to newer more contemporary imperatives' (Arnott and Ozga 2010a, p.339).

In section 2 of chapter 2, I have examined the development of the Scottish HE sector and systemic governance over time, exploring the shifting balance between institutional autonomy and governmental control of the HE system. The relationship between SG and the university sector post-devolution was closely examined, with a review of key HE policy events under the SNP and detailed scrutiny of the reform of Scottish HE governance during the period 2011 – 2017. The study notes that despite the body of laws and regulations underpinning institutional governance, universities have not been exempted from government interference. Indeed, the literature indicates that the character of internal governance has been shaped by government policy and relations between government and the HE sector. As Raffe (2016, p.20) puts it, 'the internal governance of universities is of interest primarily as a test of this relationship'.

The literature revealed that as a consequence of governmental action in the 1980s, university governance in the UK shifted from a collegiate model to a corporate-dominated model. Further, post-devolution, Scottish HE appeared to continue very publicly as part of a national governmental policy process following a neo-liberal agenda, albeit a variant described as 'neo-liberalism with a heart' (Cuthbert and Cuthbert 2009, p.106). Moreover, the research so far noted that while neo-liberal approaches to universities and their governance has been the focus of extensive critique there is a scarcity of policy action in this area Bacevic (2019a; 2019b). As a consequence, that Scottish HE governance became a focus of reform raises questions about the how and why of the policy change, and more fundamentally, about the character of the relationship between HEIs and SG.

The review of literature in chapter 2 maps transformations, over time, in the governance of Scottish HE at system and institutional levels and, considers the

influence of the Scottish frame of reference upon HE policymaking processes. However, the review of literature revealed gaps in the current evidence base. Despite the importance of HE governance at systemic and institutional levels, given that modern HEIs deliver contributions not only to the advancement of education and knowledge but also to a nation's economic, social and cultural enrichment, there is a notable dearth of research scrutinising practice in Scotland's HE system (Scottish Government 2012a; Humes 2018). While there has been very limited empirical study of the reform of Scottish HE governance, the literature suggests that the issue of governmental control and institutional autonomy remains a sensitive one, with a tension existing between the two (Raffe 2016), making research in this area a potentially valuable area for scrutiny.

The overall aim of the research is to further understand the nature of the relationship between SG and the nation's universities. Discussion in this chapter highlights that the Scottish HE governance policy reform embodied Raffe's (2016) suggestion that the manner in which a government intervenes in institutional governance acts as a test of the relationship between government and universities. As a consequence, in this study, the reform of Scottish HE governance is used as a lens through which to examine the relations between SG and the HE sector and the balance between governmental control and institutional autonomy.

The literature review raised questions about the relationship between SG and the nation's universities that cannot be answered by the current literature. In particular, the review raised questions of how and why the policy had emerged in Scotland given the lack of policy action in the rUK, despite similar reports of managerialism across the UK HE system. That the policy process through Review, Code and Act stages appeared to face opposition and claims of inappropriate government intervention, raised questions about the nature of HE policymaking, and whether the SG had adhered to the Scottish policymaking style. Discussion in this chapter mapped transformations in HE governance and highlighted the evolving nature of relations between government and universities. While Raffe (2016) notes this evolving relationship in the devolved territories, there is a paucity of empirical research examining the complexity of relations between SG and the nation's

universities. As a consequence of this review and understanding of the literature, three research questions emerged:

1. How did the HE governance policy reform emerge?
2. What was the nature / style of the policymaking process during the reform of HE governance?
3. How did key stakeholders perceive institutional autonomy and governmental control post-reform?

Through these three interdependent research questions, the study aims to provide empirical evidence that will redress the limited evidence base on systemic governance within the localised Scottish university sector. The next chapter presents the theoretical and analytical frameworks used to support response to the three research questions and thereby address the overall aim of the research study.

Chapter 3

Theoretical and analytical frameworks

Introduction

Chapter 3 presents the two frameworks used in this study to examine the reform of HE governance policy in Scotland, and thereby illuminate the nature of relations between the SG and the HE sector (Wall 2016b). Firstly, I build upon a theme introduced in chapter 2 and further consider the relationship between institutional autonomy and governmental control. Secondly, the theoretical and analytical frameworks are introduced and positioned as appropriate mechanisms with which to scrutinise the reform of Scottish HE governance and, consequently, the autonomy / public accountability issue. Then follows detailed scrutiny of the selected frameworks: Kingdon's (1984) multiple streams approach to investigate the factors involved in mobilising policy action and an analytical framework devised by Raffe (2016) to explore the institutional autonomy of universities within devolved administrations.

The balance between institutional autonomy and governmental control

Chapter 2 culminates by highlighting that the reform of Scottish HE governance occurred at the nexus of institutional and system governance, and that through policy action, the tension between institutional autonomy and government control became manifest. In addition, the narrative highlights that the issue of governmental control and the institutional autonomy of universities remains a sensitive one, with a tension existing between the two. The existence of a balance or tension between institutional autonomy and public accountability is not a feature that is distinctive to the Scottish HE sector but is widely recognised in the academic literature (for example, see Berdahl 1990; Ferlie et al. 2008; Enders 2013; Maassen et al. 2017). The nature of the boundary between institutional autonomy and accountability might be considered to be shifting and historically contingent (Enders et al 2013). While transformations in

the governance of Scottish (and UK) universities were traced through the twentieth century in the preceding chapter (see chapter 2, from page 35), the narrative here serves to further explore the autonomy / accountability issue.

As outlined in chapter 2, the UGC was established in 1919 to act as an intermediary body between government and UK universities, and it assumed responsibility for inquiring into the financial needs of institutes and advising government regarding the application of grants. The UGC was under the wing of the Treasury, and while its membership drew from the ranks of the civil service, it had a predominantly academic membership (Moodie 1983). A key feature of the UGC system was administration of the block or recurrent grant to each university, a process which was initiated through self-assessment by each university. The university's funding proposal then evolved through discussion between the university and the UGC, and between the UGC and the Treasury (Berdahl 1959; Moodie 1983). In apportioning the grant, the UGC ensured that university plans were commensurate with national needs and within the limits of government policy, albeit policy heavily influenced by guidance from the UGC (Moodie and Eustace 1974; Berdahl 1990). The resulting block grant formed the general income of each university, and once received was used at the university's discretion. The principle of the block grant was considered necessary to ensure the optimal use of public resource by universities; the protection of academic freedom, and the avoidance of undue intervention by government into the internal affairs of universities (UGC 1968; Moodie 1983; Berdahl 1990). Non-recurrent grants for specific equipment or projects were also administered by the UGC but were subject to stricter controls (Moodie and Eustace 1974).

Moodie and Eustace (1974, p. 171) suggest that the block grant from UGC to each university was 'relatively free of overt strings', with universities maintaining the powers of self-government. Moodie (1983, p. 335) describes the relationship between universities and government at this time as 'not a question of control so much as honour and the ultimate sanction'. Moodie (1983) further suggests that the relationship was underpinned by the common acceptance of the benefit of universities and the value of institutional autonomy. The UGC system acted to bolster universities from the effects of government policy and lessened the temptation for political intervention in operational autonomy (Moodie 1983). While

universities were dependent upon public support to survive, governments were dependent upon universities for the provision of specific expertise such as the professions, civil servants, scientific research and industry. Indeed, Moodie (1983) asserts that 'government and universities saw eye to eye', and that:

> universities … were fully prepared to co-operate in meeting those public needs that seemed compatible with their own character and long-term purposes provided only that the government met those university needs compatible with its purposes (Moodie 1983, p.336).

Indeed, the Robbins Report endorsed the UGC system as a distinctive British construct that enabled a balance between institutional autonomy and accountability:

> A device of interposing between Government and institutions a committee of persons selected for their knowledge and standing and not for their political affiliation … [which ensures] that the measures of coordination and allocation that are necessary are insulated from inappropriate political influences (Committee on Higher Education 1963, para 727).

However, while institutional autonomy and academic freedom were considered to be generally secure under the UGC system, Berdahl (1959) recognised that this rested upon 'a delicate balance of forces' that may be disrupted and thereby undermine university autonomy (Berdahl 1959, p.166; 1990). And, in the 1960s, the relationship between government, universities and the UGC reportedly changed (Moodie and Eustace 1974; Moodie 1983). One factor underpinning the changing relationship, was the reassignment of the UGC, in 1964, from the Treasury to the Department of Education and Science (DES) (Shattock 2006a). A move explained by the expansion of the HE system, the increasing HE budget and government's desire to align university policy with other issues (Moodie 1983; Shattock 2006a; 2012b). Secondly, the UGC began to issue more explicit guidance to universities. The block grant was no longer a small matter and became the focus of limitations, with funds earmarked for specific purposes that aligned with national policy and priorities. Nevertheless, Moodie and Eustace writing in 1974, argue that the UGC even at its most intrusive, 'was no more restrictive than alternative donors today and in the past, whether these others are local authorities, business men, the church or royal patrons (1974, p.172). That said, DES had a special interest in educational matters and believed that

'higher education must be geared more closely to the "world of work", to the needs of industry and the economy, and to the whole idea of manpower planning' (Moodie 1983, p.342). Thirdly, while the UGC and university accounts had not, thus far, been open to scrutiny by the Comptroller and Auditor General (C&AG), from 1968, in an attempt to make universities more financially accountable to the Public Accounts Committee (PAC), universities became open to inspection by the C&AG. The latter development was subject to specific terms that would protect institutional autonomy, but nevertheless, precipitated concerns about an implied loss of autonomy. In practice, Shattock (2006a; 2012b) asserts that the change did not have an immediate impact upon the independence of universities. However, Shattock (2012b) considers that over time, PAC's concerns about the financial accountability of universities, and perhaps, an excess of institutional autonomy, were realised through the Cardiff affair, and this led to the UGC's replacement by the UFC, a body more directly controlled by government (Shattock 2006; 2012b; 2017). Subsequently, accountability became largely delivered through three mechanisms that impact upon operational autonomy: the Financial Memorandum, universities' accounts and universities' audit committees (Shattock 2006a, p32).

In more recent decades, the balance between institutional autonomy and public accountability is reportedly in a state of flux and 'moving from academic self-accountability towards stronger and broader ways of asserting social and public accountability' (Hazelkorn and Gibson 2017, p.3). The origins of such shifts largely lie in the profound changes in the purpose of the HE sector within the UK and internationally – the massification of HE; the knowledge economy; the Europeanisation and internationalisation of HE; and the development of the university as a 'multiversity' which 'serves the community almost slavishly' (Kerr 2001, p.19) through a combination of its core functions of teaching and research alongside activities that support the nation's economic, social and cultural enrichment (OECD 2003; de Boer and File 2009; Maassen et al. 2017). Furthermore, coordination of HE occurs in a complex policy environment of multiple, interconnected policy levels reflecting both international and local policy agendas (Ozga and Jones 2006; Raffe 2013a). While national governments maintain considerable power in shaping the local sector, they must strike a balance between HE's national and international identities (Arnott and Menter 2007; Riddell 2016;

Humes and Bryce 2018). Thus, one consequence of change and the increased significance of universities has been an increase in the number of actors involved and new mechanisms of accountability. Indeed, Clark's (1983) classic 'triangle of coordination' with its axes of state, market and the academy has been superseded by models that emphasise the multi-actor environment and agency of societal stakeholders (for instance, see de Boer et al. 2007; Etzkowitz and Leydesdorff 2000; Carayannis 2012a, 2012b). As a result, articulation of the HE sectors contribution to society has gained greater saliency - governments have an appreciable interest in ensuring that HEIs meet the state's economic and social requirements given their significance to knowledge economy orientated societies. However, the literature suggests that third mission activities that overtly connect HE, the economy and society alter and deflect the core functions of HE, teaching and research and how they are executed, contributing to the transformation and re-production of the HE sector (Nedeva 2007; Deem 2008). Furthermore, an escalation of third mission functions or, indeed, positioning HEIs as weather vanes to political and societal demands may ultimately act to compromise their autonomy (Berdahl 1990; Shattock 2010).

As most successful HE systems internationally are characterised by higher levels of autonomy, it is important that, despite such extrinsic pressures, universities maintain autonomy (Raffe 2016). Indeed, institutional autonomy continues to be recognised as a valuable, intrinsic characteristic of the university sector through which academic freedom is protected and universities function independently of direct government influence (Moses 2007; Hazelkorn and Gibson 2017). Nevertheless, it has been argued that the HE sector's autonomy has contributed to growing distrust between the academy, policymakers and society (Enders 2013; Hazelkorn and Gibson 2017). Indeed, reports suggest that the public perceive the HE sector to be self-serving and highlight that ongoing societal support is dependent upon its capacity to 'educate citizens in general, to share knowledge, to distribute it as widely as possible in accord with publicly articulated purposes' (Calhoun 2006, p.19; Larsen et al. 2009; Hazelkorn and Gibson 2017). Marginson (2018), however, notes that HEIs are amongst the most trusted of publicly funded institutions in the UK. Nevertheless, as Berdahl (1990) and others observe, it is easier for government and civic society to accommodate autonomy in an elite system with relatively low costs to the public

purse. Can the expectation that contemporary universities serve multiple socio-economic and cultural functions be reconciled with a defence of their intellectual function and institutional autonomy? Ideally, a balance should be sought between both states. As Berdahl (1990, p.171) reflects, 'Too much autonomy might lead to universities unresponsive to society; too much accountability might destroy the necessary academic ethos'. And, as Maassen et al (2017) have highlighted more recently, the quest for attaining an effective balance between public accountability and institutional autonomy is influenced by the national and cultural setting of universities.

In most countries, including the UK, a dynamic balance exists between governmental control and institutional autonomy. Indeed, as chapter 2 attempts to show, the relationship between government and universities is an evolving one, perhaps particularly so within the context of post-devolution Scotland. The reform of HE governance in Scotland offers a lens through which to the scrutinise relations between government and universities and to examine the balance between institutional autonomy and governmental control within its national and cultural context (Wall 2016b). The frameworks used to explore this equilibrium are examined in the following sections of this chapter.

Introducing the theoretical and analytical frameworks

The previous section acknowledges the 'multi-level, multi-actor and multi-issue' character of system governance and the multi-dimensional frameworks that may be used to examine or describe shifts in governance e.g. the framework by De Boer et al (2007) that extends Clark's (1983) classic triangle of coordination (Chou et al. 2017, p.1). However, the focus of interest in this research lies in the bilateral relationship between SG and the university sector and, consequently, this is reflected in the RQs and the selection of frameworks underpinning the research. As discussed earlier, the recent reform of Scottish HE governance policy is used as a lens in the study in order to develop an understanding of the nature of the relationship between SG and universities. The RQs to be addressed through research interviews and documentary analysis in this study are:

1. How did the HE governance policy reform emerge?
2. What was the nature / style of the policymaking process during the reform of HE governance?
3. How did key stakeholders perceive institutional autonomy and governmental control post-reform?

As highlighted in the introduction, the RQs are interdependent, each serving the collective purpose of explicating the nature of relations between universities and SG by considering the temporal, cultural and political qualities of HE policymaking; the character of the policymaking process; and the balance of equilibrium between institutional autonomy and governmental control post-reform. The RQs enable the examination of the relationship between the SG and universities to be approached and considered from different angles. Consequently, in order to facilitate this rounded examination and address the RQs, the study is underpinned by the use of two frameworks: Kingdon's (1984) multiple streams approach and Raffe's (2016) analytical framework to examine the relationship between government and universities in devolved nations. In combination the two frameworks act as an informed and specialised lens with which to examine and understand my research findings. Moreover, providing useful scaffolding with which to coherently organise and present my study.

Kingdon's (1984) multiple streams approach is used as a theoretical framework with which to explore the how and why of the policy change, and indeed, how the HE governance policy emerged in Scotland, thereby responding to RQ1. Its use enables the reform of Scottish HE governance to be positioned as a lens through which to illuminate the temporal, political and contextual qualities of the policy initiative and examine the nature of the relationship between universities and SG.

RQ3 reflects the view that there is value in exploring the views of key policy actors on issues of institutional autonomy and governmental control post-reform. Consequently, the study draws upon an analytical framework devised by Raffe (2016) to examine the nature of the relationship between universities and SG and what is more, to identify the factors protecting and threatening the institutional

autonomy of Scottish universities post-reform. Furthermore, the study draws upon Raffe's (2016) analytical framework to support investigation into the nature / style of the policymaking process (RQ2), considering whether the HE sector worked as an effective political force during the policy formation.

In combination the two frameworks provide appropriate and complementary theoretical scaffolding with which to scrutinise research data, make sense of the multiple realities presented by the interview data, and thereby develop an understanding of the questions raised in the study. In subsequent sections of this chapter, I explore in greater detail the two frameworks and the appropriateness of their application in investigating the nature of relations between SG and the university sector.

A multiple streams approach to policy analysis

In this study, I adopt Kingdon's (1984) multiple streams approach (MSA) to agenda setting as the key theoretical framework with which to try and develop an understanding of why Scottish HE governance became a focus for reform by government. MSA was first described in 1984 by Kingdon in his influential text '*Agendas, Alternatives and Public Policies'*. While Kingdon developed MSA within the context of the US political environment it has attained significant widespread success (Cairney 2008). It has been applied widely to public policy analysis beyond the geographical context of the US (Cairney and Jones 2016). Indeed, MSA has been employed to analyse policy in a diverse range of policy areas and countries (for example see, Hall 1993; Dudley 2013; Zahariadis 2004, 2007; Cairney 2009; Jones et al. 2016) and, further, has been used to examine agenda setting in educational policy (for example, see Lo 2017; Corbett 2018). In addition, the concepts of the framework are considered to be 'universal' in that they are demonstrably flexible and applicable for use in most policy contexts, fields and time periods (Cairney 2009; Cairney 2018). Therefore, the theoretical framework offers an accessible lens with which to analyse the dynamic and complex interactions that produced HE governance policy change in Scotland. Moreover, drawing upon the framework, acts to connect the current study with the wider policy analysis literature exploring agenda setting in public policy.

Cairney (2018, p.201-202) claims that the 'MSA story begins as an antidote to the biggest work of fiction in policy studies: rational policymaking during a policy cycle' and 'tells a persuasive story about the role of timing and fleeting opportunity in politics'. In MSA, Kingdon (1984) developed Cohen, March, and Olsen's (1972) 'garbage can model' of organizational policymaking in order to delineate the dynamic, messy and unpredictable business of agenda setting (Sabatier 1999). The central tenet of MSA is to seek to understand why particular ideas captivate politicians and policymakers at particular times, while others do not (Jones and Baumgarter 2005). Accordingly, the significance of receptivity to ideas is emphasised within the framework. The approach assumes the inherent ambiguity and temporal nature of agenda setting and policymaking, 'a state of having many ways of thinking about the same circumstances or phenomena' (Feldman 1989, p.5, cited in Zahariadis 2003, p.2-3). The framework has five structural components. There are three distinct process streams – the *problem, policy* and *political streams* and the approach emphasises the contribution of central policy actors or *entrepreneurs*, who, within the frame of ambiguity may influence the public policy agenda to progress their objectives through a *policy window* (Bache and Reardon 2013; Ackrill et al. 2013; Kingdon 2014).

The *problem stream* concerns the matter of problem identification (Kingdon 1995). It encompasses the various conditions or problems that are thought to need attention by government, interest groups and other policymakers. Policy actors 'could attend to a long list of problems' yet rather, 'pay serious attention to only a fraction of them' (Kingdon 1984, p.95,120). Indeed, there are almost limitless policy problems, and policymakers, by necessity, disregard most and advance only a small number to the head of the policy agenda (Baumgartner and Jones 1993; Ackrill et al. 2013). Problems are not discovered, they are elevated (Cairney 2019). It is not an objective or evidence-based process, rather, it is a political activity in which power is exerted to make sure that one subjective account succeeds to the detriment of others (Zahariadis 2004; Cairney 2018). Problem recognition is highly dependent upon how a problem is expressed or framed by policy participants. What is more, receptivity to a problem will correlate with a policymaker's values and the persuasive power of influencers (Majone 1989; Dearing and Rogers 1996). While problems may become

noticeable through a crisis or focusing event, they may still need to connect with, or intensify, a concern 'already in the back of people's minds' (Kingdon 1984, p.103).

The *policy stream* relates to how policy proposals or solutions are initiated, debated, reviewed and sanctioned by policy actors in order to attend to urgent problems (Ackrill et al. 2013). Again, this is not a neutral process. Employing an evolutionary metaphor, Kingdon (1984) suggests that policy proposals circulate in a policy 'primeval soup' with only some ideas achieving acceptance or development in a process akin to biological natural selection. In order to survive proposals must possess value acceptability and be deemed technically feasible or viable (Kingdon 1984).

The last stream is the *political stream* which relates to the broader political context within which policy participants interact and drive agendas forward. Kingdon (2014) argues that shifts in the political system tend to increase attentiveness towards a specific problem and the proposed solution. Such shifts encompass '… swings of national mood, vagaries of public opinion, election results, changes of administration … and interest group pressure campaigns' (Kingdon 2014, p.87). Major political events can make 'some things possible that were impossible before' and 'other things out of the question' and 'create a receptivity to some ideas but not others' (Kingdon 2014, p.145).

The three streams primarily run independently of one another, possessing their own logic and dynamic (Kingdon 1984; Zahariadis 2004). However, the streams may couple at critical points creating opportunity for policy change:

> Separate streams come together at critical times. A problem is recognized, a solution is developed and available in the policy community, a political change makes it the right time for policy change, and potential constraints are not severe ... these policy windows, the opportunities for action on given initiatives, present themselves and stay open for only short periods. (Kingdon 2014, p.165-166)

In Kingdon's terms a *policy window* is created when the three streams coalesce enabling policy change. In this frame, the power of ideas is acknowledged but focus extends beyond an 'idea whose time has come' as a sole explanation for policy

action (Kingdon 2014, p.1). MSA emphasises the importance of context and the receptivity to an idea (Cairney 2009). As Lieberman states:

> An idea's time arrives not simply because the idea is compelling on its own terms, but because opportune political circumstances favour it. At those moments when a political idea finds persuasive expression among actors whose institutional position gives them both the motive and the opportunity to translate it into policy – then, and only then, can we say that an idea has found a time (Lieberman 2002, p.709).

A policy window is generated in either the problem or political stream. Compelling policy problems / crises or events in the political stream are powerful agenda setters and are the predominant catalysts for policy action. Indeed, Howlett (1998) and Cairney (2018) report that elections provide the most common or predictable policy window, as building electoral coalitions or securing re-election may act to motivate policymakers. At such times, policymakers will judge the public mood, interest group thinking and receptivity to policy, with agenda decisions subsequently underpinned by an appraisal of the political costs or benefits of action upon an issue (Cairney and Jones 2016). Once a policy window opens, the occasion arises for proponents of policy proposals to exploit the political climate and push through their pet solutions or policy agenda.

In Kingdon's terminology, policy *entrepreneurs* fulfil this role of connecting the previously disparate process streams, thereby advancing the policy issue, 'They hook solutions to problems, proposals to political momentum and political events to policy problems' (Kingdon 2014, p.182). Further, entrepreneurs are able to frame the evidence in ways that appeal to the beliefs of their audience, 'softening up' and improving receptivity to their ideas through speeches, reports and studies (Cairney 2016a). Indeed, they 'develop frames that convey meaning to different audiences, building coalitions and containing conflict' (Zahariadis 2008, p.522). Such policy entrepreneurs have a crucial role to play, and in their absence windows of opportunity for policy change may not be exploited. Furthermore, their influence may be more significant in 'a smaller and / or more local scale of government' (Cairney and Jones 2016, p.46). Although many actors are involved in policymaking, Kingdon (1984) notes that it is often possible to identify the individual or small number of people who have been instrumental in advancing a policy issue. Such policy

entrepreneurs possess distinctive traits. They are found in or around government, may be elected politicians or represent special interest groups. They are well-connected and well-informed, with persistence, persuasive skills and authority. Furthermore, policy entrepreneurs are prepared to commit their capital – in the form of time, focus, political resource and status – in the pursuit of gains thereafter (Kingdon 1984; Zahariadis 2008). Such gains may be, for example, the realisation of policy that aligns with their values, personal aggrandisement or career advancement.

In chapter 2, we saw an evolving relationship between government and universities, and consequently, transformations in the forms of institutional governance employed within the sector. Further, we noted that the imposition of corporate forms of governance and the rise of managerialism has been the subject of strong critique. And yet, despite the recognition of neo-liberal approaches to universities and their governance there is typically a scarcity of subsequent policy action or change Bacevic (2019a; 2019b). That the governance of Scottish universities became a focus of reform by SG raises questions about the how and why of the policy action. Applying Kingdon's (1984) MSA to research data, and explicating the five structural components of the framework, *problem, policy* and *political streams*, *entrepreneur* and the *window of opportunity* will illuminate the temporal and contextual qualities of the HE governance policy reform (Kingdon 1984; Zahariadis 2004; Cairney and Jones 2016). In this way, responding to RQ1 by connecting not only with the Scottish context but by providing insights into the political context within which an 'idea whose time has come' was articulated and adopted (Kingdon 2014, p.1). As such, the application of Kingdon's (1984) MSA attends to questions about the how and why of policy change and further, facilitates the use of the reform of Scottish HE governance as a lens through which to examine the nature of the relationship between the sector and SG.

Exploring HE governance and institutional autonomy post-devolution

In this study I also employ an analytical framework that was devised by David Raffe to explore the relationship between universities and the governments of devolved administrations (Raffe 2016). In his analysis, Raffe (2016) considers the balance of the relationship between the autonomy of universities and governmental control within a post-devolution Scotland. While Raffe's (2016) analysis focuses upon the Scottish context, the model is equally applicable to all devolved nations of the UK. In his study, Raffe (2016) explores the factors acting to threaten or protect the autonomy of HEIs of devolved territories, focusing upon those factors that may be attributed to devolution. He identifies the three factors that protect the autonomy of Scottish universities post-devolution as the proximity of universities to government, HE as a national asset, and the internationalisation of HE. The framework recognises the proximity of government to universities, high expectations of the sector, and the politics of devolution as potential threats to institutional autonomy. Raffe (2016) considers that the two sets of factors are connected and may be regarded as 'two sides of the same coin', reflecting the ambiguities intrinsic to the political relationship between SG and Scottish universities. Furthermore, Raffe (2016) considers the relationship between SG and the HE sector to be an evolving one. I have summarised Raffe's analytical framework in tabular form in table 3 below, and the narrative will now turn to consider each of the factors in turn.

Table 3: Factors influencing institutional autonomy post-devolution (developed from Raffe 2016).

Protectors	Threats
Proximity of universities to government: HE as an effective political force	Proximity of government to universities
HE as a national asset	Government has high expectations of the HE sector
International nature of HE	Politics of devolution

Factors acting to protect institutional autonomy

Proximity of universities to government: the HE sector as an effective political force

Raffe (2016) and other commentators such as Hodgson et al. (2011) and Shattock and Horvath (2019; 2020) acknowledge that proximity may serve to act as both a source of opportunity and strength, and a source of threat. Raffe (2016) and others (for instance, see Hodgson et al. 2011) suggest that the proximity of universities to government may act in the defence of institutional autonomy. More specifically, Raffe (2016) suggests that the intimacy of the Scottish HE policy-scape enables Scottish universities to exert a powerful influence upon policy development. Furthermore, Raffe (2016) asserts the importance of the Scottish HE sector acting as a coordinated political strength and speaking with one HE voice in order to maintain influence upon HE policy and thereby protect the autonomy of universities. Indeed, the ability of sectoral stakeholders, such as Universities Scotland and National Union of Students Scotland (NUS Scotland), to work together and successfully exert influence upon HE policy has been noted (Riddell 2014, 2016; Shattock and Horvath 2019; 2020). What is more, that universities are effective as a political force is, perhaps in part, related to a policymaking culture which is consistent with participation and consultation and assumes a consensual, negotiated style (Raffe and Spours 2007; Hodgson et al. 2011; Raffe 2013b; Cairney and Widfeldt 2015). This element of the framework is used to support investigation into the nature / style of the policymaking process during the reform of HE governance (RQ2).

HE as a national asset

Raffe (2016) considers that a widespread perception of the Scottish HE sector as a national asset acts to protect the institutional autonomy of HEIs. Furthermore, asserting that SG consider universities to be one of the nation's main assets and, highlighting a study by Riddell (2014) wherein the Cabinet Secretary, questioned in 2014, stated:

> We believe that it's a societal good and the sector produces enormous profits and benefits – it's the third largest sector in our economy, the multiplier is pretty good for us (Riddell 2014, p.17).

Moreover, Raffe (2016, p.28) suggests that the success of the HE sector acts to protect the autonomy of its institutes because 'no government would want to earn a reputation for having put this valuable national asset … at risk' given its contribution to the nation's economic, social and cultural enrichment. Claiming that, as a consequence, successive government have been responsive to the sector's warnings that budget cuts may impinge upon its global standing and competitiveness.

The international nature of HE

Raffe (2016) identifies the internationalisation of HE as a means through which universities have been able to preserve a large measure of institutional autonomy. In Raffe's terms, this refers to the set of influences that creates an interconnectivity or interdependence of HEIs worldwide and / or reflects their co-dependence upon similar policy drivers. Raffe's (2016, p.29) framework encompasses the interdependencies or 'rules of the game' that operate within the UK and internationally. Raffe (2016) suggests that internationalisation, so expressed, constrains SG in a number of ways. Raffe (2013a; 2016) notes that the mission of the university sector is increasingly defined at an international level. What is more, Raffe (2013a; 2016) and other commentators draw attention to the significant influence of internationally defined criteria in the construction of university league tables. The quest for world-class status and recognition in the global knowledge economy holds sway with government. Indeed, government recognises the significance of global ranking systems in cultivating prestige for their HE system (Hazelkorn 2018). For example, SG centred attention upon the ranking of Scottish universities in their White Paper on independence (Scottish Government 2013; Raffe 2016). Furthermore, the development of the HE areas such as the European Higher Education Area create critical mass, opportunities for collaboration and increased competition. Raffe (2016) argues that the commonalities within the UK HE ecosystem make it a small but common HE area. In such common HE areas,

universities participate on terms that may not necessarily align with SG's priorities, and this acts to constrain or limit divergence of policy at a local level. Additionally, x Raffe (2016) notes that such interdependencies and close competition between HEIs internationally makes uniformity of funding a significant issue and an area of scrutiny by organisations such as the OECD. Consequently, while national governments are at liberty to rationalise HE funding, such decisions are likely to be accompanied by significant political cost. As discussed in chapter 2, HE funding in Scotland comes primarily from the government block grant and fees charged to students from the rUK and overseas (Bruce 2012; Riddell 2016). While divergent policy regarding tuition fees in the UK has, perhaps, made Scottish universities more vulnerable to governmental control (Shattock 2010), Raffe (2016) asserts that this vulnerability is tempered by the 'rules of the game' and the sectors associated ability to exert influence upon policy development. Lastly, institutional autonomy is considered as one of the international 'rules of the game' (Raffe, 2016, p.30) with most successful HE systems internationally characterised by higher levels of autonomy. In sum, SG has limited power to change this or other international 'rules of the game' and further, is aware that attempts to control the sector too closely and or bind it too closely to national policy objectives will compromise the ability of Scottish universities to compete nationally and internationally (Raffe 2016; Humes 2018).

Threats to institutional autonomy

Proximity of government to universities

Raffe (2016) and Hodgson *et al.* (2011) suggest that devolution has increased risk to institutional autonomy by bringing HEIs more closely within reach of SG. The proximity of SG and HEIs is, in part, a question of numbers: a consequence of a system comprised of only nineteen HEIs is increased intimacy (Raffe 2016, p.26). With greater proximity, comes increased visibility, closer relationships between minister and principals and, the likelihood that universities become the focus of government interest and subject to political intervention (Riddell 2016). Raffe (2013b; 2016) also suggests that in an intimate system such as this, sustaining the role of the SFC as a buffer body between SG and HEIs is more difficult. That the role of the

SFC has been affected by SG interacting directly with universities through formal and informal means has also been noted by Bruce (2012).

Government has high expectations of the HE sector

Raffe (2016) identifies the second potential threat to the institutional autonomy of universities as SG's high expectations of the HE sector. Equally, in an earlier study, Raffe (2013b, p.5-6) asserts that the governments of devolved nations accentuate:

> the economic development role of higher education, on … lifelong learning and the development of more coherent education systems, on the social and cultural functions of higher education and on coordination at a regional level. Higher education in the devolved nations is expected to be more active in engaging with, and supporting, the social, cultural and economic needs of the wider society.

Indeed, the wider academic literature indicates that devolved territories ask more of their universities (Court 2004; Bruce 2012; Shattock and Horvath 2019; 2020). For instance, Tapper (2007, p.83) notes that universities in England 'are not perceived as quite so integral to the nation's future welfare as they are in Scotland and Wales and thus face somewhat less pressure to deliver tightly prescribed policy goals'. Further, an analysis by Bruce (2012, p.99) describes a shift towards 'a more traditional European model' of HE governance in Scotland typified by progressively prescriptive government guidance and intervention to ensure the sector meets SG's social and economic objectives. SG's anticipation that HE deliver more may heighten the risk of political intervention in order to secure social, cultural and economic objectives that align with governmental priorities (Bruce 2012; Shattock 2006b; 2010; Shattock and Horvath 2019). What is more, in Scotland, the high financial dependence of the sector may create a very real risk of domination by government (Shattock 2010; Raffe 2016). The governance of HE is closely tied up with the issue of funding – reflecting the ominous ring of the 'power of the public purse'. After all, *not* being dependent upon a single funding stream enhances the self-determination of universities and the ability to decide and enact their own futures (Shattock and Horvath 2019).

The politics of devolution

Raffe (2016) identifies the politics of devolution as the third threat to institutional autonomy given the importance of the HE (and education generally) as a policy area in devolved territories. What is more, not only is HE highly regarded and valued in devolved administrations, it is closely connected to national identity and embedded ideas of meritocratic egalitarianism – a point noted in chapter 2 (Ozga 2011; Kemp and Lawton, 2013; Raffe 2016). In Scotland, its association with national identity has been employed by SG as an element of their governing strategy to mobilise and modernise ideas of nationalism (Ozga and Arnott 2010a; Raffe 2016). HE is a highly visible area of devolved policy in which the SG is free to 'carve its own furrow', with the free tuition policy providing a notable example of this. While Raffe (2016) describes, in his framework, HE as a policy area in which SG has freedom to manoeuvre despite fixed budgets and a lack of significant fiscal powers, he notes the constraints posed by the commonalities of the UK HE policy area. Raffe (2016) observes that the interdependencies between the HE policy of the UK nations, particularly with regard to fees, has implications for autonomy. For instance, in Scotland, in order to maintain funding parity with the rest of the UK, Scottish HEIs contracted favourable financial settlements from SG in exchange for maximising their economic, social and cultural contributions – striking a 'Faustian bargain' with the SG in which universities traded a minor loss of autonomy for financial benefit (Raffe 2016, p.20).

In summary, David Raffe (2016) devised his framework to analyse the relationship between universities and the governments of devolved territories. In his analysis he focused upon the relationship between SG and the Scottish HE sector post-devolution, examining the balance between governmental control and the institutional autonomy of universities. He concludes in his study that the relationship between HEIs and SG is an evolving one, suggesting that activity in the nexus between institutional and system governance provides a test of the relationship between SG and universities. In the light of this, Raffe's (2016) framework is employed in the analysis of interview data in order to examine the relationship between SG and Scottish universities post-reform of HE governance, thereby responding to RQ3. The framework offers a mechanism with which to systematically

explore the factors that pose a threat, or conversely act to protect the institutional autonomy of Scottish HEIs, as identified by interviewees. In addition, one aspect of Raffe's (2016) framework is the proximity of universities to government: HE as an effective political force (see p.67), and this is used to support investigation into the nature / style of the policymaking process in the reform of HE governance (RQ2). The use of Raffe's (2016) analytical framework has not been reported in an empirical study and its use in my research provides a modest methodological contribution to HE policy studies.

Discussion of the practical application of each framework is presented in chapter 4.

Chapter summary

This chapter presents the two frameworks selected for use to examine the reform of Scottish HE governance policy, and thereby enable scrutiny of relations between the SG and the HE sector, and the balance between institutional autonomy and governmental control. Kingdon's (1984) MSA was introduced as an appropriate theoretical framework with which to explore the how and why of the policy change, thereby supporting an understanding of RQ1. Its use enables the reform of Scottish HE governance to be positioned as a lens through which to illuminate the temporal, political and contextual qualities of the policy action and examine the nature of the relationship between universities and SG. Secondly, an analytical framework devised by Raffe (2016) was presented as a means with which to investigate the balance between institutional autonomy and governmental control in Scotland and to identify the factors influencing this relationship post-reform, thereby responding to RQ3. Additionally, Raffe's (2016) framework is identified as an appropriate mechanism with which to explore the nature / style of the policymaking process (RQ2).

Chapter 4

Research design and methodology

Introduction

In this chapter, I present the methodological framework and research methods selected for this study, which is an attempt to understand the nature of the relationship between SG and universities through an investigative focus upon the reform of Scottish HE governance policy in the period 2011-2017.

I adopt an interpretivist-constructivist position in this research study. The data collection focussed upon the use of remote semi-structured interviews to elicit accounts from key actors on the genesis and development of governance policy. I have also used supplementary interpretive documentary review to develop, analytically, my ideas about governance and my understanding of the generated interview data. The study incorporated the use of official documents that contributed to the reform such as the Review (Scottish Government 2012a) and interactional policy resources, e.g. parliamentary committee reports, and unofficial sources e.g. newspaper reports (see appendix 1). The chapter first examines and justifies the chosen methodology and then considers the research methods and approach to analysis.

Development of research questions

The RQs, as stated previously, aim to provide insight into the nature of Scottish HE policymaking and the balance of the relationship between Scottish universities and the SG, using the reform of Scottish HE governance as a lens through which to scrutinise the nexus between institutional and system governance. The RQs are identified in table 4, overleaf, alongside the intended purpose of each enquiry and the associated source of data.

Table 4: Research questions

Research Question	Purpose	Data Source
1. How did the HE governance policy reform emerge?	To explore, using Kingdon's (1984) MSA, how and why HE governance reform was on the policy agenda - as perceived by key policy actors located within different groups / contexts. To provide insights on whether a unified view exists on what instigated the process of reform. To understand aspects of the Scottish context which influenced the decision to reform policy such as, HE as a devolved policy area, SNP as a majority government, the role of ideology, nationalism.	Semi-structured interviews Document analysis
2. What was the nature / style of the policymaking process during the reform of HE governance?	To explore whether a partnership / participatory, consensual model of policy production was adopted. To appraise whether the policymaking followed a Scottish policy style (Cairney et al. 2016). To consider, using Raffe's (2016) analytical framework, whether the HE sector worked as an effective political force.	Semi-structured interviews Document analysis
3. How did key stakeholders perceive institutional autonomy and governmental control post-reform?	Using Raffe's (2016) analytical framework to explore the balance of institutional autonomy and governmental control, and the relationship between SG and universities post-reform, as perceived by policy actors representing different contexts. To explore what policy actors consider to be the threats and also the protective influences to institutional autonomy within the Scottish HE context.	Semi-structured interviews

Research approach

The methodology concerns the conceptual and reflective reasoning behind the research decisions and the methods used to conduct a research study (Sikes 2004). The investigator's beliefs regarding the character of being (ontology) and what it means to know (epistemology) underpin the decisions made regarding the choice of research methodology. Consequently, the selected methodology and methods will shape the research process and outcomes. As ontology, epistemology and methodology are intimately related to the researcher's perspectives on reality, truth and values it is imperative for the researcher to employ reflectivity and reflexivity to interrogate their assumptions. In doing so, the researcher may identify 'where they are coming from' (Sikes 2004, p.99) and acknowledge their own positionality thereby acting to support the integrity of the research study.

The overall framework comprising the investigator's ontological, epistemological and methodological beliefs is known as the research paradigm. The paradigm reflecting the approach taken in this study may be described as constructivist-interpretivist. This framework is underpinned by the idea that 'reality is constructed by individuals interacting with their social worlds' (Merriam 2001, p.6). Social reality is considered to be a human construct, intrinsically influenced by circumstance and plural in character with subjectivity playing a central and legitimate part in the research process. Consequently, the pursuit for an absolute truth is not the intent of my research as it rather aspires to understand the policy process as experienced by a range of policymakers, ultimately building a framework of 'multiple realities' regarding the relationship between the SG and HEIs.

In order to capture this range of perspectives the research study has been designed to use qualitative rather than quantitative approaches. A qualitative approach is associated with efforts to comprehend the lived experience and the significance humans accredit to phenomena (Denzin and Lincoln 2011). The selection of a qualitative approach seems appropriate because it enables the researcher to capture 'rich descriptions of the social world' (Denzin and Lincoln 2000, p.10) and develop an understanding of 'the meaning people have constructed, that is, how they make

sense of their world and the experiences they have in the world' (Merriam 2001, p.6) and ultimately the intricacy and subjective nature of human experience. Denzin (2002) argues that the rich, thick data from lived experience is essential material for interpretative research and understanding a phenomenon:

> Can occur only when the interpretation is based on materials that come from the world of lived experience…interpretations are built up out of events and experiences that are described in detail. Thickly contextualised materials are dense. They record experience as it occurs. They locate experience in social situations. They record thoughts, meanings, emotions and actions. They speak from the subject's point of view (Denzin 2002, p.362).

In this enquiry individual semi-structured interviews with key stakeholders are used to generate rich qualitative data in the form of exploratory and descriptive narratives. This rich data can be used to understand the meanings individual's attach to phenomena in their own terms (Denzin and Lincoln 2000). Nevertheless, in considering the accounts I was aware that participants use narrative as a means of framing themselves as academics / policymakers, protecting their position and particular relations of power. As Stake suggests 'The interview is the main road to multiple realities' (Stake 1995, p.64). With this in mind, the approach is well suited to secure, classify, present and explicate the multiple realities of contributors to the study, with regard to the HE governance policymaking process, and consequently, the nature of the relationship between universities and the SG. The semi-structured interview was employed as the principal data gathering tool in this research study. However, as Bryman (1988 p.74) suggests, 'it would be a very strange subject which simply projected subjects' perspectives without any analysis or wider orientation', I have therefore used supplementary interpretive documentary review to develop, analytically, my ideas about governance and my understanding of the generated interview data. The narrative now turns to a detailed discussion of the research methods and their application.

Use of documents

I used document analysis to gain an initial understanding of the reform of HE governance and then, as my research progressed, I read and re-read the documentary material in the light of the interview data and it enabled me to develop a more thorough understanding of the interview material and the documentary evidence itself. While documentation provided useful information about what decisions were made and when, they provided less assistance in understanding how contrasting interests were reconciled and how decisions, strategies were made. Consequently, the interviews act as the main data source because they help to understand the how of the policy process. Using this approach, I have attempted to incorporate 'multiple accounts of social reality' (Bryman 2001, p.272) into my study through triangulation of data sources – using primary data from interviews with a varied group of policy actors and secondary data from documents. While I consider the interview to have integrity as a single inquiry, the use of alternative evidence and insight from documentary analysis acts to a provide more in-depth, yet still partial, understanding of my research questions (Braun and Clarke 2013). The key sources of documentation were the papers that have contributed to the policy reform, in particular official documents such as the Review (Scottish Government 2012a), the Code (CSC 2013; 2017) and the Act (Scottish Parliament 2016), plus other interactional policy resources e.g. consultation reports, official / organisational statements and parliamentary and committee reports. In addition, press coverage was used as this recorded the controversy precipitated by the governance policy reform. The use of contemporary documentation such as this offers a specific dimension to the study as they are 'a product of the context in which they were produced and therefore grounded in the real world' (Merriam 2009, p.156). Table 5, overleaf, summarises the core documentary sources used to inform the study (for a more detailed list see Appendix 1).

Table 5: Opportunities for documentary analysis

Official
Report of the Review of HE Governance in Scotland (2012)
Post 16 Education (Scotland) Act (2013)
Code of Good HE Governance (2013;2017)
Higher Education Governance (Scotland) Act (2016)
Consultation submissions (for Review, Codes and Bill)
Report of the review of 2013 Code
University, TU, Universities Scotland and other organisational statements
Education and Culture Committee reports
Parliamentary reports
SNP Manifestos
Unofficial
Newspaper articles
Stakeholder blogs – individual and collective

The semi-structured interview

The semi-structured interview is one of the most commonly employed procedures in qualitative research because it provides opportunities to understand events, situations and experiences (Gubrium and Holstein 2002; Ribbins 2007; Coe et al. 2017). Semi-structured interviews are a carefully prepared but adaptable tool which allow the researcher to guide the subject of the exchange while also being responsive to the participant. This is because it provides 'a flexible framework' of 'open-ended questions' around the specific subject of interest (Dearnley 2005, p.22). The use of semi-structured interviews is appropriate in this enquiry as it generates a variety of observations, insights and perspectives from stakeholders that would not have been available through more formally structured interviews. The approach is intrinsically relational in character with data gathered through what may be considered a conversation with structure and purpose. Kvale (1996, p.14) describes interviews as 'literally an inter view, an interchange of views between two persons conversing about a theme of mutual interest'. In this way they act as a 'construction site of knowledge' (Kvale 1996, p.42) through which the researcher may gather data of direct relevance to the RQs. For these reasons the semi-structured interview was employed as the principal data gathering tool in this research study.

Skype and telephone interviews

In this study, geographic and financial constraints dictated that interviews were conducted remotely in 'real-time' with the use of technology. As highlighted by Wakefield (2013) this approach offered several advantages including access to geographically dispersed respondents and reduced costs. Within this study, fifteen interviews were conducted - nine interviews via video connection using Skype / video technology and six interviews via telephone.

Face-to-face interviews are frequently regarded as the 'gold standard in terms of validity and rigour' with alternatives deemed 'second best' (McCoyd and Kerson 2006, p.390). However, Deakin and Wakefield (2014) and others suggest that modern communication technologies like Skype may be used to conduct synchronous interviews in a manner with some similarity to the traditional research interview (Denscombe 2003; Pretto and Pocknee 2008; Madge 2010). Skype is a form of conferencing software with national and international recognition that is available for free download. It has several options for exchange such as audio and video calling plus messaging and file transfer capabilities.

Dunn (2010) identifies the key benefits offered by synchronous on-line interviews as access to a widened sample; reduced interviewer effects; greater convenience; increased reflectivity and reduced costs. Similarly, Saumure and Given (ND) suggest that Skype offers an inexpensive, user-friendly and geographically flexible approach to research interviewing. Furthermore, O'Connor et al. (2008) recognise the way in which on-line methods such as Skype internationalise the research process in a low cost, user-friendly manner.

The video connection extends the opportunity for the researcher and participator not only to talk but also to see one another in real time. As with traditional face-to-face interviews the use of video enables the researcher to capture and respond to visual cues. In this way, the method can overcome some of the shortcomings of telephone interviews (King and Horrocks 2010; Mears 2017). However, it is important to recognise the implications of the screen and technology as it may act as a distraction

from the dialogue e.g. time delays may disrupt the flow of conversation (Deakin 2012; Wakefield 2013; Hay-Gibson 2009). Furthermore, notwithstanding the synchronous visual and audio aspects, other elements of the (face-to-face) interview space are missing. For instance, shaking hands or having tea / coffee together are not possible and this may impact upon rapport. Nevertheless, Deakin (2012) and Wakefield (2013) report that despite these differences, interviewing via Skype does not adversely affect the quality of conversations. To encourage the development of rapport, O'Connor and Madge (2001) and Deakin and Wakefield (2014) suggest building a relationship / connection with each participant in advance of the interview. For instance, reporting that an exchange of material via e-mail prior to interview encourages the development of rapport between researcher and research interviewees and decreases the likelihood of cancellation or rescheduling.

The use of Skype or remote interviewing lends a more fluid and temporary aspect to the interview space although this may prove challenging to the process e.g. interruptions or the interviewee multi-tasking. It is therefore important that the researcher ensure, as far as possible, that the participants select a location that is free from controllable distractions. However, the ability to use the approach in a number of locations also offers the advantage of greater flexibility and may encourage the participation of busy and / or elite participants.

The use of Skype for on-line interviewing requires access to technology and technical skills, the absence of which may act to exclude participants. O'Connor et al. (2008) suggest that this may threaten representativeness. In this study, research participants are senior academics, government officials and professionals who will have a good level of familiarity with the application of technology to facilitate communication. Nevertheless, research participants were offered the option of Skype or similar (with video or audio only) or telephone and were therefore able to select their preferred format.

Telephone interviews have been used in social scientific studies for many years. Holt (2010) and others argue that it offers a feasible, productive qualitative data collection technique as long as the nature of the interaction is taken into account (King and Horrocks 2010; Weinmann et al. 2012). For instance, unlike face-to-face or online

video interviews, telephone interviews lack the visual cues of body language or facial expression which provide richness and nuance to the exchange (Bruce 1995). As a result, it is even more important to listen carefully, for instance noting emphases, silences and sighs. Furthermore, although not inevitable, a telephone exchange can become task-focused in nature. However, Ling (2000, p.72) points out there is a danger in over-stressing the extent to which the medium determines the message:

> People are quite able to adapt communication to the medium available. A medium will develop a unique form into which we will apply meaning. The leeway for style in writing, the telephone conversation and even, among those who know it, Morse code is broad enough to allow for the inclusion of para-language.

In order to optimise the exchange it is important to provide participants with a clear briefing at the time of recruitment indicating the depth of discussion required. During the interview it is advisable to use strong cues and more overt prompting and probing than in a face-to-face or Skype video interview. In this way the researcher may encourage participants to open and also resolve ambiguities in the absence of visual information (King and Horrocks 2010). As with all forms of interviewing, the skill of the interviewer, a well thought out schedule and forming a rapport with participants are key to success.

Interviewing the powerful

Those most closely involved in the reform of the HE governance policy held leadership roles in HEIs, SG, Trade Unions, Universities Scotland and other HE bodies, and as a result, research participants were individuals in powerful positions. Interviewing elite groups: 'those with close proximity to power or policy-making' (Lilleker 2003, p.207) may present challenges relevant to this study.

Power can be an influential factor in the context of the research interview. Markers such as insider / outsider status, gender or ethnic group may act to transmit messages about power between the researcher and participant. Based upon social attributes, status or perceived status the participant may position the researcher as 'one of us', neutral or in a position of authority and this may affect the way in which

they discuss particular issues, impacting upon the interview process and data collection (Keats 2000; Briggs and Coleman 2007).

The position of researcher as 'insider' or 'outsider' is influential within the context of the research interview. In this study, my role as a member of university staff within the Scottish HE community is suggestive of an insider status as I am 'researching organisations, situations and groups of which they themselves are a part' (Hannabuss 2000, p.99). However, while the focus of my research is a policy that involved my own institution, it was developed within the wider university policy community, largely external to my HEI, involving other universities, organisations and bodies. Furthermore, I was not directly involved in the formation of governance policy. As a consequence, I did not have insider status regarding the policymaking process. In this regard I might be considered to have outsider status. As Hockey identifies, 'this insider / outsider (or auto-ethnography/ethnography) dimension is best seen as a continuum rather than a rigid dichotomy' (Hockey 1993, p.201). On this 'continuum' I possessed insider status in my own HEI, and while this status did not extend to the wider policymaking process, I was, nevertheless, recognised as a member of the Scottish university community. As an insider researcher – at least to some extent - I was aware that participants 'of a significant reference group' (Platt 1981, p.77) would form impressions of me through the interview process and consequently that 'how the interviewer interviews is crucial' (Hockey 1993, p.214). It is important to be familiar with the culture in which you are working (Mears 2017) and also essential to gain the trust of the research participant (Grek 2011). As Hannabus (2000, p.103) observes insider status comes with useful insight and familiarity with context, relationships and practice:

> The researcher knows his/her environment well, knows by instinct what can be done…just when and where to meet up for interviews, what the power structures and the moral mazes and subtexts of the company are…They are familiar with the organisational culture, the routines and the scripts …

Heclo and Wildavsky (1974, p. xviii) similarly observe, and also highlight risks:

> The moment the interviewer shows unfamiliarity with the subject (though why else would they be there?), he will begin to feel himself on the smooth slipway to the outer office. Ministers and officials need to be reassured that they are talking to fellow insiders who will understand what is being said.

A detailed understanding and knowledge of the research context establishes credibility thereby facilitating a 'high level of empathy with the groups interviewed…' facilitating the collection of thick data (Platt 1981, p.86). In this study, the reading and re-reading of policy texts prior to the interview phase provided insight into the reform process and a familiarity with the assumptive worlds of research participants / policymakers.

It is valuable to note that while researching the powerful is potentially problematic (Tight 2003; Odendahl and Shaw 2002), researchers have suggested that difficulties associated with interviewing the elite are over-estimated (Walford 1994; Gewirtz and Ozga 1994). Indeed, elite respondents are likely to be familiar with the research process, are aware of the rules of the game and used to being interviewed and recorded. Such familiarity means the interviewee is likely to be comfortable with the interview situation and this may facilitate the production of rich data. Accordingly, Walford (1994) has found respondents to be articulate, fluent and forthcoming, producing lengthy narratives in studies researching the powerful in education. Nevertheless, those in power may be careful about what they share, circumnavigating difficult areas and producing rehearsed replies. The compulsion to produce selective and hegemonic accounts arises from 'the roots of state and government as being the legitimate purveyor of legal, social and political authority' (Batteson and Ball 1995, p.202). They may be inclined to control the interview and may need encouragement to answer questions fully rather than just talking. In addition, personal ambition may lead interviewees to be economical with the truth, perhaps dismissing other points of view, particularly if it serves their own agenda (Gronn 2007). As observed by Batteson and Ball (1995, p.202):

> This is particularly acute within a terrain populated by members of elite policy communities. They are occupationally manipulative, periodically selective and

sometimes aggressively deceptive: appropriators of truth, facts, objective reality and recall nonpareil.

Grek (2011) suggests that elite participants may interact differently with early career researchers (ECRs) as compared to more experienced academics. For instance, offering ERCs suggestions for reading, mentors, history / background, dismissing questions as the wrong questions and deflecting the inappropriate. In such a process, there is a risk of researchers being overly deferential and insufficiently challenging the interviewee. Ideally, the situation should be one of mutual respect in which the interviewer maintains critical judgement and challenges the assumptions of power (Walford 1994). The interviewer needs great competence in order to skilfully manage and structure the interview so that rehearsed, platitudinous, self-validating responses are avoided. Nevertheless, Grek (2011, p.238) highlights an opportunity for the early career education researcher in such circumstances:

> Although there is a danger that the construction of an uncontestable agenda, achieved through a 'didactic' performance, may draw the early-career researcher 'in', its strong and indisputable framing is also more easily detectable and thus more readily analysable.

Selection of participants

The selection of research participants was purposeful (Creswell 2007). Participants were selected upon the basis of the RQs and the need to understand the relationship between HEIs and the SG from within by including the perspectives, experience and assumptive worlds of those closely involved in the development of governance policy. Preliminary analysis of policy documents provided details of the individuals involved at each stage of the process and this was cross-checked / confirmed with information from participants in subsequent interviews. This enabled me to identify a core group of individuals / policy actors – the relevant senior academics and university leaders, individuals from the Review committee, Universities Scotland, the Committee of Scottish Chairs, NUS Scotland and Trade Unions. The participants were drawn from these groups and were the individuals predominantly responsible for the development of HE governance policy. Inevitably, decisions made in the identification and selection of participants influenced the character of the study.

Negotiating access

Grek (2011, p.237) considers the position of the ECR of post 2007 Scottish education policy to be 'methodologically…interesting, since it does not belong to either the academic or policy elite communities – whose longstanding conversation…is not a novelty but established practice' highlighting that 'gaining access is the first obvious hurdle to overcome'. Furthermore, negotiating access can be particularly problematic when researching the powerful if the focus of research is a controversial issue or policy. As Duke (2002, p.45) has noted:

> Gaining access to elites can be problematic as they have the power to create barriers, shield themselves from scrutiny and resist the intrusiveness of social research.

However, being considered an insider, at least to some extent, as a member of the Scottish HE community, may have proved advantageous, since, as Duke (2002, p.45) suggests, 'access is sometimes easier for researchers who have existing links with those in power'. In accordance with Grek's (2011) suggestion that evidence of institutional affiliation encourages acceptance of an interview request, I approached potential participants by carefully worded email using my University of Sheffield account and highlighting my teaching role within the Scottish HE sector. Nevertheless, Ahrens and Dent (1998, p.26) suggest that 'once access is granted, the task of gaining interviews with busy managers, for whom time is at a premium, is nontrivial'. To address this challenge the timing and format of the interview were arranged at the respondent's convenience. While I anticipated recruitment to be a challenging aspect of the study, negotiating access to elite interviewees proved to be largely unproblematic with most potential participants readily granting agreement to interview. Some interviewees required more information before agreeing, and discussion through email or via telephone was, in all cases, sufficient to provide reassurance and secure agreement. A minority of interviewees proved more difficult to contact but most responded positively to follow-up emails with an agreement to participate. The intended interviewees representing SG either did not respond to requests or declined to take part in the study. However, I had the participation of two government officials in post as the policy developed and felt this compensated. The

positive response I received during recruitment made it apparent that the reform of HE governance policy was of interest to those who had been involved in the process. Issues of informed consent, anonymity and attribution were an important aspect of securing participation and this is addressed later in the section 'Ethical Considerations' (see page 100).

Fifteen individuals agreed to participate, from across interest groups, including representation from both pre- and post-1992 institutes. My purposive sample represented government (2), chair / former chair of governing body (2), principal / former principal / vice-principal / former vice-principal (4), senior academic (1), the trade union movement (2), Universities Scotland (1), NUS Scotland (1) and the Review panel (2) (presented in tabular form below).

Table 6: Participant role / affiliation

Role / affiliation	Number of participants
Chair / former chair of governing body	2
Government official	2
NUS Scotland	1
Principal / former principal / vice-principal / former vice-principal	4
Review panel member	2
Senior academic	1
Trade Union	2
Universities Scotland	1

The participants had a remarkable range of experience of the Scottish HE sector with most having occupied more than one role during the policy process, providing unique insights into the reform. Their range of experience at the time of the policy development is summarised in appendix 3.

Preparation for interviews

In advance of each interview I reviewed documentation and the relationship of the participant to the policy reform process, to other policymakers and attempted to consider the process from their perspective. In this way, I followed Lilleker's (2003, p.212) guidance:

> One must ensure that one has a good knowledge of the facts as is possible from existing primary and secondary sources, and one should have detailed knowledge of the interviewee, particularly their role within the event or activity being studied.

Following this preparatory exercise, I developed my interview guide (Appendix 4) to reflect the participant's perspective and framed the questions within the specific context of their experience. Participants were asked about matters related to my RQs and were invited to share their experiences and insights, and to reflect upon decisions and events. The themes probed by the interview questions were:

- The context and drivers for HE governance reform policy
- The character of the HE governance policymaking process
- The balance of the relationship between governmental control and university autonomy post-reform

The interview schedule provided a set of core open-ended questions to ensure that all themes relevant to the research inquiry were covered. Nevertheless, the schedule provided flexibility, with its design creating space for participants to develop their own narrative and enabling me to probe and pursue areas of interest. To this end, the interview guide contained a number of potential follow up questions, prompts and probes for use in the exchange.

In preparation for the study, two pilot interviews were conducted with doctoral students from my peer group. This aspect of the pilot study provided an opportunity to trial the practical aspects of the remote interview process and managing problems with the method e.g. disrupted Internet connection. It also afforded an opportunity to gain experience in conducting semi-structured interviews, in particular articulating

questions, probes and prompts. This was a useful exercise for me as a novice researcher enabling me to practice my technique and gain confidence before executing the main run of interviews.

The interviews

Fifteen interviews were conducted between September and November 2018. Six interviews were conducted by telephone and nine using Skype, Zoom or VScene. There were no notable technological problems during the interviews and there appeared to be no significant variance in the richness of data gathered between the telephone and Skype approaches. The interviews varied in length, from 45 minutes to one-and-a-half hours. The interview schedule was used as a flexible guide to discussion, providing a helpful structure while simultaneously creating space for the participant to develop a narrative. I assessed the appropriateness of the schedule following each interview but found it to be fit for purpose and eliciting a rich data set in areas of interest to my study. Each interview was audio-recorded to enable me to focus upon the participant and the development of rapport. Nevertheless, concise written notes were also taken during, and directly after interviews to record key points, ideas and / or follow up questions (Cresswell 2009).

In all cases, the participants were articulate and forthcoming, apparently relaxed, talking at length and fluently in response to the interview questions. A rapport was developed despite the remote nature of the interviews and there are several potential reasons for this. In advance of many of the interviews, several emails / telephone calls were exchanged between researcher and participant. Moreover, the interviewees appeared to be comfortable with, and experienced in, the interview situation. In each case they had chosen the timing and format of the interview and because of its remote nature were able to select their preferred location /setting e.g. home office.

Analysis of data – thematic analysis

Braun and Clarke's (2006) mode of thematic analysis was employed to identify, analyse and report themes in my interview data. While not prescriptive, the six-stage, recursive process advocated by Braun and Clarke (2006) is helpful in establishing themes within qualitative interview data. The stages of their frame are shown in table 7 below. The approach to thematic analysis is theoretically flexible and in this case its use drew upon Kingdon's (1984) MSA and Raffe's (2016) analytical framework (the frameworks are discussed in chapter 3, see page 66).

Table 7: Phases of Thematic Analysis
(Source: Braun and Clarke 2006, p.87).

Phase	Description of the process
Familiarising yourself with the data	Transcribing the data (if necessary), reading and re-reading the data, noting down initial ideas.
Generating initial codes	Coding interesting features of the data in a systematic fashion across the entire data set, collating data relevant to each code.
Searching for themes	Collating codes into potential themes, gathering all data relevant to each potential theme. Checking.
Reviewing themes	Checking if the themes work in relation to the coded extracts (Level 1) and the entire data set (Level 2), generating a thematic 'map' of the analysis
Defining and naming themes	Ongoing analysis to refine the specifics of each theme, and the overall story the analysis tells, generating clear definitions and names for each theme
Producing the report	The final opportunity for analysis. Selection of vivid, compelling extract examples, final analysis of selected extracts, relating back of the analysis to the research question and literature, producing a scholarly report of the analysis.

Following each interview, I transcribed the full verbatim content of the exchange using Braun and Clarke's (2013) notation system. I used transcription software, Express Scribe, as it allowed me to fast forward, rewind and adjust the playback pace, thereby facilitating a less laborious process. One hour of interview took approximately ten hours to transcribe which is slower than suggested in the literature (Arksey and Knight 1999) but perhaps reflective of my inexperience in this area (Braun and Clarke 2013). Participants were sent the transcripts within two weeks of interview to allow comment and / or confirmation of accuracy and completeness (Lincoln and Guba 1985).

Importantly, transcription started the process of familiarising myself with the data and proved invaluable for subsequent analysis. Following transcription, I read and re-read the transcripts alongside the notes I had taken during and after the interviews. Familiarisation was an active, critical process in which I 'read data as data' (Braun and Clarke 2013, p.205). In doing so I became intimately acquainted with the data, noticing things of interest and relevance to my RQs and through the lens of Raffe's (2016) analytical framework. These initial analytic steps were conducted on hard-copy transcripts with ideas recorded directly upon the data. Further, I kept a research diary throughout the process of transcription and data analysis, recording my observations and analytic insights during the development of codes and themes.

Following familiarisation, the data was coded in a process of complete coding (Braun and Clarke 2013). I systematically worked through my entire dataset coding all data relevant to my RQs. Each code identified a particular, distinct aspect of the data that was potentially pertinent to a RQ and with Raffe's (2016) analytical framework in mind. Although drawing upon Raffe's (2016) analytical framework, I adopted an inclusive coding process to enable identification of codes that did not necessarily correspond with the framework. I worked through each data item in turn, applying established codes and developing new codes to capture a novel aspect of the data. The process was an evolving, iterative one and as I proceeded through the dataset it was necessary to modify and merge codes to reflect new material. I adopted an inclusive approach to coding and as a consequence, the initial round generated over 200 codes. Subsequent reviews of the dataset enabled me to develop broader codes and remove redundancy, reducing the number of codes to just over 80. The comments feature in Microsoft Word was used to mark-up text and record concise codes. A sample of coded transcript is presented in appendix 5. A table in Microsoft Word was used to record codes, their incidence in each interview and another to collate data excerpts.

Subsequently, I worked with the codes and the associated data to combine codes and identify potential themes. Each theme capturing 'something important about the data in relation to the research question and represents some level of patterned response or meaning within the dataset' (Braun and Clarke 2006, p.82). Braun and Clarke (2013, p.225) describe this as 'akin to the process of sculpture', in that the

researcher, while constrained by the data material, is able to craft or produce different analyses depending upon their approach and RQs. I acknowledge that my role was central in what was a subjective, yet deliberative process (Braun and Clarke 2019). Again, the process of theme identification was an iterative and time-consuming aspect of analysis in which I looked for similarities and patterns in the codes and the collated data excerpts. It is important to note that I did not assume a quantitative approach to the development of themes – a pattern or theme did not have to be present across the dataset for inclusion, but rather, the development of each theme was underpinned by their salience to my RQs and drawing upon Raffe's (2016) analytical framework (Braun and Clarke 2006). Furthermore, it was through the process of theme development that I recognised the salience of Kingdon's (1984) MSA to my research study. It appeared to provide useful theoretical scaffolding with which to scrutinise data relating to RQ1 and with which to organise my analysis and research findings. In the light of my decision to apply this theoretical framework I revisited the data set with Kingdon's (1984) MSA framework in mind, checking codes, associated data and developing themes. In developing themes, I found producing a series of visual maps in Microsoft Word very conducive to revising themes, exploring the relationships between themes and their relevance to my study. Examples of the visual thematic maps I created during analysis are shown in appendix 6. It was through the production of such visual maps that I was able to generate names for each theme and refine the overall narrative / story telling of the analysis (Braun and Clarke 2006; 2013). Furthermore, it must be noted that refining thematic maps and defining, naming themes and sub-themes relating to the RQs was conducted with Kingdon's (1984) MSA and Raffe's (2016) analytical framework in mind. Consequently, the construction of the thematic maps and the naming of themes and sub-themes and, indeed, the overall narrative reflects the influence and use of the frameworks. Table 8, overleaf, shows how the thematic analysis drew upon Kingdon's (1984) MSA and Raffe's (2016) analytical framework.

Table 8: Incorporating theoretical frameworks into the thematic analysis

Framework	Relates to RQ	Overall theme	Sub-themes / headings
Kingdon's (1984) MSA	RQ1: How did the HE governance policy reform emerge?	Generating a window of opportunity for Scottish HE governance policy reform	Problem stream: attention lurches to HE governance policy problem Policy stream: a Scottish solution Political stream Policy entrepreneur A window of opportunity
Raffe (2016)	RQ2: What was the nature / style of the policymaking process during the reform of HE governance?	Approach to policymaking	A Scottish style of policymaking? The policymaking context Participatory policymaking Breaking from consensual policymaking
Raffe (2016)	RQ3: How did key stakeholders perceive institutional autonomy and governmental control post-reform?	Institutional autonomy and governmental control post-reform	Exploring the balance of institutional autonomy and governmental control Factors acting to protect institutional autonomy in Scotland Threats to institutional autonomy in Scotland An analytical framework for institutional autonomy in Scottish HE

Braun and Clarke (2006) consider reporting to be the final stage of analysis. In my case, writing and producing the report provided further opportunities to move between data, analysis and the literature, and to reflect, rethink and refine my ideas and interpretation to better address my RQs and produce a story that 'rings true' (Braun and Clarke 2013, p.233; Braun and Clarke 2019). The themes and sub-themes derived from the analysis, and the associated headings and sub-headings used to present the findings in chapters 5-7, are presented in tabular form in appendix 7.

Ethical considerations

Punch (2009, p.49) asserts that 'Empirical research in education inevitably carries ethical issues, because it involves collecting data from people, about people', and as my inquiry drew upon the beliefs of individuals, I was cognizant of this and gave the ethical aspect prudent thought throughout the research process (Thomas 2013). My study was granted ethical approval by the University of Sheffield School of Education before commencing any empirical research (see Appendix 8). The research adhered to ethical standards for educational enquiry as outlined by the University of Sheffield and the British Educational Research Association (BERA 2018).

In accordance with my ethical responsibilities, I needed to gain the voluntary informed consent of all participants in my research (Cohen et al. 2004). All contributors to this study were adults occupying (or who had occupied) positions of authority within HE, government or TUs. Consequently, in research terms, they were not considered vulnerable individuals. This made the task of gaining ethical approval less challenging but, nevertheless, required the development of a detailed information sheet (Appendix 9) and the use of a carefully worded consent form (Appendix 10) prior to data collection. I contacted potential interviewees by email, informing them of the research aims and what participation entailed, inclusive of anticipated benefits and potential harm, to enable them to decide whether to take part or not. Participants had to opt-in by filling in an informed consent form and were advised that they may withdraw their involvement at any point of the study.

Completed consent forms were received by email prior to the interviews. No interviewees chose to withdraw from the study at any stage.

Protecting anonymity was a crucial and complex element of my study, and this is reflected in the detailed consent form. Thorough consideration was given to attribution and the use of direct quotations. Explicit consent was sought for the use of participant role / affiliation and participants were given a number of options regarding the use of quotes in research outputs. All participants agreed to the use of direct quotations provided that the selected quotations were made available to them prior to publication. The policy community under study is relatively small and I was concerned not to identify participants by name. Nevertheless, the seniority, status and roles of participants meant it was unrealistic to assure that they would not be identifiable by readers and this was highlighted in the information sheet. I took reasonable steps to protect the anonymity of interviewees with the use of codes in place of participant names during data collection, analysis and reporting. I anonymised or removed reference to named individuals or institutions / organisations within the data where this may have acted to compromise anonymity of interviewees. In chapters 5-8 each of the direct quotes used is assigned a code in the form of a letter and a number. The code has several functions. Firstly, the code allows me to track data back to the source and secondly, it provides an indication of the interests represented by the quotation, and this is indicated by the following letters: 'A' – academic, 'C' – chair / former chair of governing body, 'G' –Government, 'N' – NUS Scotland, 'P' – Principal / former Principal / Vice-Principal / former Vice-Principal, 'R' –Panel member of the Review of HE governance, 'T' – Trade Union and 'U' – Universities Scotland. The numbers refer to the individual participants and provide a means with which the reader can cross reference and understand the overall contributions made by participants. The participant codes used are presented in table 9 overleaf.

Table 9: Participant codes

Role / affiliation	Participant codes
Chair or former chair of governing body	C1, C2
Government official	G1, G2
NUS Scotland	N1
Principal / former principal / vice-principal / former vice-principal	P1, P2, P3, P4
Review panel member	R1, R2
Senior academic	A1
Trade Union	T1, T2
Universities Scotland	U1

Participant validation was employed to ensure the accuracy of transcripts and to establish data authenticity and credibility Guba and Lincoln (1985). As discussed earlier, transcripts were sent to interviewees following interview for confirmation of veracity and to allow them to make additional comment if they so wished (Kvale 1996). In addition, prior to submission, I requested written consent for the use of direct quotes in my thesis. Care was taken to make sure that this approach did not affect data interpretation. In taking this approach I feel that I have done everything possible to 'protect participants and the integrity of the inquiry' (May 2011, p.61).

All data was stored on my password protected personal computer.

Reflexivity

Lincoln and Denzin (1994, p.536) consider research studies to be 'guided by a set of beliefs and feelings about the world and how it should be understood and studied'. While Prunty (1985, p.135) asserts that the analysis of educational policy is 'far from a neutral and objective activity'. Similarly, Braun and Clarke (2013, p.303) highlight the centrality of the researcher in the investigative process and the advancement of knowledge, asserting that 'all of us have values, interests and standpoints that shape our research'. Furthermore, like others, considering the use of reflexivity in the

research process to be an essential aspect of ethical, balanced educational research (Sikes 2004; Braun and Clarke 2013; 2019).

The 'idea of reflexivity implies a certain capacity for "bending back" or "turning back" one's awareness on oneself' (McLeod 2001, p.195). With this in mind, and since I 'shape the writing that emerges', I outline the values and interests that have influenced my research study (Creswell 2007, p.179). Firstly, it is important to acknowledge my professional context and teaching role within the Scottish HE sector for almost twelve years. As indicated earlier in this chapter, although I was not directly involved in the policy reform process, my role within a small Scottish HE community offered a form of insider status, albeit slight. Indeed, at the time of the reform I was employed at an HEI whose governance had been the focus of public and political attention in 2011. Undoubtedly, this piqued my interest in the subsequent policy process and ultimately determined the focus of my research study and decisions about methodology and methods. The reform received a great deal of media attention and this, along with organisational statements, presented a rather conflictual process with issues of public accountability and institutional autonomy at heart. While strongly supporting the values of an autonomous HE system, I was, equally, concerned by an apparent centralisation of institutional decision-making, and further, that independent academic endeavour was often compromised or constrained within the contemporary university setting. Consequently, I became interested in exploring this interface between system and institutional governance through an analysis of the reform of Scottish HE governance. In particular, I was interested in exploring, in a more nuanced way, the relationship between SG and universities, and the temporal, cultural and political aspects of the policy process. The development of my interest in Scottish HE governance is also explored in chapter 1.

Furthermore, while I currently teach in Medical Education, my previous research was conducted within the field of Biochemistry and, therefore, assumed a positivist stance and the exclusive use of quantitative approaches for data collection. For this reason, I was really interested and committed to conducting a study using an interpretivist approach and qualitative methods in part 2 of the EdD. Naturally, the RQs shaped the final decisions regarding my methodological approach, but no doubt

my initial desire to conduct a qualitative study also influenced the formulation of my RQs.

Earlier, I indicated the centrality of my role in shaping my research study through phases of design, data collection, analysis and reporting. Throughout this process, I have attempted to be a self-reflective researcher, acknowledging my positionality, while simultaneously challenging my assumptions and looking at the situation from contrasting perspectives. The use of a daily research diary was extremely productive in this regard as it enabled me to systematically examine, reflect and challenge my interpretation and presentation of the data (Braun and Clarke 2013).

Finally, my study was an independent undertaking without external funding.

Chapter summary

In this chapter I have presented the research methodology and the selected methods for data collection and analysis. The chapter outlines a research design constructed to examine the relationship between the SG and Scottish universities through the lens of the reform of Scottish HE governance (2011 – 2017). The research paradigm adopted in the study is identified as constructivist- interpretivist, and qualitative remote semi-structured interviews are established as the main data source. The study draws upon the insights of a purposeful sample of fifteen key HE actors from government, universities, university bodies and TUs who were involved in the reform, alongside supplementary data drawn from documentary analysis. The interview data was analysed using thematic analysis that drew upon two different frameworks - Kingdon's (1984) multiple streams approach and an analytical framework devised by David Raffe to explore the relationship between universities and the governments of devolved administrations (Raffe 2016). A rationale for the design is presented with consideration given to issues regarding data collection, sampling, ethics and data analysis. I also explain the critical role of reflexivity in the investigative process. The following three chapters present the findings, beginning with chapter 5, which addresses RQ1 and explores the multiplicity of factors involved in mobilising the reform of Scottish HE governance.

Chapter 5

Generating a window of opportunity for Scottish HE governance policy reform

Introduction

Through a focus upon the reform of Scottish HE governance policy this study aimed to develop an understanding of the nature of the relationship between SG and universities. Although the RQs were stated in the thesis introduction, it is helpful to re-state the fundamental questions my research interviews and documentary analysis addressed:

1. How did the HE governance policy reform emerge?
2. What was the nature / style of the policymaking process during the reform of HE governance?
3. How did key stakeholders perceive institutional autonomy and governmental control post-reform?

The research findings and analysis are written up in the following three chapters. The current chapter considers the multiplicity of factors driving the reform of HE governance in Scotland. Chapter 6 turns to focus upon the policymaking style adopted in the policy development. Chapter 7 explores the balance of institutional autonomy and governmental control post-reform and the nature of the relationship between SG and the Scottish HE sector.

In this chapter I use Kingdon's (1984) multiple streams approach (MSA) to explore the complex dynamics of agenda setting that made Scottish HE governance a focus for reform by government. Kingdon's (1984) MSA was introduced and explained in detail in chapter 3 (see page 68). As a reminder, the theoretical framework has five structural components – three distinct process streams – the *problem, policy* and *political streams* and the approach emphasises the contribution of central policy actors or *entrepreneurs*, who within the frame of ambiguity may influence the public

policy agenda to progress their objectives through a *policy window* (Bache and Reardon 2013; Ackrill et al. 2013; Kingdon 1984). In this chapter I consider, in turn, each of the five MSA structural components within the context of the HE governance reform. Excerpts from my interview data and policy documents are used to demonstrate that a *policy window* opened up to allow HE governance policy change under the influence of a policy *entrepreneur*, MSP Michael Russell, and through three factors coming together at the same time: the HE governance *problem, policy and political streams* (Kingdon 1984).

As a reminder, in this chapter, each quotation is accompanied by a code providing an indication of role / affiliation: 'A' – academic, 'C' – chair / former chair of governing body, 'G' –Government, 'N' – NUS Scotland, 'P' – Principal / former Principal / Vice-Principal / former Vice-Principal, 'R' –Panel member of the Review of HE governance, 'T' – Trade Union and 'U' – Universities Scotland.

Problem stream:
Attention lurches to HE governance policy problem

In Kingdon's MSA (1984), the *problem stream* concerns the matter of problem identification (discussed on page 69). An essential feature of a critical policy study is the consideration of how a policy problem emerges and evolves upon the policy or political agenda (Hyatt 2013). Policy problems are matters that are thought to need attention. However, there are an almost limitless number of policy problems and as a result, policymakers, by necessity, disregard most and advance scant few to the head of the policy agenda (Baumgartner and Jones 1993; Ackrill et al. 2013). Arguably, their receptivity to a policy problem correlates more strongly to a policymaker's values and the persuasive power of influencers (Majone 1989; Dearing and Rogers 1996). It is a political activity in which power is exerted to make sure that one subjective narrative succeeds to the detriment of others (Cairney 2018). Consequently, someone needs to define and communicate the policy problem in such a manner that it catalyses the interest of their audience (Cairney 2012). In the following sub-sections, I explore the contrasting narratives of the reform process. While HE governance practice was considered to be problematic by

TU members and the wider university community, other stakeholders from university leadership positions tended to describe the main catalyst for reform as political motivation rather than systemic issues in governance. I consider how the Scottish HE governance policy problem prevailed, examining how it was successfully framed, through lobbying, to catalyse the interest and support of policymakers.

Poor governance

In this sub-section, I explore the claims of poor or problematic HE governance that subsequently formed, in Kingdon's (1984) terms, the *problem stream*. Claims of poor governance related, firstly, to problems in particular HEIs and, secondly, to a lack of accountability to the wider university community. Poor governance as a driver of reform was reported by those participants involved in the TU movement, NUS Scotland and the Review of governance.

Brotherstone (2012) reports that a considerable level of adverse publicity relating to disputes in Scottish HEIs, including Abertay and Glasgow, raised questions over the effectiveness of HE governance. Problems in governance at Abertay and Glasgow were similarly reported by research participants and represent important focusing events. For instance, TU participant T1 recalled:

> … there was a kind of breakdown in governance in Abertay … where essentially the governing body and the Principal had a complete falling out … and that took a very long time to unpick and put back together again. And the Scottish Funding Council were involved and it became a political issue (T1).

Similarly, Review panel member, R1 notes that at Abertay 'the retiring Vice Chancellor was at loggerheads with the Court'. However, while acknowledging such difficulties, U1 considered that this was representative of individual rather than a systemic failure in governance:

> Obviously, the stand-off and the long irresolution of a stand-off between the Chair and Bernard [Principal], it did bring governance into some disrepute cos it was dreadful, it should have got sorted much more quickly but I think that to my mind was a personal failure more than a systemic failure.

Issues in governance at the University of Glasgow were referred to by many research participants. A1, a senior academic at Glasgow described the severity of the breakdown in institutional governance: 'we got into what I think can only be described as trench warfare by 2010'. Further, participants, including T2, referred to the dispute over the locus of university decision-making at Glasgow:

> … there were very public disputes … in many places but specifically … Glasgow University … there were a number of restructuring and decisions made about departments, whether the university could continue you know to teach certain subjects, and discussions around who was making those decisions, was it senate, the academic council, was it the governing body and a lot of that was very public.

In addition, a significant communication gap between the wider university community and the governing body was described by participants with links to the TU movement, NUS Scotland and the Review. For instance, T2 states:

> … a sense certainly that our members had of … a kind of disconnect between governing bodies and the university …

> … I think that there was a sense in Scottish higher education that maybe that robustness wasn't always there and that maybe the relationship between governing bodies and the chairs of governing bodies were maybe too close to principals and therefore you weren't able to be as confident that these big, big decisions that affected the future of university and … had impact on peoples' lives … were being made after being appropriately challenged.

A concern about a lack of stakeholder involvement in governance was shared by a participant who had represented NUS Scotland in the reform process (N1). N1 drew upon personal experience of being on university court and NUS Scotland's campaign work and asserted that the reform had been precipitated by issues in governance, highlighting that transparency, student representation and accountability were lacking in university governance. Similarly, upon reflecting on the factors driving governance reform, Educational Institute of Scotland (EIS) concluded:

> … that many of the failures of university … governance in recent times was due to the marginalisation of staff and students on Governing Bodies. This marginalisation led to staff and students being less able to scrutinise plans put forward by senior management at governing body meetings, which was also compounded by an increase in the number of senior managers attending court in an *ex officio* capacity (EIS 2015, "2. The extent to which", para. 1).

Participants supportive of reform highlighted as problematic, the rise of the executive, a disconnect between the governing body and the wider university community and further, the issue of senior pay within the sector. The reported loss of accountability to the wider university community reflected participants' concerns that collegiality or an academic model of governance was in retreat or even crisis. The findings are supported by the academic literature, with the lack of academic involvement in university governance widely reported in UK-wide studies (Deem 2001a; Hellawell and Hancock 2001; Schofield 2009; Jameson 2012). For instance, Shattock (2013ab) claims the growth of the executive has led to a centralisation of power and decision-making by senior management who are increasingly unaccountable to the academic community. Likewise, an analysis of the UK Changing Academic Profession (CAP) data reported the exclusion of academics from university decision-making (Locke and Bennion 2011). As academic participation in governance has been reduced, a significant communication gap has developed between the academic community and the governing body (Shattock 2006a). Consequently, governing bodies are highly dependent upon the recommendations of the university executive on academic matters, a phenomenon echoed in the interview data (Schofield 2009). However, Tight (2014, p.303) argues, 'views on the collegiality / managerialism debate, are ... closely related to your experience' (Wall 2016b). Again, the interview data concurs, as with the exception of the Chair of the Review panel, other senior university figures interviewed did not report a lack of accountability to the wider university community (Wall 2016ab).

Government desire to control HE sector

Some participants subscribed to the view that the governance reform was driven by politics and Government's desire to control or constrain the HE sector, and furthermore, that the massification of HE had made universities a target or focus for policy attention and policy action. The SNP in government were described as centralising, and the reform considered to be indicative of a general drive to gain greater control and oversight of the public sector. This was generally a perspective held by those in university leadership positions, such as principals and vice-principals, and exemplified by P3: 'I think it was largely politically driven'. One

participant believed that the government was troubled by the level of autonomy in the sector given the high levels of public funding received by the sector:

> The Scottish Government … is conscious of how much money it puts into higher education and fundamentally felt uncomfortable with its independence (P1).

Another reflected that:

> … the Scottish Government whilst not wishing to fundamentally change governance, wanted the governance to be executed in a way that was more sensitive to wider concerns (P2).

P3 suggested that reform process had enabled SG to highlight its power:

> I think it was very much a warning shot by the Scottish Government across the bows of the higher education sector. 'We are more powerful than you, and we can actually legislate to control you if we want to, so be careful'

Nevertheless, other participants, such as Review panel member, R1, while acknowledging the centralising tendency of SNP government did not believe it had driven the reform of HE governance. Indeed, the participant goes on to suggest that perhaps government, while not desirous of further control of the sector, were motivated by a wish to constrain the leadership of the sector and preserve some form of a Scottish HE system:

> I don't think that, apart from that general sense of a centralising tendency in a Nationalist Government, that their motivation on this … was centralising control … I think their motivation … was, first of all through setting up von Prondzynski, to try to ensure that universities really didn't fall apart in chaos … there had been crises in Glasgow and Abertay … they were worried about the vice-chancellor salary question and all the rest of it, they were looking at ways, not I think to bring universities under control but to bring vice-chancellors under control to some extent, and at least to have influence ... in seeing that universities didn't split away from the general idea that there's a Scottish university system, and it serves Scotland, rather than just individual businesses and almighty senior managers.

The findings align with observations made by Brotherstone (2012), Macilwain (2015) and Shattock and Horvath (2020), and are consistent with a British Council study which, following the Review stage, revealed that senior staff and stakeholders in

Scottish HE 'clearly considered that Scottish Government was seeking to involve itself too directly in how universities are run', (Kemp and Lawton 2013, p.6). The finding offers novel empirical evidence, post-reform, of the contrasting views held by key stakeholders in Scottish HE upon what was driving the reform of governance.

Lobbying by interest groups

Problem definition or agenda setting concerns the 'framing' of policy issues and represents 'an ongoing competition among issue proponents to gain the attention of media professionals, the public, and the policy elites' (Dearing and Rogers 1996, p.1). Framing brings into focus a particular representation of a problem, in which selected facts are emphasised while others are omitted. Indeed, Kingdon (2014) asserts that appealing to the values and beliefs of policy-makers can be as important as evidence in the 'framing battle'. Lobbying is often an important element of the process of framing a policy problem. Kingdon (1984, p.45) reports that:

> Interest groups constantly lobby and are lobbied by government officials … The communication channels between those inside and outside of government are extraordinarily open … Common values, orientations, and world views form bridges, at least to some degree, between those inside and those outside of government.

Lobbying may be used by agenda setters to 'reinforce some pre-existing perception of a problem … that was already in the back of people's minds' (Kingdon 1984, p.98).

How did the 'framing battle' ensue for the issue of HE governance in Scotland? In the reform of HE governance, the TU movement lobbied government as did academics. Through a combination of conferences, written reports to SG, press releases and direct lobbying of politicians and government, the TU movement and academics successfully 'framed' the HE governance policy problem and catalysed the interest of policymakers.

Direct lobbying of government by academics was reported by interviewees, for instance P1 commented:

> Glasgow University wanted to close a particular course … and there was a great sort of political campaign that the academics involved started winding up the politicians, in a way you know, to defend their quite legitimate feelings … that got traction (P1).

Moreover, the HE TU movement in Scotland were actively involved in lobbying Government in the years prior to a review of governance being commissioned, as indicated by Review panel member R1's comment:

> … we started a series of conferences, partly because the general Labour movement attitude initially … assumed that Labour were the natural government in Scotland and the Nationalists wouldn't last, but we were beginning to see the position was that they actually were the Government and there could be advantages in this because one thing they were conscious of, and in fact probably exaggerated being conscious of, was the distinctive policy in Scotland about higher education and this seemed to fit history and tradition. So that's kind of what we latched on to (R1).

The comment acknowledges the shift in political power from Scottish Labour to the SNP and a recognition of the potential advantages to the TU in appealing to the beliefs of the nationalist party, in particular the distinctive nature and tradition of HE in Scotland. The interviewee goes on to highlight the TU's 'day to day' campaigning on managerialism in universities alongside the use of conferences to promote the policy problem and positing a potential policy solution whereby more traditional collegiate approaches to governance are reinstated:

> The UCU was campaigning … for relief from the kind of policies, or calling for investigation of, the kind of policies that were going on in universities themselves, and that was the ongoing thing which has become worse and worse since then, general stress, overwork, casualization … and the sense that governance had been taken away from collegiality and become managerialist. Nobody was saying there shouldn't be managers, but they were saying that managers should serve a collegial community … So that campaign had been going on. And as I say the kind of day-to-day campaign on issues like casualization, wages and so on … was being informed by a somewhat broader sort of campaign that we were promoting through conferences where various intellectuals were involved. Robert Anderson, the historian spoke at the first one, Stefan Collini at the second one … (R1).

The involvement of esteemed historians and academics raises the profile of the campaign, moreover, adding credibility and legitimacy. Furthermore, the

speakers' expertise in Scottish HE (Anderson) and critique of the modern HE system (Collini) appeals to the beliefs of the SNP.

Moreover, the TU movement recognised that the SNP forming a majority government in the 2011 election provided an opportunity to highlight the governance policy problem to a key policymaker – the then Cabinet Secretary for Education and Lifelong Learning, Michael Russell. A point also reflected in R1's interview in which the participant reflected upon the critical timing of the 2011 TU conference prior to an election and subsequently sharing conference reports with the Minister. Indeed, the way in which the policy problem appealed to the values of the Cabinet Secretary was recognised by interviewee T1. Furthermore, the participant acknowledged the importance of 'framing' the policy problem in ways which have not only political appeal, but wider public appeal:

> I think the Cabinet Secretary at that point, Mike Russell, was sensitive to the arguments that the trade unions were making in terms of good governance and the perception that existed that universities were to some extent, or certainly university governors were remote from, I hesitate to say the real world but were remote from day to day experiences of staff and students within universities and the trade unions used senior pay as one of the examples of that … When you had university principals who were being paid two or three times as much as the first minister, and it's a very easy political argument to make and is a much better understood headline than making the case for clear and transparent university governance (T1).

The media's role in highlighting problems in governance was also raised by several participants including R1:

> … the general scandal of the gap between Vice Chancellors' salary increases and the pay of staff was becoming a big story in the newspapers annually …

Similarly, one senior academic described how a group of academics promoted the policy problem through tactical use of the media:

> … we have some very good people … who were very, very good at using public media, social media … we involved students … we involved foreign embassies … so it was creating so much bad publicity, we even managed to get onto the …Glasgow Herald on one occasion … the university of course is paranoid about newspapers so we were trying all tricks of the trade (A1).

Indeed, several participants felt that lobbying in this way had increased attentiveness to the HE governance problem and that as a consequence, principals had found themselves to be on the wrong side of public and government opinion over the question of fees and senior pay. As Kingdon (2014) asserts, national mood and lobbying by interest groups can increase attentiveness towards a problem and enable policy actors to push their agendas forward.

Through lobbying, the framing of the governance problem is specifically tailored to the SNP Government with the policy issue explicitly linked to their deeply held nationalist values and ideas of HE alongside a presentation of the most supportive evidence as 'a mixture of empirical information and emotive appeals' (True et al. 2007, p.161; Rochefort and Cobb 1994). Furthermore, through a combination of conferences, written reports to Government, media reports and direct lobbying of politicians and government the TU movement and academics successfully 'framed' the governance policy problem and catalysed the interest of policymakers. The findings in this area provide original empirical evidence of the important role played by lobbying in the process of framing the Scottish HE governance problem.

Policy stream: a Scottish solution

Elevating the profile of a policy problem to the top of a policy agenda is a significant achievement (Kingdon 2014). Cairney (2018) suggests that it must be acted upon promptly and this is done so, in part, by demonstrating that a workable, acceptable solution already exists. In Kingdon's MSA (1984), the *policy stream* relates to the development of a policy proposal or solution by members of the policy community (as discussed on page 70). In this section I will consider the *policy stream* component of Kingdon's (1984) MSA within the context of the HE governance policy reform.

As discussed in section 1 of chapter 2 (see pages 26-31), studies suggest that the SNP have used education and its historic traditions as a policy resource – crafting a narrative of a modernised nationalism in which national identity and education are connected with contemporary imperatives (Arnott and Ozga 2010ab; 2016). Within

this section on the *policy stream*, I will explore how the policy initiative offered a Scottish solution to the governance policy problem, seemingly embodying a political ideology, aligned to the nationalist agenda of the SNP. The analysis will not only consider the ideological nature of the policy initiative but will go on to examine how this was combined with, firstly, contemporary neo-liberal notions of accountability and secondly, a more distinctive idea of greater accountability to the wider university community.

Ideology

In the development of HE governance policy the SNP appear to have used Scottish HE and its traditions as a policy resource, invoking ideas of nationalism and national identity to facilitate the reform process. Indeed, interviewees reflected upon the use of HE and its historically embedded qualities as a policy resource. For instance, R1 states:

> … the Nationalists have latched on, as a policy-making question, to how higher education is run, and of course the whole agenda that was, since the 1960s certainly and before, that actually the education system is almost the central pillar of national identity in Scotland.

Furthermore, minister's speeches make frequent reference to deep-rooted ideas of civic national identity and traditions of a meritocratic education system. This is exemplified, by a statement made by the Cabinet Secretary for Education and Lifelong Learning prior to the 2011 election, setting out his plans for reform of the HE sector through a Scottish solution:

> My aim was to find a uniquely Scottish solution that embraces Scotland's best traditions as a learning nation. It must also sit with our proud history of the democratic intellect, which has underpinned the global success of this sector for centuries … (Scottish Parliament 2011a, para.3).

What is more, the Cabinet Secretary for Education and Lifelong Learning goes on to make reference to a 19th rector of the University of St Andrews:

> … on 19 March 1869, the historian James Anthony Froude said: "There is no occasion to tell a Scotchman to value education ... It is fair all round to poor

and rich alike. You have broken down, or you never permitted to rise, the enormous barrier of expense which makes the highest education in England a privilege of the wealthy." That was true in the mid 19th century. It must remain true in the 21st century. There must be - there will be - no barriers to education in Scotland. (Scottish Parliament 2011a, para. 26).

The minister, in this excerpt, is using shaping myths and traditions of the HE system to portray universities as important civic institutions long committed to creating an equitable society within which the 'democratic intellect' is fostered. Citing a 19th century historian provides an authority and reference to tradition that is unchallengeable, acting to legitimise the policy action. Moreover, as noted by Arnott and Ozga (2016), the use of inward referencing to established ideas of the 'public' Scottish HE system was evident within the Review which emphasised the need for the state:

> to protect its broader investment in education, knowledge and intellectual innovation in a way that makes the most of a long Scottish tradition adapted to the needs of the 21st century world (Scottish Government 2012a, p.4).

Further, contributors to the Review highlighted the potential for the reform to develop the distinctive nature of Scottish HE, drawing comparison with England:

> We are at a key stage in Scotland's historic development, which will further define the nature of Scotland and its institutions under the devolution settlement, perhaps decisively … an opportunity to begin to define the character of a reformed higher education system for the nation based on social democratic principles as opposed to the neo-liberal doctrines, which hold sway in the UK (Scottish Government 2011a, "Conclusions and proposals" section, para. 1-2).

The findings in this area echo the observation made by Arnott and Ozga (2016) that SG highlighted the public nature of Scottish universities during the reform of HE governance. The idea of the university as a public good promoted by SG throughout the policy reform, from its inception, plays an integral part of the Scottish solution proposed for the governance problem and indeed, for other HE policy (Raffe 2013a; Riddell 2016). The idea of the university as a public good in Scotland, usefully connects with ideas of Scottish tradition, egalitarianism, the 'democratic intellect' and a distinctive Scottish HE system (Brotherstone 2012; Arnott and Ozga 2016) providing contrast with a more marketized HE system in England (Hodgson et al.

2011). Indeed, in these excerpts, and throughout the policy development, there is negligible effort made to downplay differences between England and Scotland, an inclination observed by Chitty (2014). Statements such as this are used to laud the Scottish HE system and Scotland's concern for the rights of the 'economically deprived social classes' while simultaneously suggesting that this is not an approach shared by England (Chitty 2014, p.132; Arnott 2016; Humes and Bryce 2018). Indeed, variance from England is frequently highlighted in the policy initiative with Scotland's focus upon public good, social justice and inclusion emphasised. Such reference to tradition, collectivism and social welfare are attractive to the nationalist agenda because the themes are all politically potent and potentially powerful drivers of policy, despite their idealism and mythical quality (Arnott and Ozga 2010ab; Kemp and Lawton, 2013; Hyatt 2013; Mooney and Scott 2016). Indeed, the assumption that Scotland is a more egalitarian society than England is not supported by the evidence on educational outcomes (Hill et al. 2010; Riddell 2016). Reference to a Scottish solution or a unique approach to the policy problem is reminiscent of the phrase 'Scottish policies for Scottish problems' which was frequently used in the early years of devolution (Mooney and Scott 2016). The framing of the policy initiative in this way, evokes idea of nation and represents wider UK approaches as out of kilter with the character of the Scottish nation and its people.

Accountability to the public purse

Notwithstanding claims of distinctiveness, the proposed policy solution also encompassed aspects of neo-liberal policy approaches more widely evident in HE reform. Despite its social-democratic credentials the SNP is evidently comfortable with NPM and the use of quasi-market systems in the public sector (Cuthbert and Cuthbert 2009; Arnott and Ozga 2016). Indeed, an emphasis upon the need for accountability to the public purse demonstrates the neo-liberal ideology in the governance policy solution. This is shown by the Cabinet Secretary for Education and Lifelong Learning stating prior to the 2011 election:

> The historic success of our sector has been built on such an exemplar of democratic intellect, and it is essential that it is protected. If returned, I intend to explore the issue of accountability, specifically the balance between accounting for public funds and preserving the benefits of an autonomous

sector—and to examine that issue more fully with university principals, chairs of court, staff and students (Scottish Parliament 2011a, para. 17).

In their second term of office, the SNP continued to place education high on the agenda. While acknowledging progress, the Government signalled its intention to instigate substantial reform in the post-16 sector with the Cabinet Secretary for Education and Lifelong Learning stating:

> My reform proposals will include establishing more efficient and flexible learner progression...; incentivising learning provision, so that it is better aligned with our ambitions for jobs and growth; creating structural change across the entire post-16 education landscape, so that public funds for education and training are used more efficiently; guaranteeing wider access, including lowering socioeconomic barriers to involvement in education and training; maintaining Scotland's world-leading position in university-led research; developing revised student support arrangements that are fair and affordable; ensuring that governance in colleges and universities provides greater accountability for public funding and commands greater public respect (Scottish Parliament 2011b, para. 17).

The HE reform is extensive, demonstrating SG's wide expectations of the sector. The proposals encompass the educational, social, economic and cultural contributions that Government expects HEIs to deliver. As a consequence of the 'no tuition fees' policy in Scotland, the sector is in receipt of significant public funding. For this investment, the SG expect a return through multiple adhesive functions including human capital, the knowledge economy, innovation and social mobility. Consequently, a central theme running through the development of governance policy is that excellence in HE is essential for continued economic productivity and successfulness within an international market, stating 'modern and transparent governance arrangements must be in place across all our universities as a prerequisite for long-term stability and success' (Scottish Parliament 2011b). Furthermore, SG set the need for accountability alongside ideas of public or societal good, thereby legitimising the aims of the policy through political warrant (Hyatt 2013). The influence of neo-liberal ideology is evident through the emphasis upon the need for public accountability. In this case, economic vision is interlinked with ideas of equity in what Cuthbert and Cuthbert (2009) describe as the SNP's variant of neo-liberalism. What is more, perhaps, acting to demonstrate the SNP, 'speaking social democratic and acting neo-liberal' in the formation of education policy, a

tendency noted by Arnott and Ozga (2016, p.259), including in the reform of HE governance. Nevertheless, in this aspect, the HE governance policy solution, rather than being distinctive to Scotland, is in close alignment with wider UK and global approaches to HE policy reform whereby universities are closely aligned with the economic and socio-political concerns of government (Ozga et al. 2006; Arnott and Ozga 2010ab).

Accountability to the wider university community

Ideas of accountability related to more than accountability for costs to the public purse with the policy solution also encompassing ideas of greater accountability to the wider university community. In this regard, the policy solution has value acceptability and connects directly to the policy problem as raised by the TU movement and academics (Kingdon 1984). It attempts to redress the problem of poor HE governance and autonomy of university leadership, acting as a challenge to NM approaches to institutional governance. This representation of accountability as an accountability to the university community and a redistribution of voice within the sector perhaps provides a more distinctive use and aspect of the policy development. After all, as Bacevic (2019a; 2019b) notes, despite an abundance of critique upon neo-liberalism within contemporary universities, there is a scarcity of action. Furthermore, external policy initiatives have tended to de-emphasise representative accountability in institutional governance structures (Larsen et al. 2009) and 'emphasize the need for greater external lay involvement and a more managerial role for the vice chancellor' (Shattock and Horvath 2020, p.56). Government's concerns about a lack of stakeholder involvement in decision-making are reflected in a statement by the Cabinet Secretary for Education and Lifelong Learning in which he highlights his belief that effective HE governance should be accountable to the wider university community:

> ...decisions taken by any university require to be accountable and transparent … My concern is that those who...regard the university as their own—the community of the university, the community of the west of Scotland and, to some extent, the wider community in Scotland — have a voice and can influence that process (Scottish Parliament 2011c, "Higher education funding" section, para.68,76).

Government official, G2, also suggested that the policy solution offered a more inclusive approach to governance:

> … a framework for a more modern, and transparent governance system, it wasn't an all-encompassing reform of the system, but a framework for a more modern, a more inclusive system that would encourage a greater diversity in the governing body.

The idea of an enhanced democratic accountability or accountability to the wider university community, perhaps, reflects or extends the SNP's harnessing of education policy to ideas of fairness and equality. Moreover, in this regard, the Scottish solution appears to offer a route away from corporate governance through increased representation and greater accountability to the wider university community, perhaps constituting a shift towards more collegiate / shared forms of governance such as those advocated by Shattock (2012a) and other commentators (Clark 2000; Middlehurst 2013; Clark 2004; Henze 2010). The idea that collegiate or inclusive approaches to governance still have relevance and are best placed to deliver effective institutional governance resonates with the academic literature (Henkel 2000; Hellawell and Hancock 2001; Jameson 2012). For instance, Shattock (2003, p.97) asserts, 'The main argument for a collegial style of management in universities is quite simply that it is the most effective method of achieving success in the core business'.

In sum, exploration of the *policy stream* provides novel empirical evidence of the importance of cultural context in the mobilisation of the HE governance reform policy (Kingdon 1984). Further, the findings offer original empirical evidence that the policy solution or *policy stream* (Kingdon 1984), reconstitutes HE governance policy through an interplay of nationalist ideology and the traditions of a meritocratic egalitarian HE system with themes of accountability – the latter being comprised of universal neo-liberal ideas of accountability to the public purse and also, a more distinctive notion of accountability to the wider university community. Indeed, constituting a complex blend of inward and outward referencing as a form of modernised nationalism by the SNP that situates Scotland in a social democratic, yet global, policy space, such as that described by Arnott and Ozga (2010ab; 2016). What is more, perhaps representing, as suggested by Arnott and Ozga (2016) an

attempt by SG to instigate discussion with the HE sector about the civic role and duties of universities, and to demonstrate publicly the sector's acceptance of accountability mechanisms. Although, one might note the paradox that public accountability measures form part of a solution with which to limit and control the use of NM approaches at an institutional level.

Political stream

The *political stream* relates to the receptivity of policymakers to a particular solution at a given time (Kingdon 1984). Kingdon (2014) suggests that shifts in the political system tend to increase attentiveness towards a specific problem and the proposed solution. Such shifts include, '…vagaries of public opinion, election results, changes of administration …' (Kingdon 2014, p.87). In this section I will explore the influence of elections and devolved political powers in increasing receptivity to the policy initiative.

The influence of elections

Significant political moments, such as an alteration in political leadership or governing party, may make 'some things possible that were impossible before' and 'other things out of the question', and engender 'a receptivity to some ideas but not to others' (Kingdon 2014, p.145). Howlett (1998) and Cairney (2018) report that elections provide the most common or predictable policy window as building electoral coalitions or securing re-election may act to motivate policymakers. Policymakers judge the public mood and its receptivity to proposed government policy alongside an appraisal of interest group thinking and the potential political penalties of action (Cairney and Jones 2016).

The interview data suggests that one element of the political stream was the relationship between the TU movement and the SNP. The SNP, as a minority government were looking for re-election in 2011 and support for a subsequent independence referendum. As highlighted earlier in the chapter, by the time of the 2011 election, the TU had long been campaigning against managerialism in the

Scottish HE sector, incorporating themes of Scottish history and tradition into the campaign in a direct appeal to the SNP nationalist values. There is a reciprocity in this relationship whereby the SNP court political support from the TUs by responding to their call for governance policy action. This acts not only to increase support for the SNP but to erode Scottish Labour support, a factor acknowledged by several interviewees, such as P3:

> … the desire of the Scottish Government to break the links between the Trade Unions and Labour in advance of the elections …

Participants reflected upon the symbiotic nature of the relationship. For instance, U1 stated:

> … SNP have been competing very, very hard to win the support of trade unions and trade unionists and basically to cut the legs from under Scottish Labour … basically that was another one of the drivers of the governance reform was can they give something to the trade union side that helps the trade union side to be more supportive towards the SNP and potentially towards Independence ...

T1 reflected upon the role of election in mobilising policy action, identifying a connection between the reform of governance, an upcoming independence referendum and the SNP's use of politically potent themes of tradition, collectivism and social welfare – an approach reported by Arnott (2016) and others (Ozga 2011; Mooney and Scott 2016):

> I think that certainly politicians will do the right thing sometimes but quite often that will be because they have their own political motivations for doing that. That might be a really cynical view but I think that there's possibly an element of that. We were in the run up to the Scottish independence referendum and setting out, being able to play into the narrative of Scotland's public higher education sector where Government were covering the cost of undergraduate tuition fees and were now looking at opening up university governance to make universities more transparent and more accessible to the wider community. So, I think that there was certainly a political element there and I'm not necessarily convinced it was the primary motivator but certainly it was part of it (T1).

The SNP were re-elected in 2011 forming a majority government. Majority status has impact upon selected policy direction as government no longer requires the support

of another party for its legislative programme (Cairney and Widfeldt 2015). Several participants recognised that the formation of a majority government by the SNP as one factor that had enabled reform of HE governance by providing SG with sufficient power to mobilise and enact policy reform as it wished.

Higher education policy in a devolved Scotland

Devolution permits SG to develop policy in the area of HE, with TU interviewee T2 suggesting that this may create opportunities for legislative action that may not have been possible through Westminster:

> … with Scottish Parliament being in power rather than having to legislate in Westminster is something that makes a difference because you have the scope for more Scottish Bills and if you were having to compete for legislative time in Westminster, reforming Scottish higher education governance would have been somewhere on a list and you know the space wouldn't necessarily have been there.

Participant C1, amongst others, reflected upon the prominence of HE as a devolved policy area, noting that the restricted remit of the SG acted to increase governmental interest in universities and their governance. Furthermore, HE is a highly visible area of devolved policy in which the SG is free to 'carve its own furrow', mark off differences from the UK government and reinvigorate a vision of nationalism (Grek 2011; Raffe 2016). R1 notes this approach:

> [no fees] it became one of the distinctive policies of that Government, so they were very committed to being different.
>
> … they very much looked for distinctive policies, that would give them a social democratic image … no fees sat along with free personal care, abolishing bridge tolls, a series of things that they did that they'd obviously costed quite carefully, and which were manageable, even though they look quite dramatic in terms of comparison with England …

Moreover, participants suggested that in light of the SNP's distinctive approach to HE policy, a review of governance was a logical step for SG to take.

Policy entrepreneur

Kingdon (2014, p.182) describes *entrepreneurs* as key individuals who move to advance a policy issue, 'They hook solutions to problems, proposals to political momentum and political events to policy problems'. Kingdon (2014) further asserts that such actors are identifiable:

> … one can nearly always pinpoint a particular person, or at most a few persons, who were central in moving a subject up an agenda and into a position for enactment (p.180).

Participant C1 similarly recognised the important role individuals have in shaping policy and that a change in decision-maker will impact upon policy trajectory:

> … when Ministers change they all bring their own particular things, whether it's the things they actually want to do or the things the Prime Minister or the First Minister has said they've got to deal with, and so a change in personality undoubtedly has an impact.

Who can be pinpointed as the policy *entrepreneur* in the development of Scottish HE governance policy? Almost all interviewees identified Michael Russell MSP, Cabinet Minister for Education and Lifelong Learning as a key actor in driving the reform of governance policy, 'this came very much as a push from the then Cabinet Secretary for Higher Education' (P4). The personal characteristics of Russell were a significant feature of the governance policy process and driving the translation of ideas into policy (Kingdon 2014). For instance, P3 described Russell as 'opinionated and a bit ideologically driven' while C1 observed, 'Mike Russell came into power, an ebullient, very, very self-confident individual' and further reflected upon his interest in HE and his tenacity:

> … undoubtedly Mike Russell was interested in universities which in many ways is a good thing, it does mean that once he's got the bit between his teeth, that he's going to make things happen …

Similarly, TU interviewee T2 stated:

> … the Minister, Mike Russell, at the time was also somebody, you know, who was kind of robust and confident enough to, if, which he obviously did, perceive that there was a problem, to pursue that.

Likewise, R1 commented:

> … a man who has a fine sense of himself, and he was very determined to show that he was boss and not the Vice Chancellors …

Participants also suggested that Russell may be motivated by the possibility of future return, perhaps in the form of enhancing his own professional status, to make his mark or advance a wider political agenda of centralism. For example, P3 suggested that Russell:

> … wanted to use this to push his own particular agenda, and secondly, a general drive in the Scottish Government to try and get a greater degree of control and oversight over other parts of the public sector …

Michael Russell, as presented by participants, possesses the defining qualities of a policy *entrepreneur*. An elected politician with the political acumen, comprehension, authority, tenaciousness and opportunity to be able to create and utilize a window of opportunity to mobilize HE governance policy (Kingdon 2014; Cairney 2018).

A window of opportunity

A *window of opportunity* opens when the problem, policy and political streams couple at the right time creating the conditions for policy change:

> Separate streams come together at critical times. A problem is recognized, a solution is developed and available in the policy community, a political change makes it the right time for policy change, and potential constraints are not severe ... these policy windows, the opportunities for action on given initiatives, present themselves and stay open for only short periods (Kingdon 2014, p.165-166).

Why did the *policy window* open? The window tends be opened in either the political or problem streams. Moreover, Cairney (2018) reports that elections provide the

most common or predictable *policy window* and in this case the re-election of the SNP as a majority government opened up avenues of influence for key policymakers. In this instance Michael Russell was able to advance a Scottish solution in which policy reform encompassed ideas of nationalism, traditions of a meritocratic HE system and neo-liberal accountability mechanisms in order to address the HE governance problem presented by the TU movement and academics. R1 describes 'the little chink of opportunity for a change' elaborating upon the messy, multi-factorial nature of policy-making:

> … it came really from a sort of multiplicity of sources, the Scottish Tertiary Education Acts … ideas about history … the Nationalists getting their semi-accidental majority … and the developing crisis in universities, in a sense in Scotland unlike in England, … there was certain access to Government and … partly for historical reasons, or historical myths perhaps, … there was a loophole, an opportunity for change and serious access to Government, that just doesn't exist at Westminster, so a combination of things …

Similarly, the Chair of the Review, R2, highlighted the multiplicity of factors involved in mobilising the HE governance reform, including reference to high-profile governance related problems, employers' dissatisfaction with the quality of graduates and media commentary. R2 further observed that the events of the time had created a political imperative for action on governance that was able to be met by a devolved administration.

It appears that the *policy window* opened through a form of policy alchemy in which *problem, policy* and *political streams* connected to create an opportunity for policy action. Further, it appears that political context was a crucial factor in mobilising policy change, representing the critical influence national government may have upon the institutional governance of universities (Shattock and Horvath 2020). That the Scottish HE governance problem became a focus of reform in this way might be considered distinctive and rather 'against the tide' (Macilwain 2015, p.277). After all, the Scottish HE governance problem is not novel or unique: indeed, the rise of NM and corporate approaches to HEI governance in the UK have been the focus of strong critique (Reed 2002; Deem and Brehony 2005; Deem et al. 2007; Shattock 2003; 2008). Nevertheless, despite the recognition of neo-liberal approaches to universities and their governance there is typically a scarcity of subsequent policy

action or change, a point noted by Bacevic (2019a; 2019b). Moreover, Shattock and Horvath (2020, p.56) reflect upon the distinctiveness of the Scottish governance reform:

> the momentum of these reforms moved in an entirely different direction to those …in England, which … have tended to emphasize the need for greater external lay involvement and a more managerial role for the vice-chancellor.

Through an exploration of the *policy window* formation the study illuminates, for the first time, the importance of the political, cultural and temporal context in the mobilisation of the Scottish HE governance policy reform. Furthermore, that a policy window was generated, and governance policy mobilised by SG emphasises national government's role as a critical influence or determinant of the internal mechanisms of university governance. Moreover, the thesis contributes practical insights for HE policy actors aspiring to move issues into or up the Scottish HE policy agenda.

Chapter summary

In this chapter I successfully used the five structural components of Kingdon's (1984) MSA to explore the complex dynamics of agenda setting that made Scottish HE governance a focus for reform by government. Excerpts from my interview data and policy documents were used to demonstrate that a *policy window* opened up to allow HE governance policy change under the influence of a policy *entrepreneur*, MSP Michael Russell, and through three streams coming together at the same time: the HE governance *problem, policy and political streams* (Kingdon 1984). In doing so, the study highlights the on-going relevance and significance of the national and cultural setting of universities in the formation of HE policy.

The academics and those involved in the TU movement identified issues in HE governance while, in contrast, most principals, vice-principals and chairs felt the reform had been an attempt by government to assert greater control of the HE sector. Nevertheless, lobbying by the TU movement successfully promoted the issue of poor governance within the sector, defining and communicating the *policy problem*

in such a way that it catalysed the interests of policymakers. The *policy stream*, presented as a Scottish solution appears to encompass ideas of a meritocratic HE system, historic traditions, the democratisation of governance alongside neo-liberal themes of public accountability. The data suggests that the *political stream*, represented a shift in political power, following the 2011 election, and thereby created a receptivity to the policy issue. Further, in the light of interview data, former Cabinet Secretary for Higher Education and Lifelong Learning, Michael Russell was identified as a *policy entrepreneur* whose influence contributed to a *policy window* opening. The data suggests the reform was driven by a multiplicity of factors whereby the HE governance problem stream, the Scottish solution and political stream coalesced to create an opportunity for change. In this way, the study provides novel empirical evidence of the importance of political, cultural and temporal context in the mobilisation of the Scottish HE governance policy reform. Furthermore, in doing so the research contributes practical insights for HE policy actors striving to move issues into or up the Scottish HE policy agenda.

The following chapter examines the research findings associated with the policymaking style adopted in the reform of Scottish HE governance.

Chapter 6

The policymaking approach to the reform of HE governance

Introduction

The current chapter considers the research findings pertinent to research question two:

> RQ2: What was the nature / style of the policymaking process during the reform of HE governance?

In this chapter, drawing upon interview and documentary data, I critically examine whether the development of HE governance policy followed the largely open, consultative and consensual approach reputedly used by SG, often depicted by the SG as the Scottish model or Scottish approach and by academics as the Scottish policy style (Cairney et al. 2016) (discussed in chapter 2). Firstly, I consider the policymaking context, discussing the intimacy and capacity of the Scottish policy-scape and its influence upon the character of the reform process. Secondly, my attention turns to consider the participatory nature of the governance policy process and, thirdly, to an examination of the conflictual, non-consensual quality of the reform. In doing so, I draw upon one aspect of Raffe's (2016) analytical framework: the proximity of universities to government and the ability of the university sector to work as an effective political force (discussed on page 74). Raffe (2016) suggests that the intimacy of the Scottish HE policy-scape enables Scottish universities to exert a powerful influence upon policy development. Further, noting that speaking with a common voice and coordinated activity between sectoral stakeholders acts to realise the political strength of universities. Moreover, Raffe (2016, p.30) considers that partnership working is an intrinsic quality of the Scottish university sector and further, that universities' efficacy as a political force is related to 'a policy culture which values consensus'.

As a reminder, in this chapter, each quotation is accompanied by a code providing an indication of role / affiliation: 'A' – academic, 'C' – chair / former chair of governing

body, 'G' –Government, 'N' – NUS Scotland, 'P' – Principal / former Principal / Vice-Principal / former Vice-Principal, 'R' –Panel member of the Review of HE governance, 'T' – Trade Union and 'U' – Universities Scotland.

The reform of HE governance: a Scottish style of policymaking?

Policymaking context: size of Scotland and the policymaking capacity of SG

The Scottish style of policymaking may relate specifically to the small size of Scotland and the scale of SG which enables the development of a network of close relationships between key actors (Cairney 2008; 2017a). Moreover, Raffe (2016) suggests that the small-scale or intimacy of the Scottish HE policy-scape enables Scottish universities to exert influence upon policy development. Research participants representing a variety of interests referred to the scale of operations and an associated intimacy in relationships. There was a strong sense in the data that the size of Scotland and its policy-scape facilitated accessibility to policy actors, enabled intimate relationships and policy discussion throughout the reform. For instance, one participant suggested that the small size of Scotland had enabled a close and frank dialogue between SG and the HE sector during the reform process. Meanwhile, participant T2 highlighted the accessibility of civil servants:

> … it's a relatively accessible Parliament, their civil servants are relatively accessible to bodies who have something to say on legislation (T2).

Participants reflected Raffe's (2016) view that the small scale of the university sector and the intimacy of relationships within the Scottish policy-scape affords accessibility and opportunities for the university sector to influence HE policymaking.

What is more, the data consistently refers to the distinctiveness of the Scottish policy context in comparison with England. There was a perception that scale had enabled a level of contact and interaction between Scottish politicians and the university sector that would be difficult to achieve in England. For example, the Chair of the Review, R2, amongst others, considered that the larger scale of the English HE sector increased potential for more adversarial approaches to policymaking. Several

participants highlighted that the small Scottish system of 19 HEIs meant that key policy actors know one another, can convene in one meeting room, and that this enabled a different, more discursive approach to policymaking. There is a sense that the distinctiveness of the Scottish policy-scape is a factor in enabling the Scottish style of policymaking and this is consistent Cairney et al. (2016). Furthermore, the data also reflects an observation noted by Cairney et al. (2016) that comparisons with the UK government often portray the SG and its approaches to policymaking in a favourable light.

The low capacity of SG is claimed to prompt a reliance upon, and the involvement of, partners out with government, particularly those actors with ultimate responsibility for implementing policy (Keating 2010; Cairney et al. 2016). Although participants did not refer directly to low capacity of government, several emphasised the limited time and resources available for the initial Review of governance and the implications for the analysis. For instance, R2, the Chair of the Review, recognised that the Review panel did not have the resources or time with which to conduct a detailed evaluation such as the Robbins Report. C1, chair / former chair of a governing body, also acknowledged the time constraints:

> … when this report was announced in June 2011, it was given about two and a half months actually to do the job because it asked for submissions, they couldn't get them until after the academic holidays which were September, October and the report was produced in January …we should have just said, 'this is not on', you can't change the governance of things that have been around for hundreds of years in three months … (C1).

Cairney and Widfeldt (2015) suggest that the small size and low capacity of SG encourages consultative approaches to policymaking and a propensity for reciprocal and consensual associations. Similarly, Raffe's (2016) framework recognises a culture of consensual policymaking and partnership working as important factors in maintaining the political strength of universities. In the following subsections I will explore whether the development of HE governance policy exhibited the participatory and consensual characteristics of the Scottish policy style (Cairney et al. 2016).

Participatory policymaking

The Scottish style is characterised by its collaborative approach (Keating 2010). Moreover, Raffe's (2016) framework reflects claims that the HE sector works in partnership in order to influence policy. The research findings suggest that the development of governance policy was consultative and participatory in nature. There was a high degree of consultation with stakeholders to collate both verbal and documentary evidence for the Review and at each stage of the legislative process (Scottish Government 2015a; 2016). Indeed, Cabinet Secretary for Education and Lifelong Learning asserted 'debate and discussion is the hallmark of the Government's involvement in educational reform' (Scottish Parliament 2012b, para. 2).

The involvement of a range of policy actors was noted by participants, including for example, the involvement of elected politicians, government officials, university bodies, trade unions, principals, chairs of court, academics, administrators and students. Such policy actors might be considered to be 'entities such as individuals, groups and governments with the means to consider information and make decisions' (Cairney 2012, p. 63), and here, are also regarded as those who adopted an active relation to the HE governance policy process (Ball et al 2011a; Ball et al 2011b; Ashwin et al 2015). While the policy process involved those in recognised positions of authority, such as university leaders, perhaps reflecting that 'the power of individuals is in part determined by their positions in the social structure' (Dowding 1991, p.9), the process also involved other interested and / or expert players from within, and out with the HE sector (Cairney 2012; Ball et al 2011a). Consequently, those with an active relation to the policy process, were situated within a collective network, or what Colebatch describes as a 'policy collectivity' (Colebatch 1998, p.23; Ashwin et al 2015). Within this group, 'actors with different intentions, interests and interpretations enter into the process at different points along its course' (Hall and McGinty 1997, p.441), thereby setting the stage for a variety of policymaking strategies such as negotiation, bargaining and lobbying between actors (Gale 2007; Ashwin et al 2015; Chou et al 2017). It is important to be clear, that through this policy process, as with others, the extent to which different policy actors adopted a passive or active role in relation to the policy changed over time, although such

transitions in role or position are not a focus of this study (Ball et al 2011a; Ball et al 2011b; Ball et al 2012; Ashwin et al 2015).

Government official, G2, described taking a partnership approach to proceedings and the importance of maintaining good communication throughout the policymaking process:

> Throughout the process there were open channels of communication and engagement, and engagement on different levels, between the Cabinet Secretary and stakeholders, between officials and stakeholders, with stakeholders as a group with the Cabinet Secretary, with stakeholders as a group at times with officials, and those discussions and communications went right through that process, as it should … right from the public consultation on the policy behind the Bill right through to the Act and beyond.

In addition, G2 highlighted that the sector is wider than its institutions and emphasised the necessity for consultation across those groups representing different interests within the HE sector. G2 described a policy process that had aimed to support engagement with all parts of the sector, including for instance, discussions with unions, chairs of bodies and student representative bodies during development of the Bill.

Indeed, the data consistently referred to the consultative and participatory nature of the policymaking process. For instance, P4 states:

> I certainly think that the … debates that took place, they were pretty much open to influence by the full range of people whose views ought to be taken into account … I think the debates were and the discussions were mostly held in … good spirit (P4).

Additionally, the Chair of the Review, R2, described, in positive terms, engagement with the HE sector, including valuable, intelligent exchanges with those opposing the reform. R2 further highlighted what he considered to be the constructive, uncynical nature of SG's involvement, and a genuine interest in the development of robust governance policy and success of the Scottish HE system.

NUS Scotland representative, N1, amongst others described a positive process in which different stakeholders were able to input their opinion. Further describing

opportunities for informal discussions between different stakeholders in preparation for meetings and the strong alliances between NUS Scotland and other TUs enabling policy influence. T1 considered that:

> …there was quite a small group who were forming policy or influencing policy formation, but that was based on a much broader base.

T1, further highlighted that submissions had been lodged by staff from most HEIs, thereby indicating to SG that calls for reform were not a TU 'hobby horse issue', but rather, reflected the concerns of the wider university community. Equally, senior academic, A1, described opportunities for academic involvement in the policy-making process through representation at the Education and Culture committee meetings, enabling direct input into legislative hearings in the SP.

There is a sense in the data that the policymaking style fits with the Scottish policy style characterised in the academic literature as government performing an open process involving extensive consultation and engagement with interest groups and stakeholders (Keating 2005; 2010; Cairney et al. 2016). What is more, reflecting Raffe's (2016) suggestion that the HE sector adopts partnership approaches in order to influence policy.

However, many interviewees, from across interest groups, pinpointed one aspect of the policy process that did not follow a participatory approach. The development of the first Code in 2013 was generally described as non-inclusive. For instance, the Chair of the Review, R2, considered the Code was controversial for the process through which it was arrived at. T1 further elaborates upon the process:

> There had been assurances made by the Government that the creation of that Code in its first iteration would be a cross panel, broad church arrangement that would involve staff, students, and senior university leaders to produce a code of governance that everyone could sign up to. In reality the university Chairs in Scotland wrote the code themselves, essentially wrote what was current practice and codified it in a slightly modified and updated version. There was consultation with Trade Unions and staff representatives and senior academics but all those consultations occurred behind closed doors, there was no record produced or certainly there was no record published of those meetings so the report itself or the Code itself was branded a manager's charter, written by managers for managers …

A perception shared by T2:

> It was essentially the Chairs of Court … speaking to university management and drawing this up themselves. I think when the first Code came out, we criticised it and … we called it a code written by managers for managers.

The comments align with those made at the time, principally by the TU movement (Matthews 2013; UCU Scotland 2015ab), but also by Government with the Cabinet Secretary for Education and Lifelong Learning stating, 'the Code was devised and pulled together by senior people in the sector, and it did not in its genesis, include students, staff or trade unionists' (Scottish Parliament 2015b, p.7). Consequently, in this regard, the process apparently deviates from claims that the HE sector adopts partnership approaches to influence policy (Raffe 2016).

U1, amongst others from across interest groups, reflected upon the non-inclusive process by which the Code was formed and the potential consequences in terms of future intervention and legislative action:

> The development of a Scottish Code of Higher Education Governance … was owned by the Chairs of Scottish Governing Bodies … and there was a, in my view, a fatal error made by Chairs, in that they didn't include the NUS or Trade Union side in the working group that developed that Code … in my view … that heightened the risk of future legislation …

A perception confirmed by TU participant, T2, who, while acknowledging the value in having a Code, described the motivation to push for legislation to institute further recommendations from the Review. Correspondingly, government official, G2, affirmed the need to legislate in order to extend reform into those areas not incorporated by the Code in 2013. Raffe (2016) suggests that working in partnership enables the sector to maintain its political strength and this study's finding highlights the importance of inclusive approaches in enabling and optimising the sector's policy influence. Here, non-inclusivity had the apparent consequence of enabling further political intervention and legislative action.

While there is a sense in the findings that the development of the Code in 2013 approach deviated from the participatory approach associated with the Scottish style,

most interviewees went on to describe the development of the second Code as a highly participative or collegiate process, that 'the new Code … had a much more roundtable approach to its writing' (T1). Many felt that the more participatory approach taken in 2016-2017 was motivated by an acknowledgment that the non-inclusive development of the first code had been damaging. A perception exemplified by U1's comment:

> The next stage in trying to develop a more consensual inclusion was the revised Scottish code that was developed in 2017 by a working group including NUS and trade unions and because by that stage I think that the Chairs … had recognised that a non-inclusive approach … had really damaged the reputation of what actually had been quite a good bit of work.

Furthermore, participant, C1, acknowledged that the dissatisfaction felt over the development of the first Code had encouraged a more participative approach in 2016-2017 thereby demonstrating on-going positive relationships between policy actors:

> The original Code was to be reviewed after 3 years. There had been complaints at the time of the original Code, which was produced by a review group appointed by CSC [Committee of Scottish Chairs] who represented the Scottish Chairs, that there hadn't been a sufficiently wide representation on the panel which drew up that Code. The Scottish Chairs did not think that was a fair criticism and despite the concerns and comments on the proposed legislation which were being expressed by CSC, CSC obtained the agreement of the Scottish Funding Council, Angela Constance and the student and trade unions to the form of the new review and the composition of the proposed review group. I think that that shows that the Chairs were still on reasonable terms with government and the unions. The review group included a couple of union representatives and student representatives and the review has now been completed.

The description of the latter part of the reform process indicates an approach that aligns more closely with the partnership approaches described by Raffe (2016) and the participatory nature of the Scottish style of policymaking. Although, it must be noted that this finding diverges from an observation made in Shattock and Horvath's study, where they note criticism of the 'directive style' of initial drafts of the 2nd edition of the Code circulated by SG (Shattock and Horvath 2020, p.57). Nevertheless, this study indicates that the overall approach tends to be consistent with Keating (2010); Raffe (2013b); Cairney et al. (2016) and others who suggest that public policymaking

in Scotland is consultative, involving the various stakeholders in policy development. However, consultation does not necessarily mean pathway to influence or to consensus, and in the next section I will reflect upon the extent to which the HE governance policy reform was consistent, or not, with the consensual and negotiatory approaches attributed to the Scottish policy style.

Breaking from consensual policymaking

As discussed in chapter 2, the Scottish style of policymaking is not only consistent with participation and consultation but also assumes a consensual, negotiated style (Raffe and Spours 2007; Hodgson et al. 2011; Raffe 2013b; Cairney and Widfeldt 2015). Raffe (2016) similarly describes a policymaking culture that values consensus, further suggesting that the HE sector's adoption of collaborative approaches and speaking with one voice both enables and maintains the political strength and influence of the sector. However, in this study, the data suggests that for many the governance reform was perceived to be a non-consensual process.

What underpinned the perceived conflictual, non-consensual character of the process? Almost all participants identified the Review's recommendations for a TU presence in governing bodies and an elected chair as the critical, controversial issues in the policy reform process. Indeed, throughout the debate, university leaders vigorously opposed reform in these areas, while the developments were supported by TU, staff and students (Carrell 2015; Universities Scotland 2015a; Haversgal 2014; UCU Scotland 2015abc), and the findings echo this dichotomy. Moreover, participants recognised that issues of governmental control and institutional autonomy were at the heart of the policy debate, as highlighted by the Education and Culture Committee during the passage of the Act (Scottish Parliament, 2015a, p.4) and other commentators (for instance see von Prondzynski 2015). More fundamentally, many participants considered that a failure to reach consensus was underpinned not only by the political setting but by stakeholders' different perceptions of the university and an inability to find a common space in the different narratives of leadership. Indeed, the report of the Review reflected that 'the basic assumptions that underpin higher education internationally are not, or at any rate are no longer, a matter of consensus' (Scottish Government 2012a, p.iv).

Moreover, the university community itself does not possess internal consensus, various groups, such as administration, faculty and students, may hold contrasting ideas and objectives regarding the nature of HE and its governance, and the appropriate direction for related HE policy to take (Taylor 1983; Teelken 2012; Tight 2014). Accordingly, study participants believed that divergent views of the university had contributed to the discordant nature of the policy process, moreover, highlighting that 'the big philosophical thought that lies in this, what is a university?' (P1). I return to this point and elaborate further in my discussion chapter (section 'Outlook on the future of Scottish HE, page 184).

While the Scottish policy style assumes a consensual, negotiated approach, the data suggests that for many the process was perceived as non-consensual and one in which 'there was very little real negotiation' (C1). Government official, G2, while acknowledging that the process might not be accurately described as negotiated, asserted that the process had attempted 'to enable co-production of what the Act would finally look like' and that Government 'were open to listening to the sector and hearing their concerns and trying to address them where we could' while going on to acknowledge:

> It was not a Bill without controversy, there was a fair bit of opposition from the sector but equally there was a lot of support from the union members and staff within that, and students obviously supported that direct provision for students to be on the governing body, so … perhaps the opposition element featured in the media a bit more than the support element but yeah, it was definitely not a Bill without controversy (G2).

Furthermore, all participants acknowledged that the policy reform process had been highly controversial with U1 concluding, 'it's an interesting study in conflict' and reflecting 'there wasn't a lot that got reconciled'. Likewise, many interviewees, shared the view that there was little conciliation over critical areas:

> On one or two of the really critical issues the positions were pretty entrenched and so the outcome was not really a satisfactory compromise (P4).

R2, the Chair of the Review reflected that the controversial nature of the recommendations and high levels of conflict made reaching high levels of agreement or compromise unlikely. In accordance with observations made by Brotherstone and

Mathison (2018), research participants considered that conflict and controversy centred upon the election of chairs and TU presence on governing bodies. Opponents of reform, such as those in positions of university leadership, considered that the election of chairs and TU involvement in governance introduced the risk of a politicisation of university governance and, consequently, a loss of institutional autonomy. Indeed, the reforms were perceived as an act of inappropriate government intervention into the affairs of autonomous institutions by those opposing the reform. However, while acknowledging the potential for governmental interference, participants supportive of governance reform, such as the TU movement, believed that policy action had not been motivated by a desire to control the sector or to compromise its autonomy. Moreover, supporters of the reform process claimed that institutional autonomy was endangered not by political action, but rather by a university leadership that was subject to inadequate control or scrutiny. Indeed, for many supporters of reform, autonomy was considered to be transmuted with it representing an independence of university leadership from the wider university community. Furthermore, supporters of reform believed that enhanced accountability to the university community through, for instance, TU involvement in governance and elected chairs would act to address the policy issue of an autonomous university leadership. Discord in these areas continued throughout the reform process, but particularly during the development of governance legislation (Brotherstone and Mathison 2018).

Principals, vice-principals and chairs tended to the view that the sector, while consulted, had lacked influence in the policy debate over the disputed issues. Indeed, Keating (2010), in considering the Scottish style of public policymaking, has cautioned that consultation may not always equate with meaningful influence and, many of those interviewed opposing reform echoed this sentiment. For instance, U1 elaborates upon the failure of actors to find a negotiated outcome and describes legislation being pushed through nevertheless:

> The big stuff was all bitterly contested between different interest groups. It was very difficult and I think Scottish government officials found this a very difficult position to be in because while their instinct is to try and find ways through that generates some sort of consensual solution that will be supported across the main stakeholder communities and across the

parliament, it just wasn't possible in this case because it was really bitterly contested viewpoints, and because they didn't actually have … a sound rationale for what they were doing, you couldn't put it on a rational basis so in essence they finally managed to bludgeon the thing through parliament.

Other participants also reflected upon a lack of sectoral influence in the process:

> Government policy around the reform Act wasn't being co-produced with the sector, it was being developed by Government and then sort of told to the sector … The governance reform … was very much predetermined, and then it was, let's find the evidence to fit that … The Governance Act was very much an example of policy-based evidence making …
> (P3).

> I think what we've got is pretty much unvarnished what the Government picked up from von Prondzynksi report, put into legislation and we're going to see how it plays out in practice without actually having had much university input taken account of (P1).

Nevertheless, one participant (chair / former chair of governing body) believed that while arguments opposing reform were not ultimately accepted, the process itself had been democratic in nature. Moreover, R2, the Chair of the Review, refuted suggestion that the policy process was not evidence-based, asserting that recommendations for reform had been informed by an abundance of evidence from across the HE sector highlighting issues in governance.

In this regard, the data suggests that the policy style while consultative was also non-consensual, reflecting that policymaking in Scotland may still be a process of winning and losing (Cairney 2008; Cairney et al 2016). Moreover, while all participants agreed that the policy process had failed to negotiate policy outcomes, some TU participants believed that attempts to reach a more consensual place had been thwarted by a lack of willingness of those within the HE sector who opposed the legislation to engage fully in the search for consensus. Indeed, some of those opposing reform acknowledged that universities had not played a particularly strong hand in the policymaking process with P3 feeling 'the sector did itself no favours'. While Raffe (2016) highlights the ability of the Scottish sector to speak with one voice and work effectively as a coordinated political force to exert influence upon the direction of HE policy, it appears that this ability was somewhat compromised during the development of governance policy. Indeed, there is a strong sense in the data

that the failure of the sector itself to reach a consensus during the reform of governance, may have compromised its influence during the reform process. Nevertheless, T1 considered that a more consensual approach was achieved post-legislation with the second Code in 2017, postulating that a change of policy actors had been accompanied by a change of approach:

> … the initial approach from some within Universities Scotland and certainly some within … the Chairs of Scottish Higher Education Courts Committee, their initial response was very much everything is working absolutely fine and we don't need to change … everything has to stay as it is, made it very difficult then for the Government to come to some sort of consensus and in the end … UCU were able to make the arguments, that … there had to be a significant change and made proposals on what was required. So towards the end of that process, there were some changes of personnel from the universities' perspective, which did allow things to move forward. I think it took the Bill to … become enacted for … the consensus side of things to develop.

The Scottish style of policymaking is usually characterised by collaboration, negotiation and a search for consensus (Keating 2010). Furthermore, the leadership of Scottish HE – as both institutional leaders and sectoral representatives – is purported to have great influence in shaping policy (Gallacher and Raffe 2012; Raffe 2016). However, in this instance the data seemingly deviates from the literature, suggesting that the process was not only non-consensual but that institutional leaders felt they lacked policy influence. Nevertheless, the data in this area supports Shattock and Horvath's (2019) observation that the SNP do not employ consensual approaches to HE policymaking. Furthermore, the data reflects Shattock and Horvath's (2020, p.57) suggestion that the governance policy 'was imposed on a university system over an extensive barrage of protest'. As a minority administration, inclusivity, bargaining, compromise and militating against confrontational policy were central to the SNP's public policymaking (Arnott and Ozga 2009; Spours 2011; Gillies 2018). However, Raffe (2016) and others report a change of policy style in 2011, referencing an increasingly centralising role of SG once the SNP had shifted from minority to majority government (Arnott and Ozga 2016). The data, perhaps, in part, reflect this shift, the SNP, as a majority government may have perceived less political risk in confronting university leaders to achieve its desired policy outcomes, particularly as the reform engendered the support of the TU movement (as discussed in chapter 5). Indeed, the Chair of the Review, R2, reflected upon the

political risk associated with the policy reform, highlighting that public dispute with university leaders was unlikely to be politically damaging, in contrast, perhaps, with other public service workers.

Furthermore, what is apparent from this study, is that while Raffe (2016) highlights the ability of the Scottish sector to speak with one voice and work effectively as a coordinated political force to exert influence upon the direction of HE policy, the ability to work together is not one to be taken for granted. Indeed, the data here suggests that the failure of the sector itself to reach a consensus during the reform of governance, may have compromised its influence during the reform process. Consequently, the findings in this area emphasise the importance of the HE sector speaking with one voice in order to maintain political strength and policy influence.

In sum, I have reflected upon the extent to which the reform of HE governance followed the open, consultative and consensual Scottish policy style (Cairney et al. 2016). In doing so, the thesis provides useful and practical insights into the nature of HE policymaking in Scotland. In particular, the study presents a challenge to SG's reputation for developing policy through a Scottish policy style, concluding that the reform of HE governance, while consultative and largely participative, was non-consensual in character (Cairney et al 2016). Furthermore, the study highlights that the inability to reach consensus during the reform of HE governance may have undermined the sector's political influence. Moreover, the research highlights that the ability of the Scottish sector to work together as a coordinated political force to exert influence upon the direction of HE policy (Raffe 2016), is not one to be taken for granted. Perhaps, in addition, acting to underline the fragility of 'taken for granted' policymaking approaches and, highlighting the importance of the Scottish sector developing cohesive understandings and policy approaches in order to maintain its political strength and influence

Chapter summary

In summary, this chapter explored the nature of the policymaking process during the reform of HE governance. Interview and documentary data were used to explore the

extent to which the approach to the reform of HE governance policy followed the Scottish policy style (Cairney et al. 2016). Firstly, the policy context is considered, in particular the size and scale of the Scottish policy-scape with the data suggesting that this enables the Scottish policy style by facilitating close policy relationships. The findings were analysed to discern whether or not the development of HE governance policy followed the largely open, consultative and negotiated approach reputedly used by SG (Keating 2010). Although the process was consultative and largely participative, the findings conclude that it was non-consensual in character, and in this regard, the study challenges SG's reputation for developing policy through a Scottish policy style. Moreover, the findings suggest that the ability of the Scottish sector to work together as a coordinated political force to exert influence upon the direction of HE policy (Raffe 2016) is not one to be taken for granted.

In the next chapter, Raffe's (2016) framework is used to support an exploration of the balance of institutional autonomy and governmental control post-reform.

Chapter 7

Institutional autonomy and governmental control post-reform

Introduction

The current chapter considers the research findings in relation to research question three:

> RQ3: How did key stakeholders perceive institutional autonomy and governmental control post-reform?

In this chapter, I consider the views of the participants in relation to the balance of the relationship between institutional autonomy and governmental control. Employing a novel empirical approach, I use an analytical framework devised by Raffe (2016) to examine the factors that threaten or protect the institutional autonomy of universities in Scotland as a devolved territory. Raffe's (2016) framework is presented in detail in chapter 3 (see page 73). The framework is applied to my interview data in order to identify the factors protecting and threatening the institutional autonomy of Scottish universities post-reform and, further, to explore the balance of the relationship between universities and SG. Finally, the two sets of factors are presented diagrammatically (see page 173) as an analytical framework for institutional autonomy in Scotland as a devolved administration, in an extension of that initially proposed by Raffe (2016).

As a reminder, in this chapter, each quotation is accompanied by a code providing an indication of role / affiliation: 'A' – academic, 'C' – chair / former chair of governing body, 'G' –Government, 'N' – NUS Scotland, 'P' – Principal / former Principal / Vice-Principal / former Vice-Principal, 'R' –Panel member of the Review of HE governance, 'T' – Trade Union and 'U' – Universities Scotland.

Exploring the balance of institutional autonomy and governmental control post-reform

Central to the policy debate and a source of controversy throughout reform were issues of institutional autonomy and public accountability (discussed in chapter 2). Despite the Cabinet Secretary for Education and Lifelong Learning of the time attempting to reassure stakeholders that Government 'does not seek to advance ministerial control of our institutions' (Scottish Parliament 2015g, para.2), many of those opposing reform raised concerns that university autonomy would be diminished and an unwarranted degree of political control enforced, that 'future Ministers may use...these powers in ways which constitute direction or control' (Universities Scotland 2015a, p.2).

Post-reform, how do key stakeholders perceive the relationship between SG and Scottish universities? Indeed, has an equilibrium been achieved between institutional autonomy and governmental control?

The question of balance between institutional autonomy and central control was seen to be at the heart of the governance reform (von Prondzynski 2015). That a balance or tension exists between institutional autonomy and public accountability is widely recognised in the academic literature (for example, see Berdahl 1990; Ferlie et al. 2008; Enders 2013; Hazelkorn and Gibson 2017). The balance between the two, in a state of flux and 'moving from academic self-accountability towards stronger and broader ways of asserting social and public accountability' (Hazelkorn and Gibson 2017, p.3). Indeed, the idea of a balance between central control and institutional autonomy was implicit throughout the interview data with participants across interest groups accepting this as a necessary tension. Participants referred to 'compromise', 'intrinsic tension', an 'on-going dialogue', a 'push me pull you' relationship between universities and SG through which the balance between accountability and institutional autonomy is negotiated and re-negotiated, as exemplified by interviewee U1:

… a constant tension as to whether your accountability structures are proportionate to the funding that you're getting … in a sense this is just one of the very intrinsic and necessary tensions between government and universities, there'll always be a push me pull you between you know the natural government instinct and necessity of accountability for use of public funding and the university perspective that we should be trusted to get on with it … (U1).

In the following sub-sections, the relationship between SG and universities and the shifting balance between governmental control and institutional autonomy is given detailed scrutiny through the application of an analytical framework proposed by Raffe (2016). Raffe's (2016) framework was discussed in detail in chapter three and was devised to explore the factors acting to threaten or protect the institutional autonomy of HEIs of devolved territories (see table 3 on page 73 for a summary). Raffe (2016) identifies the proximity of universities to government, HE as a national asset and the internationalisation of HE as factors acting to protect or minimise threat to the institutional autonomy of Scottish universities. Furthermore, the framework recognises the proximity of government to universities, high expectations of the sector and the politics of devolution as potential threats to institutional autonomy. Applying this framework to my interview data, I explore the factors acting to protect and threaten the institutional autonomy of Scottish universities. Excerpts from my interview data are used to demonstrate that the factors are connected and may be considered as two sides of the same coin, reflecting the ambiguities intrinsic to the political relationship between SG and Scottish universities. Finally, the two sets of factors will be presented diagrammatically (see page 173) as an analytical framework for institutional autonomy in Scotland, in an extension of that proposed by Raffe (2016).

Factors acting to protect institutional autonomy in Scotland

Participant, P1, acknowledged that 'There are plenty of protections for institutional autonomy' and figure 2, below, provides an overview of the factors providing protection as identified in my research. In addition to those factors identified by Raffe (2016), the existence of a buffer body and legislation are also recognised in this study as factors acting to minimise threat to the institutional autonomy of Scottish HEIs. Each of the factors believed to preserve a measure of institutional autonomy in Scottish universities will be examined in the following sub-sections.

Figure 2: Factors acting to protect institutional autonomy in Scotland

Factors acting to protect autonomy

| Proximity of universities to government | HE as a national asset | International nature of HE | Buffer Body | Legislation |

Proximity of universities to government: the HE sector as an effective political force

Raffe (2016) and Hodgson et al. (2011) suggest that the proximity of universities to government may act as a source of opportunity and strength in the defence of institutional autonomy. The data similarly identified proximity as a protective influence upon the institutional autonomy of universities in a devolved Scotland. Furthermore, in accordance with Hodgson et al. (2011) and Shattock and Horvath (2019; 2020), participants recognised that this proximity served to act as both a source of strength and a source of threat to institutional autonomy. The view that proximity may be seen as 'two sides of the same coin' is expressed by participant P4:

I think this is an opportunity and a threat … So without question universities in Scotland have more direct access to Government, to Government instruments, influence on Government than our counterparts in England … the key players including the appropriate officials and most principals in Scotland would have a significant relationship with both local and national government as a matter of course. So, these are generally good things not bad things. The other side of the coin, most certainly an observation that I think is correct, that the smaller the jurisdiction the more Government seems to want to control those things that it provides funds for. And of course, the more it feels that the sector is of a scale where it can be embraced by the decision making of Government as well. So how are things working out in Scotland versus England? I'd say on balance, I'd rather be here on that particular issue. I think we have a better opportunity positively to influence Government in Scotland by concerted efforts of the sector and by the collective, individual efforts of members (P4).

Government official, G1, similarly recognised the two sides, highlighting the advantages of intimacy as it enabled familiarity and the development of close relationships with the leadership of HEIs, but also recognising that the role of Ministers has limitations with regard to universities and that this had to be respected in order to protect on-going relationships and the institutional autonomy of the sector. The Chair of the Review panel, R2, also acknowledged proximity as two sides of the same coin and like others drew contrast with England, highlighting the relative accessibility of SG to the HE sector, the intimacy of relations within the policy community and the ability of universities to exert influence upon policy. Whilst acknowledging the potential for Ministers to take a direct interest in individual institutes, R2 believed that Scottish universities were better able to protect their position than those in England. Indeed, many participants reflected upon the intimacy of the relationship between SG and the HE sector as compared to England. A participant who had represented NUS Scotland during the reform suggested that the easy access to members of SG and SP provided opportunities for the sector to lobby and influence within the small policy community. The participant further drew comparison with what they considered to be an impenetrable Westminster.

R1 suggested that the small scale and structure of the Scottish system enabled all interest groups to influence policy debate:

> … it does have this committee system, there are these cross-party groups on higher education … and further education. People go into the Parliament and the Education Committee quizzes vice chancellors, and it gets more publicity in Scotland than it would in a larger set up in Westminster, so in general I think there is more accountability … there is that sense that university management are answerable to somebody other than themselves, at least, which is all part of the general set up here not purely the result of university reform as such.

Government official G2, highlighted that the small-scale of the sector enabled intimacy of relationships and facilitated engagement:

> Ministers … our Cabinet Secretaries … can sit down in one room with all the Principals, and can discuss issues, have discussion with them, have engagement, and an ability to work together on matters easier (G2).

As discussed in chapter 6, there is a sense that the intimacy of the Scottish policy-scape enables a Scottish style of participative policymaking in which stakeholders are able to influence policy development and this is consistent with Cairney et al. (2016). Raffe (2016) suggests that in order to protect institutional autonomy the Scottish HE sector must be effective as a political force and this is reflected in the interview data. Many participants recognised the importance of acting as a coordinated political strength, of speaking with one HE voice in order to exert a powerful influence upon HE policy and to protect institutional autonomy. For example, several interviewees cited the sector's challenge to recent governmental attempts to incorporate the SFC into a wider board under the control of a SG minister as an example of this:

> … the proposed changes to the funding council were certainly helpful in improving relations between the senior university management, Universities Scotland and the Chairs, and the Trade Union side because we were able to present a united front to the Government as to why we didn't think that the proposed forms to the SFC should be taken forward (T1).

> … And you know we worked with the rest of the sector, with Universities Scotland, NUS and other sectoral bodies to push against that and to argue against that and in the end was successful (T2).

The findings in this subsection are in accordance with Raffe (2016) and an ESCR study by Riddell (2014) in which key informants emphasised the importance of sectoral stakeholders such as Universities Scotland and NUS Scotland working

together to exert a powerful influence upon HE policy. Further, the findings corroborate observations by Riddell (2016) and Shattock and Horvath (2019; 2020) that universities appear to have successfully spoken with one voice to influence policy and to a degree that is unparalleled in England (Gallacher and Raffe 2012). Nevertheless, the ability of the sector to speak with a common voice and use political skill to influence the direction of HE policy is, perhaps, not to be taken for granted. Participant, P1, expressed concern that the functions of key sectoral bodies had drifted, and in such a way that their ability to exert influence upon HE policy and defend their autonomy may be compromised:

> Universities Scotland does articulate some generalities but have struggled really to become a powerful voice of universities that Government feels that they have to listen to … most of its announcements have been shaped by what it sees to be the need to answer what Government is asking rather than having the courage actually to articulate a strong university position … it ought to have more self-confidence in being able quite specifically to articulate what the common university interest is regardless of where the Government is coming from and for the discussion then with Government to take place in that territory. It's taking part upstream at the moment if you like, with Universities Scotland having anticipated what Government might or might not want before it actually engaged with Government.

Furthermore, as this study has highlighted, the inability to reach consensus during the reform of HE governance appears to have undermined the sector's political influence. Perhaps, in addition, acting to underline the fragility of policymaking processes and the importance of developing cohesive understandings and policy approaches. Shattock (2010) has observed, albeit for the UK sector, successful influence upon HE policy requires both political skill and a coherent vision as to the longer-term objectives of the HE sector. Arguably, Universities Scotland as the representative body of Principals is of pivotal importance in negotiating objectives sector-wide, and its ability to do so in collaboration with other sectoral groups may be critical to sustaining policy influence and protecting institutional autonomy. After all, it appears that while the Scottish HE sector is part of a wider set of national policymaking processes, it is not without influence, if it maintains the political wherewithal to ensure this.

HE as a national asset

Respondents considered the Scottish HE sector to be an important national asset and international success story. Moreover, in accordance with Raffe's analytical framework, expressing a belief that its success and contribution to the nation's economic, social and cultural well-being acted to protect the institutional autonomy of universities from government intervention (Raffe 2016). Indeed, one participant drew attention to international evidence demonstrating 'that autonomous university systems are more effective at meeting societal expectations than those that are more narrowly controlled …' (U1).

Participant C2 acknowledged SG's perception of a successful, productive HE system:

> I think Government recognises the positive contribution the university sector makes to the economy and Scotland's standing in the world and it's cherished for that.

Further describing the protective role of reputation and a successful sector:

> Scottish Government readily acknowledges both the quality and diversity of research undertaken within the sector, much of it having truly international importance. I have never seen any attempts at trying to influence what we can or cannot do in terms of research (C2).

Other participants similarly acknowledged the protective role of SG's perception of a successful HE sector as exemplified by A1's comment:

> I would like to think that the Scottish Government actually recognises that we do a really good job and they therefore prefer to leave us alone, it has a long, long tradition … amongst politicians, that the Scottish higher education system is actually pretty strong and high quality, so therefore don't reform, if it ain't bust don't try to fix it … there are lots of reasons why Scottish politicians are actually reasonably aware of the need to protect the universities as a public asset.

A belief corroborated by government official G1, who described the reputation of Scottish HE system as a national asset comprised of respected and high-quality universities as a key protective factor, highlighting that politicians appreciate the value of this to the nation and would not want to undermine this. The findings echo a

suggestion by Raffe (2016) that 'no government would want to earn a reputation for having put this valuable national asset … at risk' (p.28) and corroborate the view that the success of the sector acts to protect its institutional autonomy.

The international nature of HE

Raffe (2016) identifies the internationalisation of HE as a means through which universities have been able to preserve a large measure of institutional autonomy. Participants also acknowledged the protection of sorts offered by the international nature of the HE sector. For instance, P3 observed, 'ministers love the international reputation that institutions have' while C2 stated:

> … I think the message is getting home that we're a major player in the Scottish economy … certainly in terms of internationalisation and working overseas. We receive strong Scottish Government support, which I think is a sign of Scottish Government's confidence in the sector and recognition of what the sector has to offer both at home and overseas …

In this way, C2 acknowledges, along with other commentators, that SG recognises the value of international collaboration and the need to maintain reputation or status in the UK and global HE area. U1 elaborated upon SG's reluctance to jeopardise the economic benefits of internationalisation through centralising action:

> … politicians being really scared about bringing us into the public sector, and onto the public sector balance sheet that's a protection … I think there is probably an understanding within government that if you were to do that to the university sector given the amount of money that we bring in from external research contracts, given our impact on foreign direct investment, given what we're drawing in from international students but if you kind of nationalise us in a way that stifles entrepreneurialism then you will actually be losing quite a lot of our economic contribution to Scotland.

The finding suggests that the quest for recognition in the global knowledge economy and maintaining world-class status holds sway with policymakers and government as they attempt to cultivate prestige for their HE system and this is in accordance with observations made by Deem (2008) and Shattock and Horvath (2020). Furthermore, perhaps reflecting a recognition by SG of Scotland's high dependence upon

international student recruitment and international fee income (Riddell 2016; Shattock and Horvath 2020).

Moreover, institutional autonomy is considered as one of the international *'rules of the game'* (Raffe 2016, p.30) and this was referred to in debate during the development of governance legislation. There is a strong sense in the research data that institutional autonomy is recognised by stakeholders from across interest groups as a valuable, intrinsic characteristic of the sector through which academic freedom is protected and universities function independently of direct government influence. Indeed, several participants similarly highlighted that the most successful HE systems internationally are characterised by higher levels of autonomy. For instance, P4 stated:

> … the sector through Universities Scotland presented a lot of evidence that shows a strong correlation between the degree of autonomy of its higher education sector and the international reputation of that sector by various measures.

SG has limited power to change this 'rule' or other international 'rules of the game' and is, perhaps, aware that attempts to control the sector too closely and or bind it too closely to national policy objectives will compromise the ability of Scottish universities to compete nationally and internationally (Raffe 2016).

Buffer body

The Further and Higher Education Act 1992 created three territorial funding councils in England, Wales and Scotland. However, HEFCE was dissolved in 2018 while HEFCW and the SFC continue to operate. The academic literature describes the necessity of an arms-length or buffer body that can reconcile government's desire for accountability with the HE sector's need for autonomy thereby serving both universities and the state well (Berdahl 1990; Filippakou et al. 2010). Similarly, research participants from across interest groups recognised the importance of a sensitive buffer mechanism, further, identifying the SFC as a factor that acts to protect or minimise threat to institutional autonomy within Scotland. Shattock and Horvath (2019) similarly acknowledge the protection offered by the SFC against

government intervention. For this reason, in an extension to the analytical framework proposed by Raffe (2016), this study identifies the existence of a buffer body as a fourth factor acting to protect the institutional autonomy of Scottish universities.

Government official, G1, emphasised the crucial intermediary role of the SFC, considering it central to government's engagement with universities and the first port of call for the discussion of issues or for providing input into the sector. The belief that the funding council serves a vital role in preserving the autonomy of universities was shared by many research participants in this study as exemplified by T1:

> I think having the Funding Council there as an arms-length body, if you like, who are able to direct and interpret from the funding letter that comes from the Minister that then sets the Scottish Funding Council priorities which is then passed on to the institutions. At no point is the Minister directing or setting priorities directly to institutions, they're being interpreted and passed through the Funding Council which is a balancing role sitting in the middle of all that. I would be much more concerned if the Scottish Funding Council weren't in place and weren't able to play that role.

A view shared by T2:

> So, Scottish higher education, and further education as well, basically are funded through the Scottish Funding Council, the Scottish Government pays money to the Funding Council, the Funding Council as an independent, quasi-autonomous non-departmental … body, fund that and that maintains that level of autonomy so that the money is going through a third party … before it goes to the institution and that's incredibly important (T2).

However, many participants believed the role of the SFC had been compromised by underfunding. Further, suggesting that the funding council increasingly acts as an agent of SG rather than a buffer body, a view that is in alignment with the academic literature (Bruce 2012; Riddell 2016; Humes 2018). For example, P4 described a denuding of its resource and a concomitant loss of power:

> The problem in Scotland is that our Funding Council has been steadily weakened over the years both as a consequence of austerity and the fact that there's not enough money to fund it properly … therefore it's been denuded of significant resource of the time and the other is a tendency to want the Funding Council to be an instrument of Government rather than a body that ensures that the Government is at arm's length from our universities. In other

words, the Funding Council really needs to challenge both the sector and the Government, and Government, I think, prefer the model in which the Funding Council is an instrument of Government to help the delivery of government policy in the sector. So, I think if there was an existential threat it would be the fulfilment of that logic on the Government's part. And that could happen in more than one way but the simplest way it could happen would be by the denuding of resource in the Funding Council to the point where it's ineffective.

Likewise, P2 and P3, respectively, reflected upon the role of the SFC as 'little more than a compliant channel of government policy' (Filippakou et al. 2010, p.543):

… the general trend is for the Scottish Government to prescribe more and more what the university should do, and every year our ability to act is constrained further than what it was the year before … the Funding Council gets increasingly long directives from the ministers, and they're required to implement them, and they can be very, very specific (P2).

… it's become just a little bit too much the mouth piece of Government in recent years … it's behaving more like an agency, in other words, taking commands from Government and then translating them through to the sector and what I would hope to see is a bit more evidence of the Funding Council setting its own agenda and almost standing up to Government and saying 'no, we can talk about outcomes but that doesn't mean you can specify exactly how those outcomes will be delivered' (P3).

Moreover, there is a strong sense in the data that the existence of a funding council is a crucial factor whereby the institutional autonomy may be protected, but not necessarily a factor that can be taken for granted. To revisit the 'two sides of the same coin' analogy, the coin has the possibility to flip, with the buffer body shifting from a protective role to one that, rather, diminishes the institutional autonomy of the sector. Indeed, many participants noted the demise of HEFCE, 'we still have a Funding Council and they don't have one in England anymore…' (P4) and raised concerns about the future remit of the SFC and developments that may negatively impact upon institutional autonomy. For example, T2 stated:

… there were plans at one stage that the Funding Council would potentially come under or be subsumed into a wider strategic board that potentially would have a Minister steering it. And that raised real concerns for us, you would then have much more direct Government control of the funding of higher education (T2).

Findings in this area connect with an observation by Humes (2018) that SG's attempts to combine the SFC with Skills Development Scotland and others into one board under the direction of a SG minister represented a centralising action that would act to undermine the institutional autonomy of HEIs.

Legislation

Legal forms such as charters and statutes endorsed by Privy Council or laws preserve the framework of university governance. Nevertheless, the body of laws and regulations underpinning HE governance arrangements have not discouraged change in practice or protected HEIs from government interference (Shattock 2017, p.2). Indeed, the model of Scottish (and UK) university governance has been subject to multiple transformations despite the legal protections for autonomy. Nonetheless, participants identified legislation as a protective factor in the preservation of Scottish university autonomy. However, there was a range of views in this area, with participants' views upon the defence offered by legislation largely reflecting the contrasting narratives of the reform process. Several participants believed that historic legislation would protect the institutional autonomy of the sector from inappropriate government intervention:

> … it would be legislatively much more complicated for government to take control if you like of universities in the way they have taken control of colleges because of the way different universities across Scotland are constituted and what their legislative underpinning is … (P1).

Meanwhile, some of those supporting the recent reform process believed that the HE Governance (Scotland) Act (2016) would protect institutional autonomy from misuse by university leadership acting autocratically. Conversely, some of those opposing the reform retained concerns that governance processes may become politicised, particularly with respect to legislative requirements for elected chairs, thereby compromising the institutional autonomy of universities. Meanwhile, a government official believed that, in a sense, the modest nature of the 2016 legislation offered protection to institutional autonomy because it left much to the discretion of individual HEIs in recognition of the diversity of the sector.

Threats to institutional autonomy in Scotland

Figure 3, below, provides an overview of the factors posing a risk to institutional autonomy as identified in my data. In addition to those factors identified by Raffe (2016), public perception and the wider policy-scape are also recognised in this study as factors that may threaten the institutional autonomy of Scottish HEIs. Each of the factors believed to threaten the institutional autonomy of Scottish universities will be examined in the following sub-sections.

Figure 3: Threats to institutional autonomy in Scotland
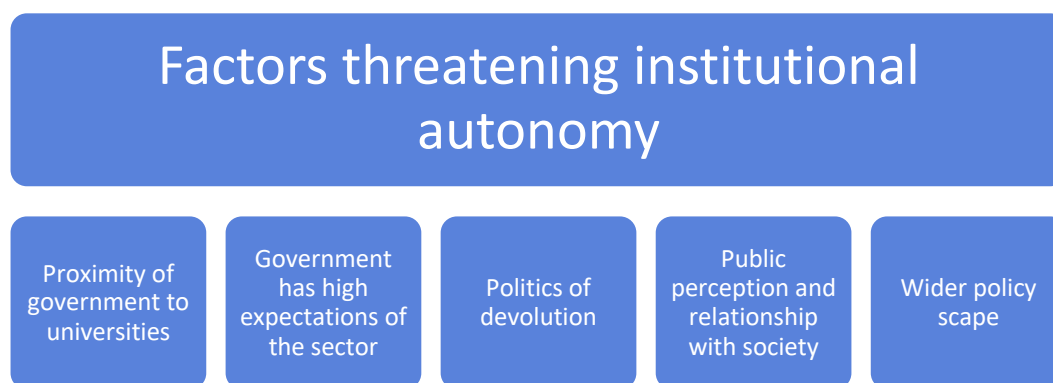
Proximity of government to universities: 'the talk of the political steamie'

Raffe (2016) and Hodgson et al. (2011) suggest that devolution has increased risk to institutional autonomy by bringing HEIs more closely within reach of SG. The data similarly identified proximity as a potential source of threat. Participants suggested that the small size of Scotland, an intimate political system, and intimacy of relations between SG and universities was a factor that enabled government to intervene in the policy area, and further, perhaps to see political benefit in constraining the actions of the universities.

The proximity of SG and HEIs is in part a matter of numbers: a consequence of a system comprised of only nineteen HEIs is increased intimacy. The accomplishments (and perceived shortcomings) of individual HEIs have greater visibility to SG and are therefore more likely to be a focus of government interest and

subject to political intervention (Riddell 2016). For instance, U1 reflected upon the intimacy and high visibility of the Scottish HE sector:

> … if you're going to close a department in Loughborough it's not going to make it big on the Westminster agenda. If you close a department in Glasgow you know it becomes the talk of the political steamie. The local becomes national very, very quickly here …

Furthermore, participants believed that 'micro-management' by SG intervention not only impinged upon institutional autonomy but compromised the efficacy of the sector. U1 acknowledged that while some politicians recognised the potential risks associated with over scrutiny others did not:

> I think some politicians kind of get it, that the more you micro-manage something the less likely you are to get initiative out of it and therefore less effective … I think most politicians think the more you manage something the more you are going to get the outputs from it, which I think is not our experience (U1).

Meanwhile, P4 suggested that recurrent changes in SG actors posed a threat to the institutional autonomy of universities:

> … every time you get a fresh face, the same questions get asked and there is a tendency to think that because the public purse contributes to universities that the public and the Government should have more say in how that money is spent. And that is ultimately the key threat. And so, every time that Government changes or a new cabinet secretary is appointed you have to go through a process where the starting point is 'why aren't you doing what we want you to do?' And sometimes of course we are doing what they want us to do. The concern is where we are not doing exactly what they want or for example the policies are not delivering much impact on let's say widening participation or something of that kind and that's their policy so why is that happening …

Furthermore, Raffe (2016) suggests that in an intimate system such as this, that sustaining the role of the SFC as a buffer body between SG and HEIs is more difficult. That the role of the SFC has been affected by SG engaging directly with universities through formal and informal means has similarly been noted by Bruce (2012). Participants similarly reflected upon the implications of direct connections between government and universities but had disparate views. For instance, some

expressed great concern about potentially negative ramifications of direct engagement upon institutional autonomy while others, such as T1 believed that direct engagement did not compromise institutional autonomy:

> … there are clear connections between the Scottish Government and universities that bypass the Funding Council, but I don't think necessarily any are a risk to institutional autonomy where it is done in a transparent fashion…

Finally, the intimacy of the policy-scape need not pose a threat to the institutional autonomy of its universities, if government recognises and respects the value of autonomy. However, in the view of several respondents, SG were not comfortable with the principle of institutional autonomy with some believing SG to pay 'lip service' to autonomy and respecting it 'tactically'. Indeed, many participants who held senior leadership roles within the sector considered that the SG did not understand the autonomous nature of HE and, further, extended its broader public policymaking strategy to the HE sector, despite it lacking public body status. A viewpoint expressed by P3:

> I think there is also a lack of understanding in the Scottish Government of the different nature of higher education. They tend to regard it as in the same basket as say, local government or health boards or the college sector. They don't properly appreciate just how independent and autonomous higher education institutions are … (P3).

Moreover, participants from across interest groups considered the current government to be controlling and have centralising tendencies that may act to compromise the future autonomy of the sector. The findings in this area echo observations made by Clark (2004) who reported attempts made by an earlier SG to create a unified or homogenous sector through dirigiste approaches to policy that not only denied the diversity of the sector but stifled institutional initiative and enterprise. Furthermore, the finding echoes that of Shattock and Horvath (2020, p.53), whose recent study reports that many of those in senior university positions believe the SNP did not fully appreciate the autonomous nature of HEIs and considered them to be part of the public sector.

Government has high expectations of the HE sector

The academic literature suggests that devolved territories demand more from their HEIs (Court 2004; Bruce 2012; Shattock and Horvath 2019). For instance, Tapper (2007, p.83) notes that universities in England 'are not perceived as quite so integral to the nation's future welfare as they are in Scotland and Wales and thus face somewhat less pressure to deliver tightly prescribed policy goals'. More recently, Raffe (2013b, p.5-6) concludes that the governments of devolved nations place an emphasis upon:

> the economic development role of higher education, on … lifelong learning and the development of more coherent education systems, on the social and cultural functions of higher education and on coordination at a regional level. Higher education in the devolved nations is expected to be more active in engaging with, and supporting, the social, cultural and economic needs of the wider society.

Government's anticipation that HE deliver more may increase the likelihood of intervention to ensure that an extensive set of social and economic objectives are met (Bruce 2012; Shattock 2006b; 2010; Shattock and Horvath 2019). Consequently, Raffe (2016) identifies this as a second potential threat to the institutional autonomy of universities. While participants did describe the need for HEIs to act as effective stewards of public funds and to pursue a public good through educational, research, cultural and socio-economic contributions, the interview data is consistent with Raffe's framework (2016). Many participants portrayed government's high expectations of the sector as a threat to its institutional autonomy, 'Government is asking for more and more things of universities peripheral to the core mission of universities' (P1), a view also expressed by P2:

> … they are addressing many political concerns with their work with universities … universities are an engine for social mobility and the university contribution to the innovation, both in technology but also in other ways in the economy …

Furthermore, the potential for outcome agreements to impinge upon institutional autonomy was widely acknowledged by interviewees, although there was a general feeling that this had not happened as yet:

> I think there are potential threats to autonomy in the way that the sector within Scotland is structured in terms of outcome agreements and the focus on those. I think it's understandable that a Government that is essentially providing the majority of funding, certainly for most universities, that they … would want to have some means of input and certainly suggesting directions for institutions to be taking … The kind of longer-term nature of universities being able to be self-reliant and being able to be setting their own priorities is, I think, relatively safe (T1).

The sense that outcome agreements had not significantly threatened institutional autonomy to date but had the potential to present a substantial threat in the future echoes the findings of an ESCR project by Riddell (2014), a British Council study by Kemp and Lawton (2013) and observations by Shattock and Horvath (2019). Participants shared a concern that autonomy might be eroded through a 'creeping take-over' by government. For instance, P1 described an accretion of accountability measures and the inherent tension between autonomy and accountability:

> We do have through the outcome agreements to tick more and more boxes every year and there was the word 'intensification' … You could argue that that is an intrusion upon the autonomy of institutions if you will. You can argue that it is an entirely legitimate presentation of the wish of the Government to have a say in how universities operate given the amount of money they put into universities.

Furthermore, participants from across interest groups expressed concern that the HE sector was, potentially at least, constrained by the government's expectations. While participants acknowledged the value of peripheral activities, they were concerned that universities' core roles of teaching and research may be subsumed or subverted by other functions. For example, raising concerns that the education system may become overly focussed upon employability skills or lose sight of the long-term potential benefit of more conceptual / abstract research. For instance, P3 presented the view:

> … there is still the tension though, between the things that universities want to do around teaching and research, and things that Government wants to demonstrate which is around kids from postcode areas and carbon foot print and finding ways of reconciling the two is always going to be a bit of a challenge (P3).

> … there's a constant desire to go down the cause and effect route, and what I mean by that is wanting to see the results in terms of employability skills

rather than the results in terms of research that might make a difference to something ten, fifteen years in the future (P3).

P3 went onto suggest that this may compromise the ability of HEIs to sustain longer term success:

> You focus on investing in stuff that will get school leavers into degrees, that will get them into jobs in Scotland, and you say, here is the benefit to the Scottish economy through that … And you know from a Minister's point of view and a policymaker's point of view, you can actually see the sense in that, but what it doesn't do is invest in the long-term health of a globally recognised standard of higher education.

Indeed, concerns regarding government's focus upon graduate employability were shared by other participants from across interest groups, as exemplified by R1:

> … the problem that Government may overstep the mark … not so much because they want to interfere politically … but because they want to change or turn the whole education system into a job-creating enterprise really.

In this regard, the findings echo a suggestion by Shattock and Horvath (2019) and others that binding university activity tightly to local or national interests rather than rewarding world class research creates tensions that may compromise the ability of Scottish HE to compete globally (Riddell 2016). Such concerns, perhaps, reflect observations by Nedeva (2007) that third mission activities that overtly connect HE, the economy and society, alter and deflect the central functions of HE, teaching and research, and how they are carried out, contributing to the transformation and re-production of the HE sector (Deem 2008). What is more, a proliferation of third mission functions or, indeed, positioning HEIs as weather vanes to political and societal demands may ultimately act to compromise their autonomy (Berdahl 1990; Shattock 2010). Nevertheless, there is compliance within the sector. Indeed, P1, in accordance with Henkel (2001), observed that HEIs have adapted to SG's requirements for greater public accountability:

> … are making significant efforts to comply with the outcome agreements therefore they are in practice working reasonably as the Government would want it …

Additionally, the observation that the 'Scottish Government's willingness to maintain the funding for higher education has increased its consequent power' (Raffe 2016, p.27) is reflected in this study (Bruce 2012; Shattock 2010; Shattock and Horvath 2019). Indeed, several participants acknowledged the power of the purse and referred to the notion of 'he who pays the piper calls the tune' to characterise the relationship between SG and HEIs. Furthermore, participants considered the issue of money and funding for HE to be a threat to institutional autonomy, particularly in stringent times. For example, T1 highlighted the heightened risk posed to autonomy where institutes, such as the post-92's, are heavily reliant upon government funding:

> The problems arise where there is only a single source of income essentially … the threats to institutional autonomy are where there are institutions that have a very narrow source of income, particularly the post-92s which are very dependent on tuition fees so a change of Government or a change of Government direction has a potential to threaten that.

Meanwhile, U1 described a sense that those universities, such as the pre-92's, with the greatest degree of non-government funding, find accountability mechanisms excessive:

> … there are certainly feelings from some institutions particularly ones that may only be receiving only about 20% of their money from the Scottish Government that the accountability reaching was a bit heavy weight in relation to the resource that they're getting from government …

The potential for Scottish HE policy to favour particular universities at the expense of others has been noted by Raffe (2016). Indeed, P4 observed that the starting point for negotiating outcome agreements ought to be the university strategy and that if this aligned with government policy then the process was eased:

> We as a university were always top of the league table in terms of improving access to the university to people of deprived background and that's because it was central to our strategy … So, we didn't have any difficulties complying with government policy in that respect but that's very different to saying, whatever the government policy is we'll align with it … we're pretty insistent that the starting point for the outcome agreement that we make with the Funding Council is our own strategy. That is an argument that is harder to win if your strategy doesn't align well with government policy but that's the nature of it, and there should be tension around that.

The expectation that universities serve multiple adhesive functions in this way reflects one element of the Scottish solution for the governance problem: public accountability. Neoliberal ideology underpins the narrative and represents a more universal approach to HE policy, although interlinking ideas of social equity is perhaps representative of the SNP's variant of 'neo-liberalism with a heart' (Cuthbert and Cuthbert 2009) and highlights the national dimension to NPM (Arnott and Menter 2007).

The findings in this subsection align with Riddell's observation that SG assumes a 'hands-on approach' and Raffe's suggestion that SG's high expectations of the sector presents a threat to the institutional autonomy of its universities (Riddell 2016; Raffe 2016). Further, corroborating Shattock's belief that the high financial dependence of the Scottish HE sector upon SG may increase the likelihood of state intervention and create issues in relation to autonomy (Shattock 2010).

Institutional autonomy and the politics of devolution

Raffe (2016) identifies the politics of devolution as the third threat to institutional autonomy given the importance of HE (and education generally) as a policy area in devolved territories. Furthermore, commentators note that HE is highly regarded and valued in devolved administrations and is closely connected to national identity and meritocratic egalitarianism (Ozga 2011; Kemp and Lawton, 2013; Raffe 2016). Consequently, HE is a highly visible policy area in which the SG can make their mark and this focus upon HE policymaking was similarly noted by research participants. For example, C1 observed that 'it's close to the heart of the current Government', further reflecting that the history of the sector, public funding and the restricted remit of the SG act to raise the profile of the HE policy area. Participants recognised that governments of devolved territories such as Scotland, will naturally, develop public policy, and recognised that this was particularly so for Scottish HE given that it is an influential portfolio with links to culture, the economy and social equity. C1, amongst others, recognised the centrality of HE policy:

> … a very big bag in Scottish Government terms because it's education, it's colleges, it's universities plus all the hang on things you get, and … education

is something everyone deals with at some point … it actually runs right through, it's a thread that runs right through society.

Participants, including R1, reflected upon the commitment of the SNP government to being different, and using the opportunities raised by devolution to create distinctive HE policy such as the politically potent free tuition fees policy. R1 also noted the potential for the HE policy agenda to become more distinctive in the future, believing that such developments would be linked to the independence issue.

Raffe (2016) describes HE as a policy area in which SG has freedom to manoeuvre despite fixed budgets and a lack of significant fiscal powers. Participants noted this freedom to manoeuvre citing 'free tuition' policy as an example of SG carefully costing an HE policy approach that is manageable, yet, dramatic and distinctive in comparison with England. Nevertheless, others, such as P3, recognised the complexity and interdependencies of HE policy in practice:

> … the political commitment to fund higher education in a particular way that means that there is effectively a cap on the number of Scottish students who can go to university, and it is very difficult politically for the Government to face up to the contradiction between that and their desire to open up university for all ...

Indeed, Raffe (2016) observes that the interdependencies between the HE policy of the UK nations, particularly with regard to fees, has implications for institutional autonomy. In order to maintain funding parity with the rest of the UK, Scottish HEIs contracted favourable financial settlements from SG in exchange for maximising their economic, social and cultural contributions, the ramifications of which were discussed earlier in this chapter.

Nevertheless, while SG may be more likely to be active in HE policymaking given its devolved status, it does not necessarily pose a threat to the institutional autonomy of its universities, if government recognises and respects the value of autonomy. However, as discussed earlier in this chapter, in the view of several respondents, SG were not comfortable with the principle of institutional autonomy with some believing SG to pay 'lip service' to autonomy and respecting it 'tactically'.

Public perception and the sector's relationship with society

The Chair of the Review, R2, suggested that the ability to protect the institutional autonomy of Scottish HEIs was fundamentally underpinned by culture and societal expectation. Moreover, R2 highlighted the importance of a society's appreciation of the imperative of intellectual autonomy and its role in the development of social, economic and cultural progress. R2 noting that with such an appreciation comes high levels of institutional autonomy. As discussed earlier in this chapter, institutional autonomy was recognised by participants to be a valuable, fundamental characteristic of the Scottish HE system. Further, that it is a long-established, valuable and envied characteristic of the UK-wide HE system was emphasised by representative bodies and other stakeholders in the policy debates during the development of governance legislation (von Prondzynski 2015). Moreover, the academic literature reports that HE is highly valued in the devolved territories and heavily associated with national identity (Arnott 2016; Humes 2018). Arguably, as a consequence of this, the principle and value of institutional autonomy may be considered secure in being recognised by SG and Scottish society as an integral component of the continued success of its HE system. However, in practice, society's expectations of the Scottish HE sector may also present a risk to the institutional autonomy of its institutions. Indeed, there is a strong sense in the interview data that a poor public perception of Scottish universities and their governance may pose a threat to the continued autonomy of its institutions and, in this regard, the data extends the analytical framework proposed by Raffe (2016). Participants referred to the standing of universities going down within society, fuelled by adverse reports on inflated senior pay, drop-out rates and declining academic standards. Furthermore, one interviewee not only echoed this view but considered universities to be a greater target than in the past given the mass nature of HE in the 21st century. Indeed, one participant suggested that contemporary universities have few friends, and hoped that as a consequence of reform, that the sector would become more 'street wise' and adept at managing the public perception of the sector.

The Chair of the Review, R2, like other participants, considered the scepticism of the public to be the biggest threat to institutional autonomy. R2 suggested that if people

had concerns about the governance and management of Scottish HEIs that this may give rise to public pressure for greater governmental control of universities.

P4 similarly considered society's perception of universities as a potential threat to university autonomy:

> … the public perception of universities could be a serious threat to our autonomy if we don't get our message across right. I think if we look like pampered organisations, which we're certainly not in my view, and lead by overpaid managers, you know that's not going to help us get our message across …

Indeed, there was suggestion from some that the scepticism of the public posed a greater threat to autonomy than anything that the government might want of their own volition. For instance, participants, such as government official, G1, described a public expectation that government exert a high level of influence upon the HE sector. G1 further suggested that society perhaps misunderstands the relationship between government and HEIs, presupposing and expecting more influence or control than actually exists.

However, despite believing that society posed the greatest threat to the institutional autonomy of Scottish universities, the Chair of the Review, R2, retained an underlying optimism. An optimism founded upon his belief that people in Scotland are inherently proud of Scottish universities at both a local and national level, and furthermore, are proud of the international standing of HEIs. While also suggesting that this pride may be undermined by perceived issues in governance, he advanced a view that if the governance of Scottish HEIs was generally accepted by the public to have integrity and to observe the interests of stakeholders then this would act to protect the autonomy of the system. Here, the Chair's comments echo the academic literature that asserts that HE is highly valued and linked to national identity in the devolved territories (Keating 2005; Raffe 2016).

Moreover, participants recognised the importance of reaching / developing new understandings or ideas of universities, and further, of re-examining the relationships between sector, government and society. For instance, R2, the Chair of the Review, considered that the social contract between universities and society ought to be

constantly re-examined in order to ensure that the university system continues to contribute to the enrichment of society. Other participants recognised the need for review and revision, as exemplified by P4's comment regarding mechanisms of governance:

> … it needs to be under constant review and should evolve and develop in ways that reflect, if you like, changes in need, changes in attitude and particularly for bodies that are in, whether they're considered to be public bodies which universities actually aren't strictly, but they are certainly in the public gaze, which is perhaps, at least from a perception point of view equally important. You know they do need to change and respond to, you know, views held by people who represent if you like our society and key organisations.

R1 considered that the future of the Scottish university sector was something that should be debated within the context of broader socio-economic questions.

> I mean it's really to restore a sense of purpose to universities. There are numerous books about what the universities were for and what they should be … But I don't think that this is a question which can be any longer be really discussed as a purely university and higher education question. It's all to do with the nature of the society we live in, and in what ways that can and cannot be changed and just how fundamental is the change required. And the university questions are very much involved in that, certainly we are no longer living in an ivory tower world, the university question is completely tied up with much broader socio-economic questions.

Here, R1's view accords with Burawoy's observation that, 'with the exception of a few hold-outs the ivory tower has gone' (2011, p.27). Indeed, in the interview data, there is a general acknowledgment that the HE sector has undergone significant change in the last thirty years and a belief that further development and reconceptualization of the university and its governance must incorporate the wider views of society and the socio-economic and cultural environment. In this way, the system is responsive to society and retains relevance, and moreover, is able to preserve the sense of trust, confidence and support held by the public, thereby acting to protect its autonomy.

The findings in this subsection suggest that a negative perception of the university sector, where it is seen to be self-serving or self-important may threaten the

institutional autonomy of universities. Arguably, that HE in Scotland, as in other devolved territories, is highly valued and tightly associated with ideas of national identity may engender public support for the sector. Furthermore, the development of distinctive HE policy by the SNP, notably free tuition, and the positioning of the sector as a 'public good' delivering social, economic and cultural benefits may also cultivate societal support and act to protect the sector and its autonomy. Nevertheless, the increased significance of the sector heightens the risk to its autonomy, particularly if, as participants highlighted, the sector appears to be pampered or self-serving. As Trow acknowledged in 1974, in an expanded system, HE will come:

> … to the attention of larger numbers of people, both in government and in the general public … [they will] have other, often quite legitimate, ideas about where public funds should be spent, and if given to higher education, how they should be spent (Trow 1974, p.91).

The prominence of the Scottish HE sector, both politically and publicly, may heighten society's expectations of universities and consequently the potential risks to institutional autonomy. What is more, the finding highlights the need for the HE sector to re-examine the social contract it holds with wider society, in part to sustain its autonomy. Hazelkorn and Gibson (2017, p.17) similarly recognise the importance of collaboratively redefining or reconfiguring the relationship that universities have with society in order to 'avoid creeping interventionism'. Early on, Ashby (1966, p.3) cautioned against an ambivalent relationship with society, asserting that a university 'must be sufficiently stable to sustain the ideal which gave it birth and sufficiently responsive to remain relevant to the society which supports it'. I would argue, in the light of the findings in this section that, perhaps, the development of the university sector and its governance for the 21st century must occur through a broad, open process with all stakeholders - government, universities and the wider society within which the sector exists – in order to reach a shared, sustainable understanding of the sector and its mechanisms of governance.

The wider policy-scape

In an extension to Raffe's analytical framework, many participants identified the wider policy-scape in the UK as having the potential to greatly compromise universities and their autonomy (Raffe 2016). The term wider policy-scape is used rather loosely here to refer to the range of UK policymaking out with the immediate HE policy area. For instance, concerns regarding the influence of the wider policy-scape are reflected in a senior academic's comment:

> I think most of the political threats come from Westminster and not from the Scottish Government and we're living quite comfortably with Scottish Government policies (A1).

Furthermore, a participant representing NUS Scotland, asserted that the UK's immigration policy had a significant impact upon the activity of Scottish universities. A viewpoint that aligns with Riddell's (2016) suggestion that UK government policy in this area creates tensions not only for HE policy generally but more specifically for a Scottish HE sector heavily reliant upon international recruitment and fee income.

In particular, there was a sense that the realisation of Brexit may have significant influence upon the direction of Scottish HE policy. Indeed, many participants described the 'cocktail' of Brexit, economic austerity, free tuition, along with SG's high expectations of the Scottish HE sector, as posing a powerful potential threat to the independence of Scottish universities. R1 considered that the process of Brexit created a crossroads for Scottish HE policy:

> … so we're at a real crossroads, I'm not saying at a crossroads tomorrow morning but over the next year or two, maybe the next decade, it's a real crossroads in terms of higher education policymaking and whether Scotland becomes different to elsewhere, very distinctive from England and Wales; or whether the economic pressures are such that … the distinctiveness of Scotland is further eliminated …

Likewise, T1 reflects upon the likely economic impact of Brexit upon the HE sector and the potential implications for university autonomy:

> The bigger threat going forward, the economic impact of Brexit will inevitably have an impact and at that point should the Government try and reduce some of its core funding and potentially look to target funding for specific areas that it sees as priority, it's at that point that then becomes a threat to institutional autonomy …

Moreover, participants highlighted the lack of support for Brexit in Scotland and within the HE community, and its potential for mobilising support for a second independence referendum. As discussed in chapter 5, significant political events can make 'some things possible that were impossible before' and 'other things out of the question', creating receptivity for particular ideas (Kingdon 2014, p.145). Indeed, Brexit may present the crossroads for Scottish HE policy described by R1 by precipitating calls for a second independence referendum, in which the SNP, as before, use HE policy as a resource with which to mobilise powerful ideas of national identity, social equity and public good. Indeed, R1 predicts that the development of Scottish HE policy in this scenario 'will certainly be tied up very much with the independence issue'. It seems likely that the SNP will continue to translate 'nationalism to education policy' in the event of a second independence referendum given the high visibility and distinctiveness of the policy area (Arnott 2016, p.46). Furthermore, in this context, the SNP is likely to employ the narrative of the 'modernised nationalism' described by Arnott and Ozga (2010a, p.344) in which Scotland is positioned on the European / global policy-scape. However, increased policy attention may not result in a loss of autonomy if the HE sector has a clarity of vision over its long term objectives and operates as a collaborative political force. After all, no devolved government would wish to earn the reputation of risking the success of the HE sector and its contributions to the social, economic and cultural well-being of its nation, particularly at a time of acute political importance to the nationalist government. As P1 reflected, the possibility of a second independence referendum may make SG less receptive to intervening in matters of university autonomy:

> … the SNP Government is very reluctant to take any kind of steps that are going to be significantly controversial because they see that as being

potentially detrimental to their main goal of Scottish independence and undoubtedly the attempt much more significantly to control universities would be highly controversial.

However, it is possible that Brexit may result in increased economic pressures for the SG and therefore for the Scottish HE sector. As a consequence, the SG may expect more of the HE sector for the public funds it receives and 'the new pressures will be on to adapt far more to a neo-liberal agenda that is more prominent in England' (R1). In chapter 8, I make some tentative suggestions regarding the post-Brexit scenario and its potential implications for Scottish HE policy (see page 184).

An analytical framework for institutional autonomy in Scottish higher education

Figure 4, overleaf, presents and summarises the findings in this section diagrammatically. This analytical framework for the institutional autonomy of universities in Scotland is an extension of that devised by Raffe (2016) and emanates from the elite interview data captured and analysed in this study. The framework encompasses the factors that act to threaten or protect the institutional autonomy of Scottish universities and demonstrates the ambiguity of their influence as the relationship between the HE sector and government evolves within the Scottish HE ecosystem. The factors acting to protect the institutional autonomy of Scottish universities are identified as: the proximity of universities to government, HE as a national asset, the internationalisation of HE, a buffer body and legislation. The framework recognises the proximity of government to universities, high expectations of the sector, the politics of devolution, public perception and the wider policy-scape as potential threats to institutional autonomy. Arguably, the factors represent a necessary tension that is inherent in negotiating the balance of relationship between institutional autonomy and government control. The framework attempts to express a 'fluidity', capturing the fluctuating influence of the factors within the Scottish HE ecosystem, their interdependence and, in some cases, their interaction with the wider HE and policy environments. Further, the diagram acknowledges the uncertainty of the system and the possibility of new influencing factors emerging to compromise or augment institutional autonomy within the Scottish HE sector. The fluidity or temporal nature of the framework reflects the evolving nature of the

relationship between the Scottish HE sector and the SG. Consequently, while the framework is an analytical tool, it merely offers a snapshot and a starting point for further analysis of the relations between government and the universities in Scotland.

In sum, the research presented in chapter 7 and summarised in figure 4, draws attention to the considerable power of national government in shaping the local sector and influencing the dynamic equilibrium between public accountability and the institutional autonomy of universities. While acknowledging that the coordination of contemporary HE occurs in a complex policy environment of multiple, interconnected policy levels reflecting both international and local policy agendas (Ozga and Jones 2006; Raffe 2013a), the research highlights the on-going relevance and significance of the national and cultural setting of universities.

Figure 4: A framework for institutional autonomy in Scottish higher education
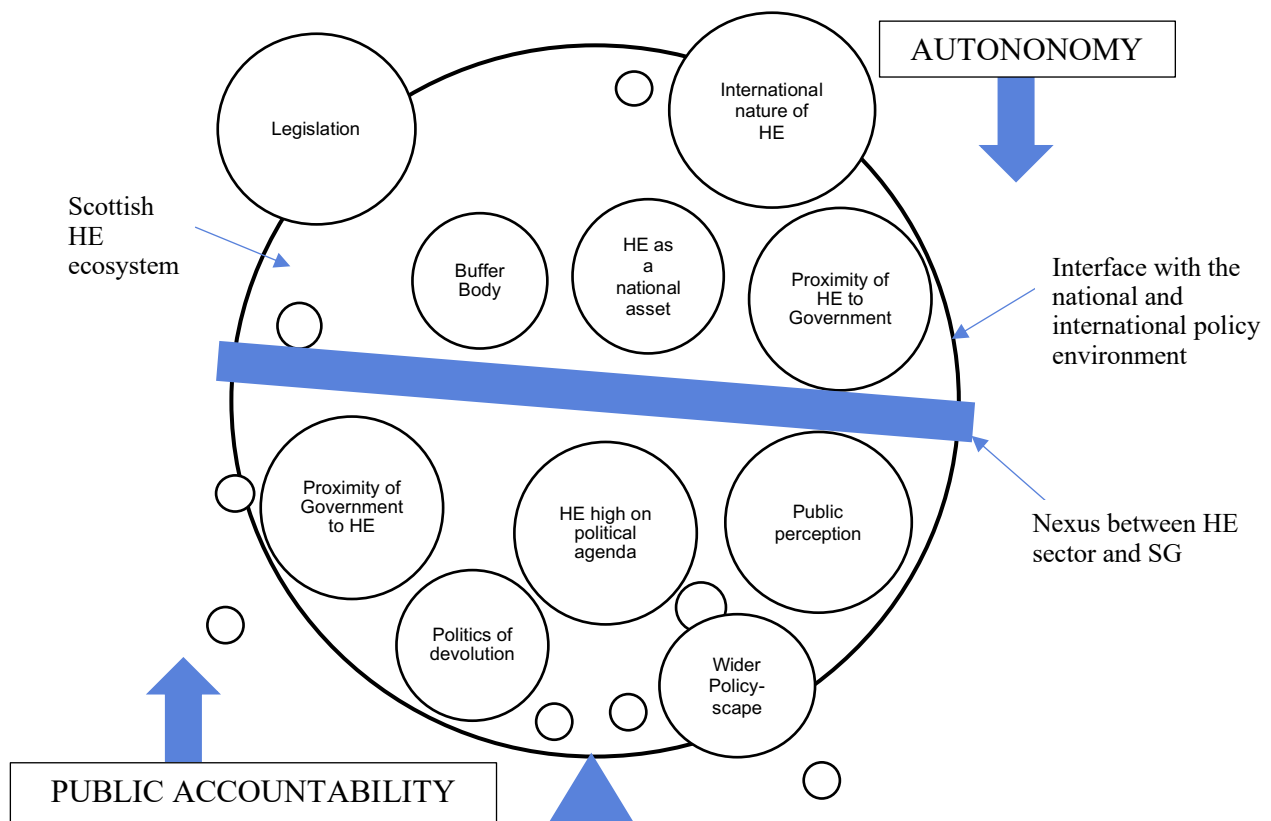
Chapter summary

In chapter 7, I examined the balance of the relationship between governmental control and institutional autonomy post-reform, as perceived by policymakers. The factors acting to threaten and protect the institutional autonomy of Scottish universities were critically examined using Raffe's (2016) analytical framework. The analysis not only corroborated Raffe's findings but enabled an extension of his framework, encompassing the range of factors identified by policymakers during this study and presented diagrammatically on page 173. Furthermore, the extended framework attempts to present the complex and dynamic nature of the relationship between SG and the university sector as the relationship between them is negotiated and renegotiated. The influence of the factors affecting institutional autonomy and levels of government control within the Scottish HE ecosystem is presented as fluid and shifting. What is more, the factors are presented as interdependent constituents within the Scottish HE sector and, in some cases, within the wider HE and policy environments. Moreover, the research highlights the on-going relevance and significance of the national and cultural setting of universities, drawing attention to the considerable power of national government in shaping the local sector and influencing the dynamic equilibrium between public accountability and the institutional autonomy of universities.

Chapter 8

Conclusions

Introduction

Through a focus upon the reform of Scottish HE governance policy (2011 – 2017) this study contributes to a deeper understanding of the nature of the relationship between SG and universities. In order to explore relations between the HE sector and government, three research questions were posed:

1. How did the HE governance policy reform emerge?
2. What was the nature / style of the policymaking process during the reform of HE governance?
3. How did key stakeholders perceive institutional autonomy and governmental control post-reform?

The three RQs served the collective purpose of explicating the nature of relations between universities and SG by considering the temporal, cultural and political qualities of HE policymaking; the character of the policymaking process; and the balance of equilibrium between institutional autonomy and governmental control. In order to address the RQs, I used qualitative semi-structured interviews as the primary data source. Fifteen interviews were conducted remotely by telephone or Skype / video technology, between September and November 2018, with key stakeholders involved in the policy reform. The interview data gathered was subsequently analysed using thematic analysis and drawing upon two frameworks - Kingdon's (1984) multiple streams approach and an analytical framework devised by David Raffe to explore the relationship between universities and the governments of devolved administrations (Raffe 2016). Supplementary data was drawn from analysis of documentation such as official documents that contributed to the reform e.g. the Report of the Review of Higher Education in Scotland (Scottish Government 2012a), interactional policy resources e.g. parliamentary committee reports, and unofficial sources such as newspaper reports (see appendix 1).

This final chapter summarises and reviews the chief findings, highlighting the contributions to knowledge, policy and practice made in each of the RQ areas, and attempting to combine all that has been elucidated in a reflective manner. In addition, on-going policy narratives are examined within the context of the research findings, and consideration given to how these may unfold and bear upon Scottish HE policymaking in the future. The chapter reflects upon the limitations of the research study and considers how it may translate into future research. The chapter ends with concluding thoughts.

Contribution to knowledge, policy and practice

Selwyn (2014, p.3) emphasises the value in asking the 'so what' question of one's research and considering how it 'adds to understanding'. In general, the analysis of HE governance, at systemic and institutional levels, is of great import given that modern HEIs deliver contributions not only to the advancement of education and knowledge but also to a nation's economic, social and cultural enrichment. Indeed, numerous studies report upon the nature and development of HE governance practice world-wide. Yet, there is relatively little research scrutinising practice in the Scottish HE system (Scottish Government 2012a; Humes 2018), although recent studies by Raffe (2016) and Shattock and Horvath (2020) provide valuable insights. The present study redresses the limited evidence base on systemic governance within the localised Scottish university sector. This is both valuable and timely given the diverging character of the UK university system, which makes generalised review of governance challenging and dangerous (Shattock and Horvath 2019; Wall 2016b). The qualitative research strategy employed in this study has provided a rich and highly textured source of evidence upon the nature of Scottish HE policymaking and the relationship between SG and the HE sector. Consequently, my thesis makes valuable contributions to knowledge, policy and practice in the field of Scottish HE governance that are of relevance to researchers, stakeholders and policy actors (summarised on pages 16-18). I now consider each of my RQs in turn, reviewing and reflecting upon the chief findings and contributions in each area.

Generating a window of opportunity for Scottish HE governance policy reform

RQ1: How did the HE governance policy reform emerge?

In chapter 5, drawing upon interview and documentary data, Kingdon's (1984) multiple streams approach was successfully used to explore the complex dynamics of agenda setting that made Scottish HE governance a focus for reform by government. Kingdon's MSA (1984) was presented in chapter 3. As a reminder, the theoretical framework has five structural components – three distinct process streams – the *problem, policy* and *political streams* and the approach emphasises the contribution of central policy actors or *entrepreneurs*, who within the frame of ambiguity may influence the public policy agenda to progress their objectives through a *policy window* (Bache and Reardon 2013; Ackrill et al. 2013; Kingdon 2014). In this study, I considered the five MSA structural components within the context of the HE governance reform, using excerpts from my interview data and policy documents to illuminate the multiplicity of factors involved in creating a window of opportunity for governance policy reform or 'the little chink of opportunity for change' (R1).

The study highlights that from inception the policy process was characterised by two contrasting narratives. Academics and those involved in the TU movement identified issues in HE governance, describing a significant communication gap between the university community and the governing body, and a lack of meaningful involvement in governance by the wider university community. The findings in this area corroborate observations made by Brotherstone (2012) and are supported by UK-wide studies, in which a lack of academic involvement in university governance is widely reported (Deem 2001a). In contrast, most principals, vice-principals and chairs considered there was no systemic HE governance problem and felt the reform had been an attempt by government to assert greater control of the HE sector. Again, the findings are consistent with previous research (Kemp and Lawton 2013). Notwithstanding this, the study provides additional, novel empirical evidence of the contrasting views held by key stakeholders beyond the Review stage of the reforms. Despite the diverging views of stakeholders, this study shows that the interest of policymakers was piqued by the efforts of academics and the TU movement to frame

the governance policy problem, making explicit links to ideas of national identity and tradition in a direct appeal to the SNP's deeply held nationalist values. In doing so the study offers, for the first time, empirical evidence of the important role played by lobbying in the process of framing the Scottish HE governance problem and, ultimately, in catalysing the interest and support of policymakers.

The study shows that the use of ideology extended to the policy solution or *policy stream* (Kingdon 1984) whereby a Scottish solution combined ideas of a meritocratic HE system, historic traditions and more contemporary neoliberal themes of accountability. The SNP's use of Scottish HE and its historic traditions as a policy resource, in order to craft a narrative of a modernised nationalism in which national identity and education are connected with contemporary imperatives, appears to echo observations made by Arnott and Ozga (2010ab; 2016). The Scottish solution uses myth and tradition to portray universities as important civic institutions long committed to creating an equitable society in which the 'democratic intellect' is fostered. What is more, it is apparent that the solution not only positions the Scottish HE system as a public good but highlights variance with the increasingly marketized English HE sector (Kemp and Lawton 2013). Reference to tradition, collectivism and social welfare is politically potent, and is used in this case to invoke ideas of nationalism and national identity. Nevertheless, despite claims of distinctiveness, the proposed solution, through an emphasis upon the need for public accountability, also encompassed aspects of neoliberal policy approaches more universally evident in HE policy. An example, perhaps, of the SNP, 'speaking social democratic and acting neo-liberal' in the formation of education policy (Arnott and Ozga 2016, p.259). However, the notion of accountability related to more than accountability to the public purse with the policy solution also incorporating ideas of an enhanced democratic accountability to the wider university community. In this regard, the policy solution connects directly to the policy problem. Furthermore, this attempt to redress the problem of poor HE governance and a lack of engagement with the wider academic community acts as a challenge to managerialist approaches to institutional governance. My exploration of the *policy stream* (Kingdon 1984) provides novel empirical evidence of the importance of cultural context in the mobilisation of the HE governance reform policy. Moreover, the findings offer original empirical evidence that the policy solution or *policy stream* (Kingdon 1984), reconstitutes HE

governance policy through an interplay of nationalist ideology and the traditions of a meritocratic egalitarian HE system with themes of accountability – the latter being comprised of universal neo-liberal ideas of accountability to the public purse and also a more distinctive notion of accountability to the wider university community.

The study highlights the importance of political context in mobilising policy change. The findings indicate that the development of the HE governance policy was historically and culturally embedded and also aligned to the political agenda and objectives of the SNP prior to an election and an independence referendum. The SNP courted political support from the TU movement by responding to their call for action on the HE governance issue, a move that served to erode support for Scottish Labour. Further, the findings suggest that very public HE governance-related disputes and criticism of senior pay prior to the 2011 election also encouraged government to reform in this public policy area. What is more, following re-election in 2011, the SNP as a majority government were able to mobilise policy change more freely. That HE is a politically visible area of devolved policy in which the SNP may make its mark has been observed by researchers (Raffe 2016) and was borne out in this study. The study indicates that the re-election of the SNP as a majority government opened up avenues of influence for key policymakers. In this case, Michael Russell MSP was identified as the *policy entrepreneur* whose influence contributed to a *policy window* opening whereby the HE governance problem stream, the Scottish solution and political stream coalesced to create an opportunity for policy change. Furthermore, that a policy window was generated, and governance policy mobilised by SG draws attention to national government's role as an important influence or determinant of the internal mechanisms of university governance.

The Scottish HE governance problem does not present a unique scenario – the rise of NM and corporate approaches to university governance in the UK have been the focus of strong critique (Deem et al. 2007; Shattock 2010). Nevertheless, a recognition of the incursion of neoliberal approaches to universities and their governance does not necessarily translate into policy action Bacevic (2019a; 2019b). That the Scottish HE governance problem rose to the top of the policy agenda and became the focus of reform leads me to conclude that, in this regard, the policy action is perhaps distinctive and rather 'against the tide' (Macilwain, 2015, p.277).

Further, I believe that it represents a modest but differentiating action through which the managerialism, that is reportedly omnipresent in universities across the UK was directly challenged within the localised Scottish sector (Deem et al. 2007). A view shared by Brotherstone and Mathison (2018, p.661) who describe 'a modestly but distinctively innovative approach to university governance in Scotland', and more recently expressed in a study by Shattock and Horvath (2020).

Through an application of Kingdon's (1984) MSA, the study has illuminated the process of agenda setting, providing novel empirical evidence of the importance of political, cultural and temporal context in the mobilisation of the Scottish HE governance policy reform. Furthermore, in doing so the research contributes practical insights for HE policy actors working to move issues into or up the Scottish HE policy agenda. The study provides HE policy actors with an understanding of *how* and *when* HE policy issues may be given serious attention by governmental policymakers in Scotland. In particular, providing knowledge of the political nature of the agenda setting process and further, highlighting the potential agency of actors and interest groups in the framing and elevation of policy issues.

The policymaking approach to the reform of HE governance

RQ2:   What was the nature / style of the policymaking process during the reform of HE governance?

In chapter 6, drawing upon interview and documentary data, I explored the nature of the policymaking process during the reform of HE governance, critically examining whether the development of HE governance policy followed the Scottish style of policymaking, a largely open, consultative and consensual approach reputedly used by SG (Cairney et al. 2016) (discussed in chapter 2). In doing so, I drew upon one aspect of Raffe's (2016) analytical framework: the proximity of universities to government and the ability of the university sector to work together as an effective political force (see page 74).

In accordance with Cairney et al. (2016), the data supports the significance of the small size and scale of the Scottish policy-scape and SG as a factor in facilitating the

Scottish style of policymaking. Moreover, the findings reflect Raffe's (2016) view that the small-scale of the university sector and the intimacy of relationships within the Scottish policy-scape affords opportunities to the university sector to influence HE policymaking.

The Scottish style is characterised by its collaborative approach (Keating 2010) and the research findings suggest that the development of governance policy was, for the most part, consultative and participatory in nature. Nevertheless, the development of the first Code in 2013 was generally described as non-inclusive and, consequently, in this regard the process apparently deviates from claims that the HE sector adopts partnership approaches to influence policy (Raffe 2016). Raffe (2016) suggests that working in partnership enables the sector to maintain its political strength and this study's findings highlight the importance of inclusive approaches in enabling and optimising the sector's policy influence. Here, non-inclusivity had the apparent consequence of enabling further political intervention and legislative action.

While the study suggests that the overall governance policymaking approach was consultative, the data also indicates that it was a conflictual and non-consensual process and one in which institutional leaders felt they had lacked policy influence. Participants considered that a failure to reach policy consensus was underpinned, in part, by stakeholders' different perceptions of the university and an inability to find a common space in the different narratives of leadership. In this regard, the data deviates from the literature in which the Scottish policy style is usually characterised by negotiation and a search for consensus (Keating 2010). Nevertheless, the data in this area supports Shattock and Horvath's (2019) observation that the SNP do not employ consensual approaches to HE policymaking. The data, perhaps, in part, also reflecting the shift in policy style reported by Raffe (2016): the SNP, as a majority government may have perceived less political risk in confronting university leaders to achieve their desired policy outcomes, particularly as the reform engendered the support of the TU movement. Furthermore, what is apparent from this study is that, while Raffe (2016) highlights the ability of the Scottish sector to speak with one voice and work as a coordinated political force to exert influence upon the direction of HE policy, this ability to work together is not one to be taken for granted. Indeed, the study highlights that an inability to reach consensus during the reform of HE

governance may have undermined the sector's political influence. Consequently, the findings in this area emphasise the importance of the HE sector speaking with one voice in order to maintain policy influence.

The research contributes important insights for actors involved in the formation of Scottish HE policy. Fundamentally, the thesis acts to underline the fragility of 'taken for granted' policymaking approaches. Firstly, the study presents a challenge to SG's reputation for developing policy through a Scottish policy style concluding that the reform of HE governance, while consultative and largely participative, was non-consensual in character (Cairney et al 2016). Secondly, the study highlights the importance of policy actors and representative groups within the Scottish HE sector developing cohesive understandings and policy approaches in order to maintain their political strength and policy influence.

Institutional autonomy and governmental control post-reform

RQ3: How did key stakeholders perceive institutional autonomy and governmental control post-reform?

In chapter 7, I examined the balance of equilibrium between institutional autonomy and governmental control post-reform, as perceived by key stakeholders. The relationship between SG and universities and the shifting balance between government control and institutional autonomy were given scrutiny through the application of Raffe's (2016) analytical framework, which was devised for use in devolved territories. The use of Raffe's (2016) analytical framework has not been reported in an empirical study and this represents one modest, but useful methodological contribution of the thesis. The study presents an extension of the analytical framework first proposed by Raffe (2016) that not only captures the fluidity of the relationship between SG and universities but identifies the factors currently at play in setting the equilibrium between institutional autonomy and central control.

That a balance or tension exists between institutional autonomy and public accountability is widely recognised in the academic literature (Hazelkorn and Gibson 2017). In my study, I have shown that the balance between institutional autonomy

and public accountability is considered to be a compromise, an intrinsic tension, an on-going dialogue, through which terms are negotiated and re-negotiated. In this regard, the findings are in alignment with Raffe's (2016) observation that the relationship between SG and universities is an evolving one. The application of the framework to my interview data confirmed the on-going influence of the range of factors identified by Raffe (2016) (see table 3 on page 73 for a summary). In alignment with the original framework, the proximity of universities to SG, HE as a national asset and the internationalisation of HE were all identified as factors acting to protect or minimise the threat to the institutional autonomy of Scottish universities. In an extension of the framework, two further factors were considered to offer protection to institutional autonomy, the existence of a buffer body and legislation. The threats to institutional autonomy identified by Raffe (2016) were similarly recognised in this study, the proximity of SG to universities, high expectations of the sector and the politics of devolution. In addition, two further threats were identified, the sector's relationship with society and the wider policy-scape. Overall, the study corroborated Raffe's view that the factors acting to threaten and protect institutional autonomy are connected, representing two sides of the same coin and reflecting the ambiguities intrinsic to the political relationship between SG and Scottish universities (Raffe 2016). The extended framework is presented diagrammatically on page 173 and attempts to display the fluidity or uncertainty of the system, the fluctuating influence of factors within the Scottish HE system, their interdependence and, in some cases, their interaction with the wider HE and policy environments. The fluidity or temporal nature of the framework reflects the evolving, dynamic and 'push me pull you' relationship between the Scottish HE sector and the SG. What is more, the findings and extension of the framework in this study, confirm and reassert Raffe's (2016, p.31) belief that 'the relationship between universities and the devolved governments is still evolving'.

As a result of successfully using the framework, the research offers unique insights and a valuable contribution to the study of systemic HE governance in Scotland. Moreover, while acknowledging that the coordination of contemporary HE occurs in a complex policy environment of multiple, interconnected policy levels reflecting both international and local policy agendas (Ozga and Jones 2006; Raffe 2013a), the research highlights the on-going relevance and significance of the national and

cultural setting of universities. In particular, my research draws attention to the considerable power of national government in shaping the local sector and influencing the dynamic equilibrium between public accountability and the institutional autonomy of universities. Given that the relationship between universities and the SG continues to develop, and in the light of the findings of this study, the next section turns to consider on-going policy narratives and how these may bear upon Scottish HE policymaking and the relations between Scottish HE, the SG and society in the future.

Outlook on the future of Scottish HE

The reform of the internal governance of Scottish HEIs has been used in this study as a lens through which to consider the relationship between universities and government. In the light of this research, one might conclude that the association between the Scottish HE sector and SG is dynamic and multi-factorial in nature. Through an extension of the analytical framework first proposed by Raffe (2016) the study identifies the factors currently at play in setting the equilibrium between institutional autonomy and central control. It is to one those factors, the threat posed by the wider policy-scape, that this discussion now focusses upon in greater detail. Exploration here may serve to stimulate discussion and / contribute to policy debates about possible future trajectories of the Scottish HE sector and its governance.

Participants identified the wider policy-scape in the UK as having the potential to greatly compromise universities and their autonomy. In particular, many described a crossroads in which the 'cocktail' of Brexit, economic austerity, free tuition, along with SG's high expectations of the Scottish HE sector, posed a powerful potential threat to the independence of Scottish universities. Indeed, Brexit signals a new era of political turbulence and uncertainty through which Scottish and UK HE will face economically and culturally difficult times (Arnott 2017; Brotherstone and Mathison 2018). The lack of support for Brexit in Scotland and within the HE community was noted by participants, in alignment with the academic literature (Arnott 2017; Cairney 2017b; Marginson 2019). What is more, the lack of Scottish support for Brexit has fed into the continuing dispute about Scotland's future relationship with the UK and Europe (Arnott 2017; Humes and Bryce 2018; Keating 2019). As previously

discussed, significant political events can make 'some things possible that were impossible before' and it seems likely that Brexit may precipitate support for a second independence referendum and, in the light of my analysis of HE governance policy reform, I make some tentative suggestions regarding this scenario and the implications for Scottish HE policy (Kingdon 2014, p.145; Cairney 2016b; Humes 2018).

Scottish HE policy post-Brexit

Issues of independence and self-determination are central to the SNP's political programme. Indeed, securing statehood has provided a constant backdrop to their development of education policy while in government (Ozga 2011). In the light of this research, it seems likely that in the event of calls for a further independence referendum that the SNP will continue to translate 'nationalism to education policy' given the high visibility and distinctiveness of Scottish HE (Arnott 2016, p.46). Furthermore, given the realisation of Brexit and the departure of the UK from the European Union, the SNP is likely to deploy the narrative of a 'modernised nationalism' described by Arnott and Ozga (2010a, p.344). After all, the Scottish HE policy area not only evokes a strong sense of national identity but has many interdependencies and commonalities within the European HE policy space. Consequently, such narratives may be used to position Scotland within the European policy-scape and to distinguish it from England. As highlighted in this study, HE may form a crucial area of policymaking for the SNP following Brexit and a potential, further independence referendum, given its importance to the nationalism project, well established ideas of national identity, links to economic, social and cultural concerns and commonalities with the European HE policy area (Arnott and Ozga 2010b; Humes 2018). How might a renewed focus upon the HE policy area translate into policy action? My thoughts upon the possible future direction(s) of Scottish HE policy follow, but with a caution, for there is no sure way to predict the future social world given that it is subject to multiple subjectivities:

> It is impossible to predict what new vocabularies of self-understanding people
> will adopt and because these interpretations form part of the reality that is to

be explained, and because their action might be influenced by these, there is no sure way of predicting the future (Abbey 2000, p.157).

Scottish HE policy post-Brexit: potential re-convergence with Westminster policy

Clearly, the current political circumstances of Brexit and posturing around Scottish independence present an image of political turbulence, increasing economic pressure (Gillies 2018) and, as a consequence, the threat of greater political scrutiny and governmental expectations of the HE sector resulting, potentially, in a loss of institutional autonomy. The challenges presented by Brexit will run alongside those currently faced by the Scottish HE sector, and indeed, by HE sectors nationally and internationally: continuing pressures to cope with the 'massification' of the system and its associated costs, creating and sustaining a pattern of institutional differentiation that enables the sector to meet the diverse and multiple contributions expected of universities as civic organisations (Gallacher and Raffe 2012; Goddard 2016). Consequently, the maxim that the development of HE policy is largely dictated by economics may become ever more valid in a post-Brexit UK (Raffe 2013ab; Gillies 2018). While SG may anticipate HE-related financial gains through European students' loss of eligibility for free tuition, the sustainability of the funding system for HE in Scotland and a commitment to 'no-fees' may become the focus of renewed debate given the likely wider pressures upon public funding. At this juncture SG might modify its approach to funding the sector, abandon free tuition for all, and re-position tertiary education as a positional or individual good as it is in England. However, it does seem that the SNP's allegiance to the 'free tuition' policy is unlikely to wane given the prospect of a second independence referendum – it is bound up with national identity and is politically popular and potent, a view acknowledged by participants in this study. Yet, while HE is a devolved policy domain in Scotland, the government's freedom to manoeuvre is limited by a lack of fiscal independence and relatively fixed budgets. Consequently, in uncertain times, an adherence to 'no fees', may leave those HEIs most dependent upon public funding increasingly vulnerable to cuts and increased governmental interference (Shattock 2010), a risk noted by study participants. What is more, as Brotherstone and Mathison (2018) and Humes (2018) observe, the Scottish HE system may lose coherence in this scenario – the post-92's may be open to dangerously high dependence upon the state while

universities with more diverse funding streams and relative independence from the state, such as the ancients, may take advantage of more commercial or marketized approaches. In this sequence of events and in the face of economic challenge, one might see Scottish HE policy re-converge with wider approaches to HE and those that have dominated in the UK for four decades (Hodgson et al. 2011). Indeed, policy development driven, not by factors intrinsic to the system but, rather, upon an 'outside-in' basis in which the sector is subordinated to government imperatives and, potentially, more marketized funding regimes. Such volatility and economic challenge may not only create tension at a system level but also at an institutional level acting to reinforce hierarchies and the centralisation of power (Shattock 2013a; Brotherstone and Mathison 2018).

Scottish HE policy post-Brexit: an opportunity for reflection

One might argue, on the other hand, that this historical moment also creates an opportunity to continue the conversation instigated by the reform of HE governance and give further consideration to the future identity and understanding of the Scottish HE system and, indeed, its relationships with the nation, the UK, Europe and globally. Brotherstone and Mathison (2018, p.663) similarly argue that Brexit 'creates possibilities for expanded debate, positive rethinking and reform'. Arnott and Ozga (2016) suggest that the review of HE governance might be interpreted as an attempt by SG to instigate discussion with the HE sector about the civic role and duties of universities. Nevertheless, while the Review of Scottish HE governance attempted to consider the broader context within which HE exists, the endeavour had limited time and resource, as highlighted by participants, the panel did not have the means with which to conduct another Robbins Report. Arguably, this time of major political and, potentially, constitutional change makes more significant analysis of contemporary HE in Scotland of great import. After all, despite considerable change within the sector, major analysis of HE has been limited to the national inquiries conducted by Robbins in 1963 and Dearing in 1996-97 (discussed on page 40). A critical, comprehensive analysis in this vein, involving all stakeholder groups, would provide an opportunity to consider the enormous changes within the sector – the massification of HE; the knowledge economy; national and global competition and needs for financial stringency.

What are Scottish universities for?

The view that 'the basic assumptions that underpin higher education internationally are not, or at any rate are no longer, a matter of consensus' (Scottish Government 2012a, p.iv) appears to have been borne out in this study. Participants considered that a failure to reach policy consensus was underpinned, in part, by stakeholders' different perceptions of the university and an inability to find a common space in the different narratives of leadership. The question 'what are HEIs for?' appears to remain very open and this juncture might provide a timely opportunity with which to re-calibrate the idea of the Scottish university. Perhaps providing the discursive space in which to debate the purpose of the Scottish university might enable ideas to be refined and reconciled and thereby facilitate more consensual approaches to future HE policy development.

What could Scottish universities be?

An extensive analysis of the sector, such as that proposed, may provide the circumstances within which to debate the distinctive nature of Scottish HE and possible future trajectories – what Scottish universities *could* be like - whether their identity as a public good ought to be consolidated or whether it is appropriate to create a more marketized HE system such as that in England. As discussed earlier, it seems likely that at a politically significant time, the SNP will maintain an allegiance to a public HE system and promote this within policy discourse, given that it usefully connects to the Scottish tradition of the 'democratic intellect' and at least delivers the perception of a fair HE system, thereby mobilising electoral support (Humes, 2018). An analysis of the sector may provide an opportunity to build upon the distinctiveness of the Scottish university system as a public good, and encourage further divergence from the more individual good, commodified approach adopted in England. Indeed, an approach that may not only sharpen contrast with England but serve to align post-compulsory education policy closely with wider European approaches (Spours 2011). However, Raffe's observation that 'Scottish Government's willingness to maintain … funding has increased its consequent power', has relevance in this scenario (Raffe 2016, p.27). This study noted that SG has high expectations of the HE system in return for the costs to the public purse, as have other commentators (Bruce 2012; Raffe 2016; Shattock and Horvath 2019). The paradox, then, is this: How can we couple the expectation that universities serve

multiple socio-economic and cultural functions with a defence of their intellectual function and institutional autonomy?

Finding equilibrium between institutional autonomy and governmental control

I argue that the development of a shared understanding of the Scottish university system will be pivotal to finding an effective balance between the institutional autonomy that underpins the quality of intellectual life with the expectations of society and SG for accountability (Shattock 2008). This study found that participants accepted the role of government in regulating the sector, and further, accepted the need for universities to serve civic functions linked to the nation's economic, social and cultural well-being. That different views of the Scottish university exist, in part, reflects the inescapable complexity of contemporary universities and the multiple functions they serve within society, but it must be noted that the core business of HE continues to be teaching and research (Shattock and Horvath 2020). In this regard, and based upon my findings, SG must take care not to overly curtail the independence of universities by setting precise demands upon the sector relating to adhesive functions that constrain or detract from scholarship, compromise the objectivity of knowledge and, perhaps 'turn the whole education system into a job-creating enterprise' (R1). Indeed, in order for the Scottish HE sector to succeed in the longer term, nationally and internationally, it is important to avoid micro-management by government and parochialism in the core areas of teaching and research, given their inherently international nature and importance to university prestige (Shattock 2013; Riddell 2016; Shattock and Horvath 2019). However, this leads us back again to the question of how to effectively manage the tension between the traditional (and international) business of academic endeavour with accountability for the consumption of public (and local) resources in a complex and dynamic HE ecosystem. SG is the force majeure in negotiating the balance of this relationship and claims in this study that SG do not understand the nature of the HE sector heightens the necessity for reflection and analysis upon the purpose of Scottish universities. After all, as Clark (2004) observed earlier, a dirigiste approach by SG that attempts to homogenise or mould the nation's universities is not appropriate for the development of contemporary Scottish HEIs in this fast-paced era:

> So, if Scotland has 18 institutions in its designated higher education system, there are 18 stories of past, present and possible future development … These institutions are diverse, and their valuable identities and competencies will only be harmed by homogenizing pressures (p.367).

Conceivably, a fine-grained analysis of the Scottish HE sector, such as that suggested here, may provide the opportunity to further explore systemic HE governance and consider, how, in the 21st century one best develops policy to reconcile government control with the institutional autonomy that is vital for the ascendancy of the sector within an international sphere.

Finding equilibrium in institutional governance

The ability of universities to flourish depends not only upon finding equilibrium in system governance but in achieving good institutional governance, the character of which is shaped by relations between government and the HE sector (Bargh et al. 1996; Shattock and Horvath 2020). As this study has claimed, the Scottish HE governance reform instigated a rather unique conversation in which the implied parallel between the governance of HEIs and corporate forms of governance adopted from the for-profit sector was questioned. This study also indicates that the failure to reach policy consensus during reforms was underpinned, in part, by stakeholders' different perceptions of the university and an inability to find a common space in the different narratives of leadership. Reconciling these views will be an important aspect of ensuring effective institutional governance post-reform. Research suggests that highly ranking universities accentuate collegiality and academic involvement in governance rather than executive dominance (Clark 2000; Taylor 2013). However, universities cannot return to a purely academic model of governance if they aspire to thrive in the modern sector but rather require a new coalition or shared governance which effectively realises the corporate and academic contributions to university governance (Dearlove1997; Clark 2004; Henze 2010; Shattock and Horvath 2020). Potentially, the reform process offers a small step towards shared governance and a renegotiation of the balance of authority between the executive, lay and the academic community. An extensive review of the sector might provide the opportunity to explore whether the policy, once fully implemented, has realised its distinctive aspirations to create more participative, inclusive and transparent arrangements in governance.

The importance of the HE sector acting as a coordinated force to exert influence upon HE policy has been highlighted in this study and at this juncture it may be particularly crucial. In order to successfully influence HE policy longer term, the HE sector must develop a clarity of vision as to the longer-term objectives of the Scottish HE system. While the influence of representative bodies will, naturally, predominate in future reviews or analyses of the sector, it is important that future plans are co-developed with the wider university community. Responding in this way, as an HE community may, as Shattock (2014) observes, act to temper governmental interference and moderate policy generation upon an 'outside in' basis. As Raffe (2016, p.31) notes:

> … where universities can show that they already contribute to the economic, social and cultural well-being of their home country, and especially in the context of the internationalisation of higher education, they have a strong bargaining position in their relations with the devolved governments, if they have the political skill to use it.

Additionally, this study suggests that a negative public perception of the university sector, where it is seen to be self-serving or pampered, may threaten the autonomy of its institutes. In order to remain 'relevant to the society which supports it', any recalibration of the idea or purpose of the Scottish university must occur through a broad, open process with all stakeholders – government, universities and the society within which the sector exists (Ashby 1966, p.3; Goddard et al. 2016). In this way, the social contract that universities hold with wider society may be re-examined and a shared, sustainable understanding of the sector developed, and its ascendancy negotiated within the context of modern challenges and its place in Scotland, the UK and internationally. As Deem (2008) and McGettigan (2013) note, in recent decades, academics, students and societal actors have rarely been included in the 'production and re/production of the university' (Deem 2008, p.450), and by ensuring their participation in future analyses, SG and the HE sector may not only be adopting a distinctive policy approach but co-develop a vision of what the Scottish university system *could* be.

While there is no blueprint for further HE reform in Scotland, we can see, in part through this research, that there is, potentially at least, in this era of political uncertainty, an opportunity for significant reflection upon the future trajectory of the sector. The conclusions generated here highlight potential opportunities for future reform and development of the Scottish HE sector, and it is hoped that they may act as a stimulus for discussion amongst the key stakeholders involved in the development of HE policy.

Limitations of the study and opportunities for further research

This section considers the limitations of the study and makes suggestions for further research.

Limitations

This study uses the reform of HE governance policy as a lens through which to explore the nature of HE policymaking and the relationship between SG and universities in a post-devolution Scotland. The study focuses upon the insights and experience of those closely involved in the policy development. Consequently, a limitation of this study is its small scale, and I acknowledge that generating more data from a larger number of stakeholders may have aided the development of a more detailed picture. However, conducting 15 elite interviews was within the scope of an EdD research study and documentary analysis provided additional, complementary insights from a wider group of stakeholders. The opportunity for data triangulation through the use of semi-structured interviews alongside documentary analysis generated sufficient data to allow an in-depth investigation of my RQs. The lack of political representation is a further limitation of the study. Representation was sought from the Cabinet Minister(s) for Higher Education and Lifelong Learning in office during the reform process. However, the former Ministers were working in different policy areas and my requests for participation were unsuccessful, as was that to the Convenor of the Education and Culture Committee. However, alternative representation was secured from two government officials who held key roles in the HE governance policy reform process. In addition, analysis of the documentary

evidence from parliamentary debate, statements and committee reports acted as a proxy for government voice.

To support an examination of the relationship between SG and the nation's universities, the study employed the use of two frameworks: Kingdon's (1984) MSA and Raffe's (2016) analytical framework to examine the relationship between government and universities of devolved nations (discussed in chapter 3, page 66). While the selected frameworks enabled me to successfully respond to my RQs, I do acknowledge that the decisions I made in identifying and using the two frameworks influenced the character of the study and its presentation. Kingdon's (1984) MSA was used to support and structure my efforts to address RQ1: How did the HE governance policy emerge? Kingdon's (1984) MSA is a 'tried and tested', universal framework that supports the analysis of agenda setting (Cairney and Jones 2016). In this case, it provided an accessible lens with which to analyse the dynamic and complex interactions that initiated HE governance policy change in Scotland. By drawing upon the framework, I was able to connect the current study with the wider policy analysis literature exploring agenda setting in public policy. While the framework provided appropriate support for my response to RQ1, with the benefit of hindsight, and with the experience accrued through doctoral research, I can see that alternative frameworks might be used to support and structure a study into the Scottish HE governance policy reform. For instance, Zahariadis (1995), Herweg et al (2015) and Zohlnhofer (2016) have constructed frameworks that extend that of Kingdon (1984), to explore not only the ambiguity of agenda setting but to explain decision-making during policy formation. The use of such extended frameworks might have enabled exploration of the changing influence of actors and shifting ideas about the policy solution during the reform of HE governance, perhaps providing additional insights into the character of the policymaking process. Meanwhile, Raffe's (2016) framework was used to support the response to RQs 2 and 3. The use of this framework has not been reported in an empirical study, and this represents one modest, but useful methodological contribution of the thesis. Indeed, with the exception of the current study the framework proposed by Raffe (2016) has not been subject to modification or extension since its publication. While the use of framework provides novelty, I acknowledge that its use also presents one limitation of the study: it is a framework that is territorial in nature which may limit interest in the study's

narrative. Nevertheless, despite this limitation, I attest that the use of the framework was highly appropriate and productive given the study's focus upon the system governance of the localised Scottish HE sector.

HE does not stand still, is not 'in place' and particularly so in this era of political uncertainty. As a consequence, one limitation of this study of a high-profile policy area is that events can move on and it may quickly become dated in some respects. Nevertheless, it has suggested possible future policy scenarios within the context of the current political landscape, and the underlying themes presented throughout the study, will remain relevant to policymakers and stakeholders within the field of Scottish HE and university governance.

Despite the limitations, the study attempts to provide a persuasive and credible account of the process of HE policymaking and the evolving relationship between SG and the HE sector. My study does not, however, make a claim to 'truth' but rather, 'focuses on explicating the unique, idiosyncratic meanings and perspectives constructed by individuals, groups, or both who live/act in a particular context' (Cho and Trent 2006, p.328). Nonetheless, I acknowledge and bring attention to the probability that employing another epistemological strategy may have generated different findings. It is also likely that as my thesis focuses upon a discrete episode of HE policymaking, that it has elements of uniqueness, 'thereby discouraging too hasty a generalisation' (Pring 2004, p.109). Moreover, policymaking is a complicated, tangled and unpredictable process. A multi-layered activity that incorporates the actions of policymakers, issues they confront, actors they encounter, and consequently the outcomes of their decision-making may vary enormously (Cairney 2019, p.4). Indeed, Cairney (2019, p.4) states:

> They often vary by region, political system, over time and from policy issue to issue. Indeed, we might start to wonder how we can make convincing generalizations about all public policy.

As a result, the thesis does not assert the generalisability of the findings but rather, posits that while it may be idiosyncratic in some regards, it may be comparable in others, and 'may alert one to similar possibilities in other situations' (Pring 2004, p.41).

Opportunities for further research

While this study has achieved its original aim of contributing to an understanding of the HE policymaking process in Scotland and the character of the relationship between the SG and Scottish HEIs, the findings have, inevitably, raised several questions that remain a matter for future empirical analyses.

A first potential area of interest would be to conduct further investigation into how HE policy is made in the context of post-devolution Scotland. In particular, one line of enquiry would be to further explore the role of myth and tradition in HE policy formation and how the narrative regarding distinctiveness is contextualised at a time of debate and decision-making over independence and Scotland's relationship with the rest of the UK and Europe.

Secondly, my research intimated that the non-consensual character of the HE governance policy process was, in part, a consequence of policy actors' different perceptions of universities and their governance. This is worthy of further qualitative research, given its potential importance to attaining effective, consensual policymaking within the HE policy area in the future. Given the small scale of this study and its focus upon key stakeholders it would be worthwhile extending the range of actors to include politicians, the wider academic community such as students, academics, academic-related and administrative staff and other stakeholders from the Scottish education system, society and business. In this way, divergent ideas and beliefs about universities may be explored, and greater insight upon future, possible trajectories of the sector elucidated. Indeed, how universities are viewed and understood by politicians, particularly the SNP in government, would provide useful, further insights that would, I hope, connect with and complement the findings of the current study.

Thirdly, it would be interesting to conduct a follow-up study and re-apply the analytical framework to monitor the evolving relations between SG and HEIs and, capture, verify and / or adjust the factors involved in influencing the institutional autonomy of Scottish universities. Further, while the focus of research in this study

has been Scotland, the extended analytical framework could be usefully applied to examine the issue of university autonomy in other devolved nations of the UK.

In addition, while this study explores the balance, post-reform, between institutional autonomy and government control it is not an implementation study of the Scottish HE governance reform. An implementation study exploring the enactment of the policy would be worthwhile given that national policy is often interpreted and re-interpreted as it passes through local levels (Coffield et al. 2007). Such a study may focus upon how the policy is enacted and appraise whether or not the policy reform has met its intended objectives. As noted by the Review panel, there is a lack of formal studies on the management and governance of Scottish HEIs (Scottish Government 2012a). While the UK research base offers useful insights, one might claim that the diverging character of university policy post-devolution makes further research and evaluation of institutional practice in the more localised Scottish HE system worthwhile.

Concluding thoughts

Earlier in this chapter, in the section, 'Outlook on the future of Scottish HE' (see page 184) I have explored, in the light of my findings, on-going policy narratives and how these may bear upon Scottish HE policymaking and the relations between Scottish HE, the SG and society in the future. In this final section, I further develop this discussion, offering my concluding thoughts and recommendations for Scottish HE policymaking within the context of Covid-19.

My study presents an extension of an analytical framework first presented by Raffe (2016) and identifies the factors currently at play in setting the equilibrium between institutional autonomy and central control (see figure 4 on page 173). One factor advanced as a potential threat to the institutional autonomy of Scottish universities is the wider policy-scape. Study participants considered the sector to be at a crossroads in which the 'cocktail' of Brexit, economic austerity, free tuition, along with SG's high expectations of the Scottish HE sector pose a powerful potential threat to the independence of Scottish universities. I have suggested that this crossroads creates an opportunity to continue the conversation instigated by the

reform of HE governance and give further, detailed consideration to the future identity and understanding of the Scottish HE system and, indeed, its relationships with the nation, the UK, Europe and globally. I have argued that comprehensive inquiry at system and institutional levels will enable the development of a shared understanding of the Scottish university system that will be pivotal to finding an effective balance between the institutional autonomy that underpins the quality of intellectual life with the expectations of society and SG for accountability. In this chapter, I have also, however, provided a caveat alongside my discussion of possible policy trajectories, highlighting that HE does not stand still, is not 'in place' and 'that there is no sure way of predicting the future' particularly so in an era of political uncertainty (Abbey 2000, p.157). And, indeed, at the time of finalising my thesis, the HE sector is considering the potential impacts of Covid-19. How do my recommendations for a fine-grained analysis of the Scottish HE sector fit within the context of the Covid-19 pandemic?

While the unravelling challenges presented by Covid-19 mean we cannot accurately predict the impact of the pandemic upon Scottish HE sector it is reasonable to assume that the impact is likely to be profound and lead to long-term changes in policy and practice at both institutional and system levels. Universities Scotland have alerted Government to the considerable financial risk posed by the pandemic. Central to this risk is a potential loss of fee income, particularly from international students which, for many universities, attends to the issue of SG's under-funding of domestic teaching costs (Shattock and Horvath 2020). Clearly, universities will need government's financial support through the crisis (Higher Education Policy Institute 2020a). Any financial bailout will include the Barnett formula share of a rescue package devised by Westminster - funds that First Minister, Nicola Sturgeon has pledged to pass on fully to the university sector (Adams and Carrell 2020). Any such government bailout for the sector will inevitably have consequences for the shifting equilibrium between institutional autonomy and central control, and I believe that this makes comprehensive analysis of the sector of critical and immediate importance.

An extensive programme of research and review of the sector at an institutional and system level will enable stakeholders to build a detailed picture and understanding of the Scottish university system. The analysis should have a wide agenda, thinking

beyond the immediate financial challenges and current SG policy, and importantly, develop the foundations for a Scottish HE system that can emerge over time, rather than merely make recommendations that contend with the immediate needs of a sector in crisis. Indeed, within the Covid-19 context, an extensive analysis of the sector, such as that proposed earlier in this chapter, may provide the circumstances within which to debate the distinctive nature of Scottish HE and possible future trajectories – what Scottish universities *could* be like. An opportunity to reflect upon the traditional model of the university, to develop a new (and differentiating) language for the Scottish HE system that reflects new structures and ambitions for a mass system that may need to accommodate on-going Covid-19 related challenges. Furthermore, the increasing economic pressures that accompany the pandemic, may provide the juncture at which SG re-evaluates its approach to funding the sector, consider an abandonment of free tuition for all domestic students, and introduce some form of loan-backed tuition fee charges. However, it is my view that despite the financial pressures, the SNP will retain its allegiance to 'no fees' given the prospect of an election in Spring 2021 and potentially, in time, calls for a second independence referendum, given that education is tightly bound up with national identity and is of central importance to the SNP's political strategy. As discussed earlier in this chapter, a comprehensive review of the sector might provide SG with the opportunity to build upon the distinctiveness of the Scottish university system as a public good, encourage further divergence from the marketized approach adopted in England and align it more closely with wider European approaches. As previously acknowledged, the on-going high dependence of the Scottish HE system upon public funding raises a very real risk of domination by government. And one might argue that any commitment by SG to maintain funding of HE within the context of Covid-19 will be dependent upon the sector's acceptance of tighter alignment with SG's objectives. However, the sector is not without agency within the Covid-19 context: universities will play a crucial role in Scotland's recovery, through traditional functions of research and teaching and contributions to the social, economic and cultural well-being of the nation. As the Higher Education Policy Institute (2020a) highlights, 'Every single conceivable model of a successful post-Covid and post-Brexit UK economy has our outward-facing universities at its heart'. Given the centrality of Scottish HE to future national recovery, the HE sector ought to have

confidence in negotiating the balance of the relationship it has with SG. As participant P1 suggested:

> [Universities Scotland] ought to have more self-confidence in being able quite specifically to articulate what the common university interest is regardless of where the Government is coming from and for the discussion then with Government to take place in that territory.

However, as this study has highlighted it is vital that the HE sector acts as a coordinated force to exert influence upon future HE policy. Inclusivity ought to be a central aspect of future review and analyses of the sector – only in this way may the HE community act effectively to temper governmental interference.

While my study identified poor public perception as a potential threat to the institutional autonomy of Scottish universities (see page 166), it may be that the pandemic will enable the sector to increase societal recognition of the contributions universities make to society:

> … once the crisis is over … the role higher education institutions play as civic institutions that act as the thread binding the fabric of our society together may be even clearer and more important … (Higher Education Policy Institute 2020b)

That the sector has a visible, central role in managing the pandemic, and critically, making contributions to recovery brings into focus the on-going relevance of HE, and in all likelihood, this will act to preserve or boost levels of public support, and consequently, protect the autonomy of the sector. Nevertheless, I re-emphasise the importance of any analysis / review of HE taking place through wide consultation with all stakeholders – government, universities and the society within which the sector exists. Arguably, in this way, SG and the HE sector will not only be adopting a distinctive policy approach but co-developing a differentiating sustainable vision of a Scottish university system fit for ascendancy in the 21st century.

Finally, my study has provided insights into the nature of the relationship between SG and the nation's universities, providing a snap shot of the factors involved in setting the balance of equilibrium between institutional autonomy and governmental

control. While this relationship is set to evolve in the face of a global pandemic, the findings here retain relevance and may be used to stimulate and support debate as the sector navigates the Covid-19 and post-Covid-19 HE policy environment.

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Appendices

Appendix 1

List of documents used for documentary analysis

Citation	Document	Classification
Brotherstone (2010)	Letter to the Herald urging reform of HE. 29 October 2010.	Newspaper letter
Carrell (2015)	Guardian article on legislative reform of HE governance	Newspaper article
Collini (2017)	The English problem and the "Scottish solution". Conference paper delivered at 'The Future of Scottish Higher Education' organised by UCU Scotland. 22 February 2011.	Conference paper
Committee of Scottish Chairs (2013)	The Scottish Code of Good HE Governance: Governance Code and Supporting Guidelines for Members of the Governing Bodies of Higher Education Institutions in Scotland. 1st edition.	Guidance
Committee of Scottish Chairs (2014)	The Scottish Code of Good HE Governance: One year into implementation	Report
Committee of Scottish Chairs (2016)	Code review process: Phase one consultation responses	Consultation
Committee of Scottish Chairs (2017a)	The Scottish Code of Good HE Governance: Governance Code and Supporting Guidelines for Members of the Governing Bodies of Higher Education Institutions in Scotland. 2nd edition.	Guidance
Committee of Scottish Chairs (2017b)	Code review process: Phase three consultation responses	Consultation
Committee of Scottish Chairs (2017c)	The review of the Scottish code of good higher education governance: summary and recommendations.	Report
Denholm (2015)	Herald article on reform and TU involvement in HE governance	Newspaper article
Freeman (2015)	Holyrood article "A university is not John Lewis" – interview with University and College Union Scotland President Dave Anderson. Feb 19.	Newspaper article
Greatrix (2012)	Greatrix blog for WONKHE on reviewing HE in Scotland	Webpage
Greatrix (2015)	Greatrix blog for WONKHE on the Scottish HE Governance Bill.	Webpage
Havergal (2014)	Times Higher Education article on reform of HE governance	Article

Macilwain (2015)	Nature opinion article on reform of HE governance	Article
Matthews (2013)	Times Higher Education article on code of governance	Article
Morgan (2014)	Times Higher Education article on code of governance	Article
Scottish Government (2011d)	Review of Higher Education Governance – consultation responses.	Consultation
Scottish Government (2012a)	Report of the Review of Higher Education Governance in Scotland.	Government document
Scottish Government (2012b)	Letter from Review panel member, Mr Alan Simpson on recommendations.	Letter
Scottish Government (2015a)	Higher Education Governance (Scotland) Bill SPICe Briefing.	Government document
Scottish Government (2016a)	SPICe Briefing: Higher Education Governance (Scotland) Bill – Stage 3.	Government document
Scottish Government Social Research (2015).	Consultation on a Higher Education Governance Bill – Analysis of Written Responses.	Consultation
Scottish National Party (2011)	Scottish National Party Manifesto 2011	Party manifesto
Scottish National Party (2015)	Scottish National Party Manifesto 2015	Party manifesto
Scottish Parliament (2011b)	Russell, Cabinet Secretary for Education and Lifelong Learning. Speech on HE. 29th June 2011	Speech
Scottish Parliament (2011c)	Official report: Meeting of Parliament 16th March 2011. Debate on HE funding.	Parliamentary Report
Scottish Parliament (2012a)	Official report: Meeting of Parliament 28th June 2012. Debate on post-16 learning.	Parliamentary Report
Scottish Parliament (2012c)	Official report: Meeting of Parliament 1st February 2012. Debate on Higher and Further Education (Governance).	Parliamentary Report
Scottish Parliament (2012d)	Official Report: Education and Culture Committee on 13th March 2012.	Parliamentary committee report
Scottish Parliament (2013a)	Official Report: Meeting of Parliament on 26th June 2013. Debate on Post-16 Education (Scotland) Bill: Stage 3.	Parliamentary Report
Scottish Parliament (2013d)	Official report: Meeting of Parliament 19th February 2013. Debate on tuition fees.	Parliamentary Report
Scottish Parliament (2015a)	Stage 1 Report on the Higher Education Governance (Scotland) Bill. 17th December 2015.	Parliamentary committee report

Scottish Parliament (2015b)	Official Report: Education and Culture Committee on 10 November 2015.	Parliamentary committee report
Scottish Parliament (2015c)	Official Report: Meeting of Education and Culture Committee on 6 October 2015.	Parliamentary committee report
Scottish Parliament (2015i)	Official Report: Meeting of the Parliament 28 October 2015.	Parliamentary committee report
Scottish Parliament (2015j)	Higher Education Governance (Scotland) Bill – call for evidence.	Consultation
Scottish Parliament (2015k)	Higher Education Governance (Scotland) Bill – consultation responses.	Consultation
Scottish Parliament (2015l)	Passage of the Higher Education Governance (Scotland) Bill 2015. Report comprising all official Parliamentary documents relating to the passage of the Bill.	Parliamentary Report
Scottish Parliament (2016a)	Higher Education Governance (Scotland) Act.	Act of Parliament
Scottish Parliament (2016b)	Higher Education Governance (Scotland) Bill. Official Report of meeting of Parliament 14th January 2016. Debate on stage 1.	Parliamentary Report
Scottish Parliament (2016c)	Official Report: Meeting of Education and Culture Committee on 9th February 2016. Stage 2 proceedings.	Parliamentary committee report
Scottish Parliament (2016d)	Official Report: Meeting of Parliament 8th March 2016. Stage 3 proceedings.	Parliamentary Report
Scottish Parliament (2016e)	Passage of the Bill. Summary document.	Parliamentary Report
Times Higher Education (2016)	Article on HE Governance (Scotland) Bill	Article
Universities Scotland (2013)	New article: New code of governance set to make Scottish universities the most progressive in Europe.	Press release
Universities Scotland (2014)	Higher education governance: university sector committed to excellence and accountability.	Press release
Universities Scotland (2015b)	Briefing: Universities brief for the stage one debate on the Higher Education Governance Bill.	Briefing
Universities Scotland (2015c)	News article: University principals ask the Scottish Government to stop and think about potentially damaging governance proposals in the light of strong concern from civic Scotland.	Press release

Universities Scotland (2016a)	Convenor of Universities Scotland, Sir Pete Downes' letter to Education Secretary on the Higher Education Governance Bill.	Letter
Universities Scotland (2016b)	Briefing: Stage 3 of HE Governance bill – briefing for MSPs on amendments.	Briefing
University and College Union Scotland (2012)	UCU Scotland comments on University governance report.	Press release
University and College Union Scotland (2015b)	UCU Scotland press release opposing university governance code	Press release
University and College Union Scotland (2015c)	UCU Scotland press release on HE governance	Press release
University and College Union Scotland (2015e)	UCU Scotland comment ahead of debate on higher education governance bill.	Press release
University and College Union Scotland (2015f)	Press release welcoming publication of the Bill.	Press release
University and College Union Scotland (2016a)	Letter to the Herald on university governance bill. 11 March 2016	Newspaper letter
University and College Union Scotland (2016b)	UCU press release welcomes passing of the Higher Education Governance Bill.	Press release
University and College Union Scotland (2016c)	Briefing: UCU Scotland briefing for stage one debate on the Higher Education (Scotland) Bill.	Briefing
von Prondzynski (2012)	von Prondzynski blog on university autonomy	Webpage
von Prondzynski (2013)	von Prondzynski blog on university autonomy	Webpage
von Prondzynski (2014)	von Prondzynski Times Higher Education article on a mature Scottish model of HE	Article
von Prondzynski (2015)	von Prondzynski article in the Conversation on HE governance reform and university autonomy	Article

Appendix 2

Additional information on the Review of HE Governance in Scotland and a summary of subsequent legislation

For further insights refer to Scottish Government (2012a); Brotherstone (2012); Scottish Government (2015a) and Scottish Government (2016ab).

Review of HE Governance in Scotland

In June 2011 the Cabinet Secretary for Education and Lifelong Learning, Michael Russell MSP invited Professor Ferdinand von Prondzynski, Principal of Robert Gordon University to review the governance of Scottish universities. The Review committee was comprised:

Chair: Ferdinand von Prondzynski, Principal, Robert Gordon University
Members: Terry Brotherstone, STUC Nominee
                    Iain Macwhirter, Rector, University of Edinburgh
                    Robin Parker, President, NUS Scotland
                    Alan Simpson, Chair of Court, University of Stirling

The remit of the panel was to consider:

> … whether current institutional governance arrangements in the higher education sector of Scotland deliver appropriate democratic accountability given the level of public funding institutions receive; to identify and examine proposals for change which observe the benefits of an autonomous sector while considering the importance of full transparency; to examine the effectiveness of management and governance, the clarity of strategic purpose and its efficient implementation; and to explore any other key areas thought relevant (Brotherstone 2012, p.3; Scottish Government 2015a).

The Review committee was invited to collate evidence and generate recommendations about reforms to HE governance (Brotherstone 2012). The panel subsequently reported in June 2012 (Scottish Government 2012a). In the preface to the report, von Prondzynski describes the review as 'not an exercise in criticism or complaint' but rather 'an attempt to recommend how the system, at a time of important national change and renewal, can be governed to play its role as effectively as possible' (Scottish Government 2012a, p.iv).

The resulting report raised disquiet regarding the degree to which HE staff and students were able to engage in governance, the accountability of governing bodies and a perceived bureaucratisation of management:

> A significant number of submissions to the panel have argued that the senior management *modus operandi* has sometimes contributed to a culture of 'managerialism' in universities, thereby compromising collegiality (Scottish Government 2012a, p.9; Scottish Government 2015a; Wall 2014; Wall 2016ab).

The report proposed more than 30 recommendations for change covering a range of themes including the institutional and legal framework of universities; academic freedom and institutional autonomy; the role of governance; appointment and remuneration of principals; remuneration of senior management; role, composition and appointment of governing bodies; chairing of governing bodies; membership of governing bodies; training of governing body members; role, composition and appointment of academic boards; whistleblowing; evidence base and the role of stakeholders and other issues (Scottish Government 2012a, p.27-28; Scottish Government 2015a; von Prondzynski 2016). In order to help secure the proposed reforms the panel recommended the implementation of a code of good governance for Scotland and a statute for the sector setting out key principles of governance. One panel member, Alan Simpson, did not support all recommendations and his concerns are presented in a letter that accompanied the report of the review (Scottish Government 2012b).

The report highlighted institutional autonomy, alongside academic freedom, as key principles of the higher education framework. The panel stated that Scottish HEIs should be maintained as independent public bodies with minimal political interference, but that institutional autonomy should respect academic freedom and be publicly accountable (Scottish Government 2012a).

The review recommended that the process of appointing lay members to the governing body should involve external advertisement, and the chair of the board be directly elected by the university community (Scottish Government 2012a). The review advocated that the chair of court gains reasonable remuneration. Panel member, Alan Simpson, dissented on the recommendations that the chair be elected and that all chairs receive remuneration (Scottish Government 2012b).

The report suggested the appointment of two students and two directly elected members of staff alongside guaranteed union representation on the governing body. In order to address issues with the social and gender balance in university governing bodies, the panel also recommended that each should have at least 40% female membership. The panel recommended that the membership of each university governing body should reflect the diversity of the wider community (Scottish Government 2012a). Panel member, Alan Simpson, dissented on the recommendation for guaranteed union representation (Scottish Government 2012b).

The report recommended more openness in the process of appointment and payment of senior management with review of Principal performance involving external governing body members, students and staff. The report emphasized the importance of the Principal's role in not only managing the HEI but in creating a culture of collegiality (Scottish Government 2012a).

The report recommended that senate ought to be the final authority on academic issues. Other than the Principal and heads of school, members should be elected and form the majority to ensure that academic bodies are more representative of staff and student communities. The report emphasised the importance of staff involvement in 'meaningful consultation and collegial decision-making' (Scottish Government 2012a, p.22).

The review panel noted a lack of research on Scottish HE to inform policy and recommended that the SFC establish a Scottish Centre for Higher Education Research as a resource for universities, the government and wider community (Scottish Government 2012a).

Although SG did not produce a written response to the Review report, the Cabinet Secretary for Education and Lifelong Learning asserted:

> In my previous statement to Parliament, I welcomed the recommendations of Professor von Prondzynski's thoroughly considered review of higher education governance, and I said that I would consider the findings with the sector. Since then, I have discussed the review's findings with a broad range of stakeholders. I will continue to do so, but I have accepted virtually all Professor von Prondzynski's recommendations. The most effective approach to implementing the recommendations is to do so in three distinct ways: first, by engaging key sector stakeholders as implementing partners; secondly, by engaging the sector itself in implementing the recommendations by agreement and adapting them as necessary to reflect existing good practice; and thirdly, by employing legislation as required. (Scottish Parliament 2012a, para.18).

The first piece of legislation employed is the Post-16 Education (Scotland) Act (2013) and the second is the Higher Education Governance (Scotland) Act (2016), and a summary of each follows.

Post-16 Education (Scotland) Act 2013

The provisions in section 2 of the Post-16 Education (Scotland) Act 2013 address recommendations 2.3 and 7.4 (Scottish Government 2015a):

- Recommendation 2.3 advises SP to enact a new statute for the Scottish HE system 'setting out the key principles of governance and management and serving as the legal basis for the continued establishment of all recognised higher education institutions' (Scottish Government 2012a, p.6-7).
- Recommendation 7.4 advises that the SFC commission a Code of Good HE Governance (Scottish Government 2012a, p.25-26).

The provisions of the 2013 Act differ from the Review recommendations. Firstly, the recommendation that the fundamental standards of governance and management be delineated in law was substituted by an obligation for universities to observe accepted principles of good practice. Secondly, the Act (2013) focuses solely upon principles of good governance, rather than management and governance as recommended in the Review. The Review recommends that the SFC lead on a code of good governance, but the Act (2013) does not require the SFC to determine the principles but rather, states that the SFC may enforce, as a provision of funding, the necessity of universities to observe the accepted principles of good governance (Scottish Government 2015a). The Act (2013) did not prescribe the principles of good HE governance but the principles it referred to were set out in a new Scottish Code of Good HE Governance developed by the Committee of Scottish Chairs

(Committee of Scottish Chairs 2013; Scottish Parliament 2013, p.5; Scottish Government 2015a).

Higher Education Governance (Scotland) Act 2016

In June 2015, the HE Governance (Scotland) Bill was introduced in SP by Cabinet Secretary for Education and Lifelong Learning, Angela Constance MSP.
The Bill proceeded through three stages of parliamentary deliberation led by the Education and Culture Committee.

The purpose of the Bill, as introduced, was to modernise university governance and thereby improve its inclusivity and accountability. The main proposals were centred upon:
- The process employed to appoint the chair of the HEI governing body
- Ensuring membership of the governing body is fully representative
- The process of election and nomination of governing body members
- Remuneration of the chair of the governing body
- Size, composition and election of members of the academic body
- Revision of the definition of academic freedom

The stage 1 report was issued in December 2015, followed by parliamentary debate in January 2016, after which the broad principals of the Bill were approved. Although the Education and Culture Committee offered its approval, it also acknowledged that the Bill had instigated high levels of criticism and asked SG to deliberate further on several concerns (Scottish Parliament 2015a; Scottish Government 2016b).

Stage 2 consideration was carried out by the Education and Culture Committee in February 2016 and several amendments were agreed to at this stage including:
- Removal of regulation making powers relating to, for instance, the process used in the appointment of the chair of the governing body
- Removal of proposed cap of 120 members on an academic board

Further detailed information on the progression of the Bill through stages 1 and 2 can be found in a briefing paper, Scottish Government (2016a).

Stage 3 parliamentary debate followed, and the Bill was passed in March 2016. Amendments at this stage were minor e.g. a provision was added that requires universities to produce a report upon election of a new senior lay member (Scottish Government 2016ab).

The Bill received Royal Assent in April 2016 and became the Higher Education Governance (Scotland) Act (Scottish Government 2016b, p.1).

Appendix 3

List of Participant Roles

Scottish Government: Government official

Review of Governance Panel: Chair
TU representative

Trade Union: Former TU president
Policy and communications officer (UCU Scotland)

Universities: Principal / former principal
Vice principal / former vice-principal
Chair of governing body / former chair
Member of governing body
Member of academic body
Academic staff
Academic-related staff

Universities Scotland: Director
Former Convenor

Scottish Funding Council: Former Chief Executive

National Union of Students Scotland: Former Women's officer

Appendix 4

Interview Outline with prompts

Issue / topic	Possible question	Follow up	Probe
Why was HE governance reform on the policy agenda? Instigated by SG –a legitimate expression of democratic mandate or unwanted interference? Accountability to SG, society/public and univ community. Political activity – ideology, devolved area, influence of other HE policy, tradition, value system?	In your view what was the impetus for reform of HE governance policy?	In what ways do you think the Scottish context contributed / influenced the decision to develop policy in this area?	In your view were there issues in HE governance practice that precipitated policy reform? If so, what were they? In what ways do you think the political environment influenced the decision to reform governance in this area? (Majority SNP SG; devolved policy area). Would you consider that the governance policy reform a political activity? *Ideology, nationalism, influence of other HE policy*
The nature of the policymaking process	What was your overall experience of the policymaking process?	Were you conscious of being part of a network or policy community? Who were the key actors / who was (not) involved? How was the policy steered? How has this effected stakeholder relationships longer term?	How would you describe the process itself? Negotiated Democratic Innovative Directive / 'controlled negotiation' Conflictual
Reports / policy documents suggest that controversial areas were: a) reform acting to threaten institutional autonomy; SG moving to control HE more (too) closely / steering of policy through acc measures e.g. OA. b)	Where controversial: in your view, what were the key issues and controversies in the policymaking process?		Probe areas identified in doc analysis (see LH column)

Accountability to the university community. c) policy process was at times not democratic e.g. development of the Code 2013, creating controversy.			
Resolution of the controversial areas.	In your view, were these issues reconciled during the policymaking process?	How were the issues moved on? If not, why not and in your view what is/are the outstanding / unresolved issues or controversies? (link below).	
Relationship between SG and universities. Balance of accountability, governmental control and autonomy	To what extent do you consider that the tensions between institutional autonomy and public accountability were reconciled during the process of governance policy reform?	It has been suggested that the reform might be considered either a legitimate expression of democratic mandate or unwanted interference by SG – what is their perspective on this? What concerns / hopes do you currently have for the balance of this relationship?	How do you perceive the relationship between government and the HE sector post-reform?
Factors influencing the relationship between government and the sector, Raffe's analytical framework of threats and opportunities. How does the Scottish context influence / interact with accountability and autonomy discourses?	Thinking about the balance of the political relationship between SG and HEIs within Scotland as a devolved territory – in your view what are the key factors that pose a threat to institutional autonomy in the Scottish context?	Thinking about the balance of the political relationship between SG and HEIs within a devolved Scotland – in your view what are the key factors that ameliorate risk / offer protection to institutional autonomy in the Scottish context?	For instance, it has been suggested that proximity (small state, few HEIs) of SG to HEIs presents a threat…also conversely it may be a source of strength. In their experience? Also, consider other risks – policy agenda for HE, devolution / nationalism, tradition – their views? Other protective influences – global success story, national asset, internationalisation.
Additional insights	Have you any other comments?	Anything missing in my research?	

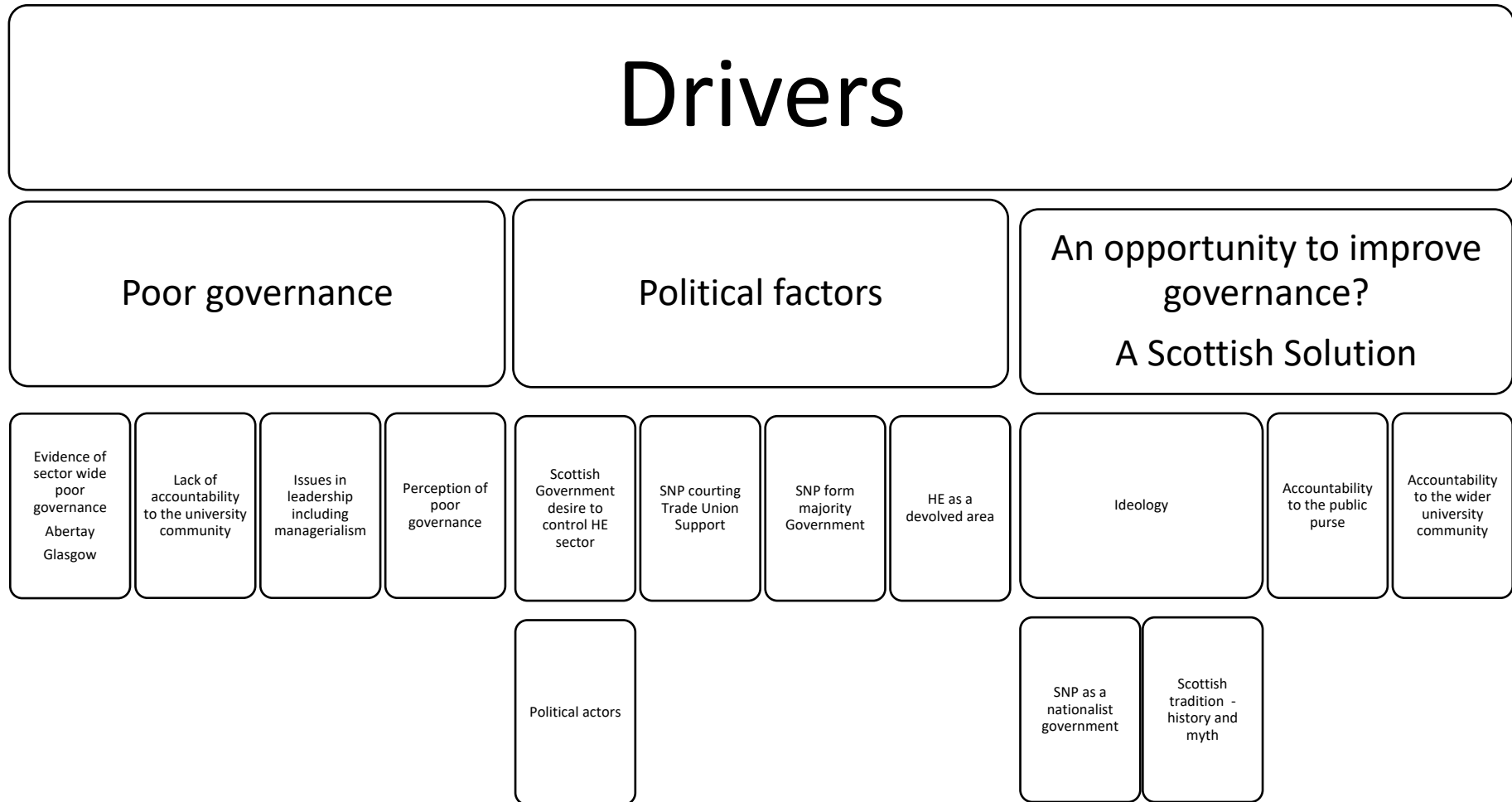**Appendix 5**

Sample coding of transcript

Interview content	Code / sub-theme
…the other, the other bit of politics behind this obviously, is the contest between the SNP and Scottish labour for Trade Union side support …	SNP courting TU support
…the SNP have been competing very, very hard to win the support of trade unions and trade unionists and basically to cut the legs from under Scottish Labour. They've been very successful at doing that and you know basically that was another one of the drivers of the governance reform was can they give something to the trade union side that helps the trade union side to be more supportive towards the SNP and potentially towards independence than it is towards Scottish Labour.	SNP courting TU support
If you're going to close a department in Loughborough it's not going to make it big on the Westminster agenda. If you close a department in Glasgow you know it becomes the talk of the political steamie. The local becomes national very, very quickly here and you know we've seen it in other respects, for instance the Highlands and Islands, it has an unworkable governance model but every time you try to reform it you've got politicians all over you erm you know basically erm championing the local interest over the whole institutional interest.	Threats to autonomy Proximity of government to HE rUK
There were two things that happened fairly close together and I don't have the dates in front of me, but there was a kind of breakdown in governance in Abertay in the first instance, where essentially the governing body and the Principal had a complete falling out and the day to day running of the university, essentially the governing body stepped in and the governors at that point, certainly some of the staff governors became much more hands on in a managerial sense than I think they had ever intended. And there were issues, and that took a very long time to unpick and put together again. And the Scottish Funding Council were involved, and it became a political issue. Erm subsequent to that there was a period of organisational change, I think is the managerial term, with threatened redundancies at Glasgow University. The redundancies were based on the closure of academic programmes, which the governing body had signed off the academic actions without proper consultation or indeed involvement of the Senate, the primary academic body.	Poor governance Governance breakdown at Abertay GU course closure Lack of stakeholder involvement

Appendix 6
Development of Themes

RQ1 How did the HE governance policy reform emerge?
Not a unified view on drivers – 2 distinct narratives.
A multiplicity of factors combine, perhaps creating a moment in time for reform

Drivers

Poor governance	Political factors	An opportunity to improve governance? A Scottish Solution

Evidence of sector wide poor governance Abertay Glasgow	Lack of accountability to the university community	Issues in leadership including managerialism	Perception of poor governance	Scottish Government desire to control HE sector	SNP courting Trade Union Support	SNP form majority Government	HE as a devolved area	Ideology	Accountability to the public purse	Accountability to the wider university community

Political actors

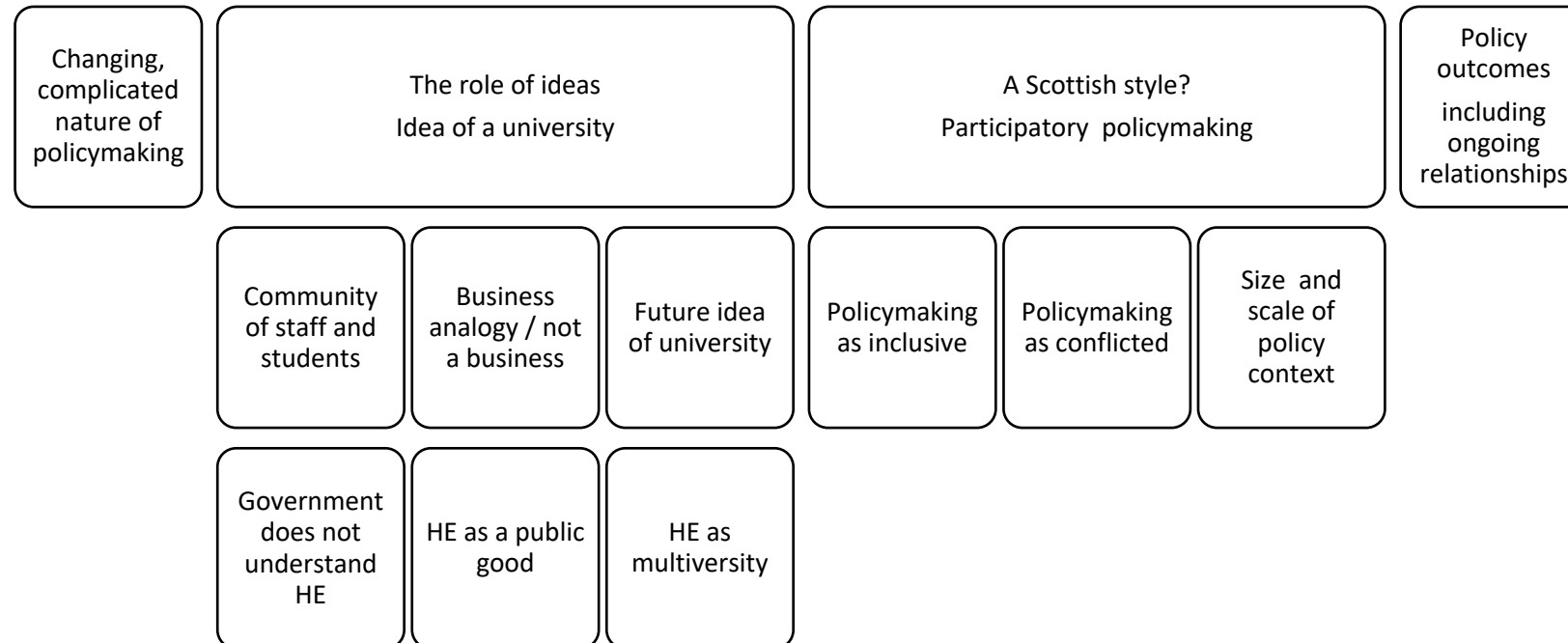| SNP as a nationalist government	Scottish tradition - history and myth

RQ2 What was the nature / style of the policymaking process during the reform of HE governance?
Distinct narratives throughout, apparently underpinned by contrasting ideas of university governance and universities held by key policy actors. Participatory policymaking but not negotiated - 'A study in conflict'
Again, PM as an opportunity to reset / develop discourse from NM to more collegiate while reflecting changed social context.
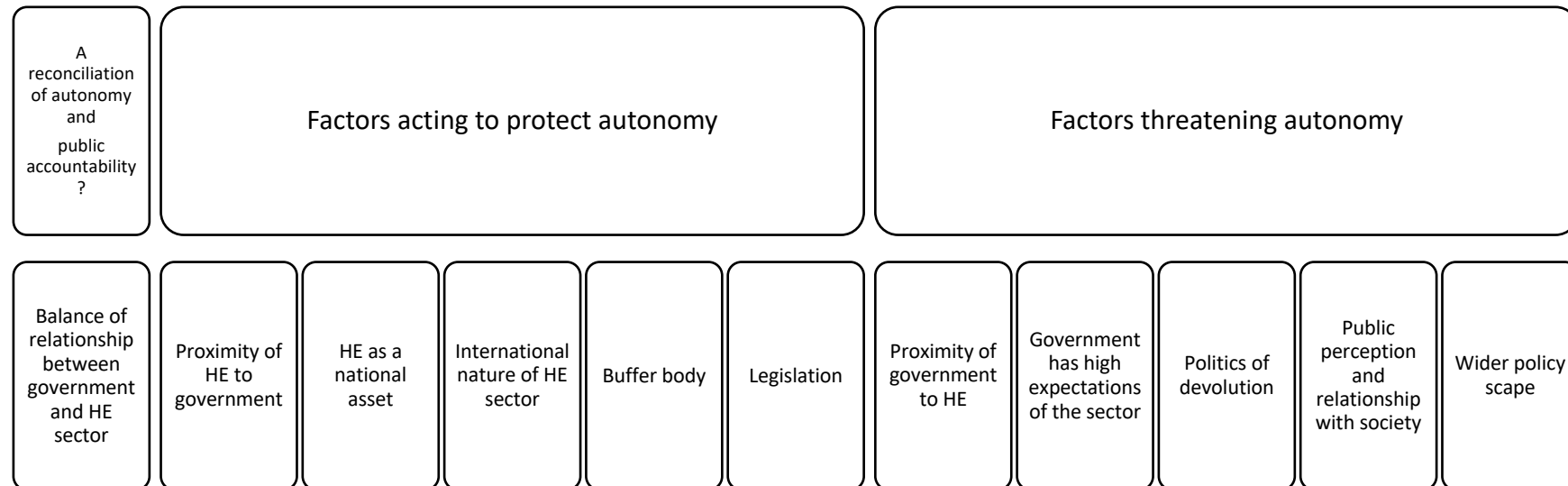
Approach to policymaking

| Changing, complicated nature of policymaking | The role of ideas

Idea of a university | A Scottish style?

Participatory policymaking | Policy outcomes

including ongoing relationships |

| Community of staff and students | Business analogy / not a business | Future idea of university | Policymaking as inclusive | Policymaking as conflicted | Size and scale of policy context |

| Government does not understand HE | HE as a public good | HE as multiversity |

RQ3 How did policymakers perceive institutional autonomy and governmental control post-reform?
A balance, a tension, push me pull you relationship. Factors identified as protective / threats to autonomy reconcile with Raffe's analytical framework but also extend the framework. Co-production / development of the idea / understanding of university and its governance pivotal to security of sector and its autonomy.

Post-reform - the balance of institutional autonomy and governmental control

A reconciliation of autonomy and public accountability?	Factors acting to protect autonomy	Factors threatening autonomy

Balance of relationship between government and HE sector	Proximity of HE to government	HE as a national asset	International nature of HE sector	Buffer body	Legislation	Proximity of government to HE	Government has high expectations of the sector	Politics of devolution	Public perception and relationship with society	Wider policy scape

Appendix 7
Themes and headings developed through data analysis

Research Question	Overall themes	Sub-themes / headings	Sub-headings
RQ1: How did the HE governance policy reform emerge?	Generating a window of opportunity for Scottish HE governance policy reform	Problem stream: attention lurches to HE governance policy problem	Poor governance Government desire to control HE sector Lobbying by interest groups
		Policy stream: a Scottish solution	Ideology Accountability to the public purse Accountability to the wider university community
		Political stream	The influence of elections HE policy in a devolved Scotland
		Policy entrepreneur	
		A window of opportunity	
RQ2: What was the nature / style of the policymaking process during the reform of HE governance?	Approach to policymaking	A Scottish style of policymaking?	
		The policymaking context	
		Participatory policymaking	
		Breaking from consensual policymaking	

RQ3: How did key stakeholders perceive institutional autonomy and governmental control post-reform?	Institutional autonomy and governmental control post-reform	Exploring the balance of institutional autonomy and governmental control	
		Factors acting to protect institutional autonomy in Scotland	Proximity of universities to government HE as a national asset The international nature of HE Buffer body Legislation
		Threats to institutional autonomy in Scotland	Proximity of government to universities Government has high expectations of the HE sector Institutional autonomy and the politics of devolution Public perception and the sector's relationship with society The wider policy-scape
		An analytical framework for institutional autonomy in Scottish higher education	

Appendix 8

Approved: 13/07/2018

Gayl Wall
Registration number: 140105760

School of Education
Programme: EdD in Higher Education

Dear Gayl

PROJECT TITLE: University governance reform in Scotland: a policy analysis

APPLICATION: Reference Number 022369

On behalf of the University ethics reviewers who reviewed your project, I am pleased to inform you that on 13/07/2018 the above-named project was **approved** on ethics grounds, on the basis that you will adhere to the following documentation that you submitted for ethics review:

University research ethics application form 022369 (form submission date: 09/07/2018); (expected project end date: 30/09/2019).
Participant information sheet 1049357 version 1 (09/07/2018).
Participant consent form 1049355 version 1 (09/07/2018).

If during the course of the project you need to deviate significantly from the above-approved documentation please inform me since written approval will be required.

Your responsibilities in delivering this research project are set out at the end of this letter. Yours sincerely

David Hyatt
Ethics Administrator School of Education

Appendix 9

Participant Information Sheet

Doctoral Research: University governance reform in Scotland: a policy analysis

Invitation to participate:

I would like to invite you to take part in my research study. Before you decide it is important for you to understand why the research is being done and what it will involve. Please take time to read the following information carefully and discuss it with others if you wish. Please ask if there is anything that is not clear or if you would like more information. Take time to decide whether or not you wish to take part. Thank you for reading this.

Gayl Wall (Researcher)
e-mail: gwall2@sheffield.ac.uk

Background to my research

I am Gayl Wall, a doctoral student in the School of Education at the University of Sheffield. Although currently based in Brisbane I am also a member of staff at a Scottish University with more than 10 years teaching experience. As part of my doctoral studies I am conducting research on higher education (HE) governance in Scotland. In 2011 an independent review of university governance in Scotland reported issues in governance and acted as a cue for the implementation of a Scottish Code of Good Higher Education Governance (2013) and enactment of the Higher Education Governance (Scotland) Bill (2016). As a consequence of the reform process, important questions have emerged regarding the relationship between Scottish universities and government. My study seeks to explore this relationship and the interaction of system and institutional governance through an analysis of the HE governance policy reform process. I'm interested in exploring the main drivers for the policy reform, areas of controversy and the policymaking process itself. It is hoped that the research will provide useful insights into the evolving relationship between Scottish universities and government and be of interest to faculty, HE leaders and policy makers. It is anticipated that the study will take place during the period August 2018 – September 2019.

Why have you been chosen?

The study aims to gain an understanding of the policy reform process from the perspective of key individuals involved and therefore your experience and reflections on the policy development are particularly important.

Do you have to take part?

It is up to you to decide whether or not to take part. If you do decide to take part you will be given this information sheet to keep (and be asked to sign a consent form) and you can still withdraw at any time without any negative consequences. You do

not have to give a reason. If you wish to withdraw from this research please contact: **gwall2@sheffield.ac.uk**

What will happen to me if I take part? What do I have to do?

If you choose to participate in this project, you will be interviewed on one occasion. The 60-minute semi-structured interview will be conducted by Skype or telephone as preferred by you. Interviews will be scheduled at a date and time convenient to you. The interview will use a framework of closed and open-ended questions to explore your experience and insights of the reform of governance, particularly the dominant drivers, the key issues and the nature of the policy development process. You will be provided with an opportunity to view and comment upon the transcript of your interview before it is used in the research study.

What are the possible disadvantages and risks of taking part?

There is minimal risk associated with participation.

What are the possible benefits of taking part?

Whilst there are no immediate benefits for those participating in the project, it is hoped that you may find the project interesting. The results of this research will be written up as a doctoral thesis and following this papers may also be published based on this research. Hopefully, this work will not only provide participants with an enhanced understanding of governance policy in the Scottish HE sector but prove useful to HE leaders and policy makers as they shape governance structures of Scottish universities.

Will my taking part in this project be kept confidential?

All data will be collected, stored and handled in compliance with the General Data Protection Regulation 2018. All of the information I collect about you during the course of the research will be kept strictly confidential and will only be accessible to me. Your name will be anonymised but written consent will be requested to use your role and affiliation in the reports and publications (as per consent form). However, your high profile in the sector may mean that you are identifiable by readers. I will request written consent regarding the use of direct quotations in reports and publications arising from this research (as per consent form).

What is the legal basis for processing my personal data?

According to data protection legislation I am required to inform you that the legal basis I am applying in order to process your personal data is that 'processing is necessary for the performance of a task carried out in the public interest'. Article 6(1) 9e)) Further information can be found at: https://www.sheffield.ac.uk/govern/data-protection/privacy/general

As I will be recording some data that is defined in the legislation as more sensitive (information about trade union membership only for those participants who represented a trade union in the policy reform process), I also need to let you know

that we are applying the following condition in law: that the use of your data is 'necessary for scientific or historical research purposes'.

What will happen to the data collected, and the results of the research project?

The audio recordings of the interviews made during this research will be used only for analysis. No other use will be made of them without your written permission, and no others will be allowed access to the original recordings.

When transcribing interview data all information attributable to particular individuals will be anonymised. The audio recordings will be destroyed following transcription. Other data will be destroyed upon completion of studies and confirmation of award.

The results of the research will be published in a doctoral thesis and peer-reviewed journals. As a participant you will be entitled to a copy of my thesis and any following publications.

Who is organising and funding the research?

The research is not sponsored or funded by an organisation or company.

Who is the data controller?

The University of Sheffield is the Data Controller for this study. This means that the University is responsible for looking after your information and using it properly.

Who has ethically reviewed the project?

The project has been ethically reviewed via the University of Sheffield's School of Education's ethics review procedure.

What if something goes wrong?

In the event that a participant wishes to raise a complaint in the first instance please contact:

Doctoral researcher: Ms Gayl Wall at gwall2@sheffield.ac.uk
Thesis supervisor: Dr Vassiliki Papatsiba at v.papatsiba@sheffield.ac.uk

In the event that you are not satisfied with how the complaint has been handled, please contact the Head of School, Professor Elizabeth Wood at e.a.wood@sheffield.ac.uk

If your complaint relates to how your personal data has been handled, information about how to raise a complaint can be found in the University's Privacy Notice: https://www.sheffield.ac.uk/govern/data-protection/privacy/general

Contact for further information

Doctoral researcher: Ms Gayl Wall
e-mail: gwall2@sheffield.ac.uk
Tel: █████████████

Thesis supervisor: Dr Vassiliki Papatsiba
e-mail: v.papatsiba@sheffield.ac.uk
Tel: 0114 222 8152

Finally.....

It is up to you to decide whether or not to take part. If you do decide to take part you will be given this information sheet to keep and be asked to sign a consent form. Once signed by all parties you will receive a copy of the signed and dated participant consent form, the information sheet and any other written information provided to the participants. A copy of the signed and dated consent form will be placed in the project's main record (e.g. a site file), which will be kept in a secure location.

Many thanks for your interest.

Gayl Wall

Adapted from University of Sheffield Information Sheet guidance and example:
https://www.sheffield.ac.uk/rs/ethicsandintegrity/ethicspolicy

Appendix 10

<div align="center">

Participant Consent Form
Title of Research Project: University governance reform in Scotland: a policy analysis

</div>

Please check the boxes as appropriate. Thank you.	Yes	No
Taking Part in the Project		
I have read and understood the project information sheet dated 09/07/2018 or the project has been fully explained to me. (If you will answer No to this question please do not proceed with this consent form until you are fully aware of what your participation in the project will mean.)	☐	☐
I have been given the opportunity to ask questions about the project.	☐	☐
I agree to take part in the project. I understand that taking part in the project will include being interviewed.	☐	☐
I agree to the interview being audio recorded.	☐	☐
I understand that my taking part is voluntary and that I can withdraw from the study at any time; I do not have to give any reasons for why I no longer want to take part and there will be no adverse consequences if I choose to withdraw.	☐	☐
How my information will be used during and after the project		
I understand my personal details such as name, phone number, address and email address etc. will not be revealed to people outside the project.	☐	☐
I understand that I will not be named in research outputs.	☐	☐
I am happy for my role and affiliation to be used in research outputs.	☐	☐
I agree to be quoted directly and identified by role / affiliation as the author of my words	☐	☐
I agree to be quoted directly and identified by role / affiliation as the author of my words provided that the transcript of my quotations is made available to me for review prior to publication	☐	☐
I agree to be quoted directly but on a not for attribution basis, with no information provided that would allow me to be identified	☐	☐
I do not want my words to be directly quoted under any circumstances.	☐	☐
I understand and agree that the findings of the interview be published in the doctoral thesis and other academic publications.	☐	☐
So that the information you provide can be used legally by the researchers		
I agree to assign the copyright I hold in any materials generated as part of this project to The University of Sheffield.	☐	☐

Name of participant [printed]　　　　　　　　Signature　　　　　　　　　　Date

Name of Researcher [printed]　　　　　　　　Signature　　　　　　　　　　Date
GAYL WALL

Project contact details for further information:

Doctoral researcher: Ms Gayl Wall / e-mail: gwall2@sheffield.ac.uk / Tel: ▓▓▓▓▓▓▓▓
Thesis supervisor: Dr Vassiliki Papatsiba / e-mail: v.papatsiba@sheffield.ac.uk / Tel: 0114 222 8152
Head of School: Professor Elizabeth Wood e-mail: e.a.wood@sheffield.ac.uk
Adapted from University of Sheffield Consent Form example:
https://www.sheffield.ac.uk/rs/ethicsandintegrity/ethicspolicy