

Written submission from the Chinese University Employees' General Union on
Governance and Management Structure at The Chinese University of Hong Kong

Engaging the University Community

About the Union

1. The Chinese University of Hong Kong Employee's General Union was established and registered under the Trade Union Ordinance in April 2004. The Union has a membership of over two hundred. Although all full-time staff employed by CUHK are eligible to join the Union, the Union has so far focused only on non-teaching, Terms B and C staff, with a special attention to contract workers.
2. The Union has been firm in its position: it aims at looking beyond issues of staff remuneration and job stability, to university governance itself. It is our conviction that as a publicly funded university, CUHK should be accountable to both its students and staff, as well as the government and the public. In the last two years, the Union has attended the Education Panel of the Legislative Council four times to give views on issues around university budget, staff remuneration, and higher education programme reform.
3. As an affiliate of the Hong Kong Confederation of Trade Unions, it has strong linkages and good working relationships with the unions at Hong Kong University and Baptist University, as well as the Hong Kong Professional Teachers' Union.

Survey on University Governance

4. Since 2004, the University has faced several controversies unseen before in the 45 years since its establishment, namely a salary cut scheme that outraged the middle and lower ranks contract, non-teaching staff and provoked a 300-strong rally, a new "bilingual" policy that many fear will be a catastrophe for CUHK's education ideals, its campus development plan that many members of the University find chaotic and even offending – a petition for a more transparent and responsive decision making process has generated over 2,000 signatures in the course of three days.
5. Meanwhile, across the higher education sectors, staff disputes are on the rise and some have been brought to the Legislative Council, which expressed concern about the institutions' internal governance.
6. Against this backdrop, the Union conducted a survey on the staff's views of the University's governance earlier this year. A total of 128 questionnaires were returned. The majority of the respondents are non-teaching staff.
7. Transparency is the major area of discontent. Over 80% of the respondents agreed

that “[t]he decision making and executive of the University’s policies lack transparency, making it very difficult for members other than the top management to understand the University’s development”. Only 7% thought that “[t]he University always consult the staff’s views when it is making decisions that impact on the staff”.

8. On the governing culture, 76% of the respondents agreed and strongly agreed that “[i]n the University, authority rules over rational discussion”. Only 12% thought that “[t]he management culture encourages staff to voice their opinion”.
9. This kind of governance and management culture may be affecting efficiency and creating discrepancy in execution. 66% of the respondents thought that some managerial staff do not express their views to the top management even when they do not agree with the policies”. 57% said that their departments/units execute University policies knowing that there are problems in them”.

A lack of a Participation Strategy

10. The survey result reflects the central problem of the University’s governance issue, which may be summed up as a lack of a participation strategy in which stakeholders and members are engaged, and the resulting missing organizational linkages.
11. As is discussed below, currently the governing bodies, departments/units and individual stakeholders of the University are often linked not by organizational procedures or mechanisms (e.g. communication channels), but rather, by social norms or customs, which have been proved, at best, inadequate, particularly in this period of change.
12. A look at the horizontal structure also shows that the decision making responsibility and authority is highly centralized and concentrated at the top, with insufficient delegation and division of labor.
13. The heavy responsibility at the top and missing organizational linkages, we propose, make mobilizing support difficult and cannot capitalize on the existing resources. We are also worried that such a governance and management model is leading to a weakening of institutional trust.
14. The Chinese University of Hong Kong has a membership of over 20,000 people, not including the alumni, which may be conceived of as a sizable community. With such a community – its intellectual aspects in particular – it has great potential to be a vibrant, diverse, and creative institution, if a participation strategy can be in place and each and every member of the community be engaged in the governing and management process.

The Council and its Sub-committees

15. Terms of reference of the sub-committees and task forces, except AAPC and the Senate, are not stated in any official documents – at least not those accessible to the stakeholders. Their responsibilities and authority have not been explained and

articulated.

16. The Administrative and Planning Committee (AAPC) is the chief governing body of the University in administrative issues. At present, there is significant overlapping of membership between the AAPC and the Senate. Such arrangement indicates first a poor distribution of duties in the top management, and second, a danger of over-representation of certain interests.
17. Although there have been suggestions that the size of the Council is too big and should be downsized, the total number of University members in the governing bodies – the Council and its sub-committees, and the Senate, is very small in relation to the University population of over 20,000. Such concentration of authority risks overload of the members, which may result in poor monitoring and follow-up in the execution of policies.
18. The agenda and minutes of both the Council and almost all of its sub-committees are not open. Besides the small number of people sitting in these governing bodies, University members have no access to information such as what is being discussed; and when decisions are made, members find it difficult to make comments as they do not know what were the alternatives and options. The low transparency not only makes participation difficult, but also makes the idea of checks-and-balances impossible.
19. The Strategic Plan has made a very good start in developing a culture of public consultation in CUHK. The University adopted a proactive approach in drawing the stakeholders' attention to the project by sending the Strategic Plan Outline to every student, staff and alumnus, inviting views and comments. Briefing and consultation sessions were held; and list of written submissions is annexed in the final report. However, it is not a standard practice of the Council, its sub-committees and task force and, so far, not even a norm.
20. Currently, most of the consultation of the committees is done through the hierarchical structure – namely through the Deans, down to the Department Chairmen, then possibly the teachers. Views collected in this fashion may reflect very narrow departmental interests and are subject to interference from the hierarchy.

Recommendation 1

Public consultation should be made standard procedure for every committee in the governing body when making policy. There should also be a set of standard consultation procedures, which specify the timing, channels for releasing consultation documents, mode and documentation of consultation.

Recommendation 2

The terms of reference, responsibility and authority of each committee and task force should be clarified and stated clearly in open documents. The University should announce when a task force is formed and detail its composition and contact person.

Recommendation 3

Reassess the composition of the committee to introduce a greater diversity. Make

sure that a broad range of interests is represented and include professionals in the governing bodies.

Administrative Units

21. Classification of documents is also an area of concern on the administrative level. Documents are either unnecessarily classified as confidential or withheld. The majority of personnel circulars, including those on promotion and award policies, for example, though not classified, are restricted to department/unit heads only. Frontline staff have very little opportunity to understand the University's policies. It hinders smooth execution of policies as well as creating unnecessary distrust and misunderstanding.
22. The same also applies to the horizontally linkages – the linkages between departments/units. Information sharing among units has not been a policy and has not been systemically encouraged. As a result, asking for information and documents from other departments/units can be a bold move and a frustrating experience.
23. The broken linkage is also partly due to poor documentation and/or lack of standard procedures. The problem is particularly acute in recent few years as various units went through restructuring. The functions and duties of these units are often not clearly defined, sometimes resulting in duplicated efforts and resources.

Recommendation 4

Adopt an open document policy. Reassess the existing document classification system. Where appropriate, documents unclassified should be made as accessible as possible, e.g., available on the webpage.

Recommendation 5

Encourage information sharing and exchange among departments/units. This should not be limited to the releasing of project data and information, but also views on management issues in general. Some forms of regular gatherings, e.g. lunch gatherings or management retreats, could be encouraged.

Recommendation 6

The top management should also hold regular formal and informal meetings with the managerial staff to generate consensus and, ultimately, support.

Students and Staff: the governed?

24. At present, the participation of students and staff in the governance of the University is low. Although in most cases, a student representative is present on the committees and task forces, how the student is chosen and the criteria by which a student is chosen are unclear and not explained.
25. The hands-on experience and knowledge of the frontline staff, both teaching and non-teaching, is an important asset to the University. However, rarely ever does the University consult or survey the staff's views on the feasibility of its policies.

Many new policies have been implemented in recent years with the absence of any feedback loop systems. Such a top-down approach has created a strong sense of disempowerment and frustration among the staff.

26. The general staff is the most underrepresented of all sectors of the University. The Joint Consultative Committee (JCC) is the only formal channel that engages general staff in the decision making and governing process. However, as with most other committees, the agenda and minutes of the committee are not open.
27. In this period of change, the University has treated the “civil society” on the campus in a rather defensive, instead of engaging, fashion. Differential treatments have been observed in the University’s handling of groups with different orientations. Our Union, established amidst disputes, has been denied office space and a common room. Restricting rules for joining the JCC were made after our appeals to be included. Such differential treatments spark unnecessary speculation among staff.
28. A customer vs. service provider mentality is increasingly obvious and sometimes encouraged by the management in recent years. This is true in both non-teaching and teaching sectors. Such a mentality is not only belittling to the staff, but also damages our education ideals.

Recommendation 7

Elected members from the staff and students should be introduced to the Council. Ideally it should include representatives of both teaching and non-teaching staff.

Recommendation 8

Certain forms of collective bargaining mechanisms must be introduced for the sake of social justice as well as more effective staff policies. Collective bargaining rights are guaranteed in all major international human and labor rights conventions.

Recommendation 9

The University must adopt a staff development strategy that emphasizes the autonomy and empowerment of staff and sees the staff as part of a community. The customer orientation of staff development must be changed.

Recommendation 10

For both empowerment and engagement, the University should include students and teachers from different professions in University development projects, e.g. involve architecture students and teachers in campus development design and planning, members from the geography and resource management and biochemistry in environmental policy.