

Reserved Business Guidelines

'Reserved Business' refers to items of business that will be reserved at College Councils, Governing Body meetings, and other committee meetings, which means they will not be discussed with and in the presence of student members of those committees. Student representatives may be asked to leave the room while such business is discussed.

This document seems to examine Reserved Business, and by surveying all colleges, and by looking at University practises, it seeks to suggest some best practise guidelines for colleges. It is recommended that college representatives examine the situation of Reserved Business in their own colleges, and compare it to the guidelines here. Some colleges may practise reserved business in a way very conducive for the college and for students, perhaps similar to what these guidelines recommend. Other student representatives may feel that their college has terrible use of reserved business. This document is aimed at helping the latter more. It is recommended that you discuss these guidelines in some way with your college, pointing out what other colleges do, and how this has aided the work of the committee. It is hoped you can hence change the Reserved Business practise. Feel free to contact the documents authors at any time.

From the survey of college Reserved Business, JCRs/MCRs were split on whether or not Reserved Business should exist at all. We hope this document is of use to you irrespective of this. If you believe there should be none (which is the belief of this documents authors), then this document can be seen as a realistic first step. If you believe there should be some, then this document can help clarify how it should be conducted.

This document is one of a set. The related documents are:

- '*Reserved Business Questionnaire and Answers*'- 12/2/07
- '*Analysis of Reserved Business Questionnaire Results*'- 12/2/07
- '*Faculty Boards and Reserved Business*'- 2/4/07
- '*Freedom of Information and Data Protection*'- 5/3/07

1. UNIVERSITY RESERVED BUSINESS

The University defines reserved business as, in the University Statute K.20 (n.b. it is here abbreviated- see the full statute at <http://www.admin.cam.ac.uk/univ/so/>):

"20. No person in statu pupillari shall be present, whether as a member or otherwise, at a meeting of any body constituted in the University by Statute, or of any other body appointed by such a statutory body, for the discussion of, or

decision on, any matter which the Chairman of the meeting declares to be reserved. The following matters shall be reserved:

1. *the employment or promotion, or any matter relating to the employment or promotion, of individuals by the University;*
2. *the admission and academic assessment of individuals;*
3. *such other matters as may be specified by Statute or Ordinance in respect of any particular body or class of bodies; and*
4. *any other matter at the discretion of the Chairman;*

In any case of doubt, the Chairman shall decide whether an item of business is reserved and the Chairman's decision shall be Final. No person in statu pupillari shall receive papers relating to any item of reserved business, except that members of any body constituted by Statute, or of any body appointed by such a statutory body, who are in statu pupillari may, if the statutory body so decides, receive minutes of the decisions taken on reserved business."

The University statutes may not seem very positive as a benchmark for reducing college reserved business. However several things should be pointed out and the document 'Faculty Boards and Reserved Business' should definitely be referred to here:

- (i) Making items reserved items is only recommended for employment matters and admission/ academic assessment matters.
- (ii) The Chair can say a matter is reserved, but this is meant for 'items of doubt', not for any item that the Chair wants reserved.

2. COLLEGE POLICY

Colleges are very varied in whether or not (I) they have reserved business policy, and what form it takes and (ii) what is on this. Some colleges may have reserved business policies that are much more generous than this document suggests should be desired as a first stage. This is a good situation to be in, and this document is more aimed at those who have no say over college reserved business, and the college uses reserved business as a way of creating policy and acting, over the heads of student representatives.

It is recommended here that you refer to the documents 'Reserved Business Questionnaire and Answers' and 'Analysis of Reserved Business Questionnaire Results'.

- (a) What should be College Reserved Business? **We would recommend, following on from University Policy, that you encourage your college to only have items reserved if they are items involving employment matters and admission/ academic assessment.** . If your College uses reserved business for more than the above concerns you are entirely within your rights to speak to the Master and/or relevant committee Chairs and Secretaries about this.

- (b) How should College Reserved Business Policy be recorded? Some colleges have a written policy on what reserved business should contain – Pembroke and Homerton are examples. Check with your College as to whether such a policy currently exists. If it does, ensure that it matches the University's own. If it doesn't, work with your College to draw up a policy that conforms to this standard.

Further, it is a good point to mention that across all colleges, reserved business is almost only ever used in Governing Body meetings, and not in other committees (e.g. accommodation). If this is not the case at your College you may wish to question why.

3. THE RESERVED AGENDA

Certain colleges attach the reserved agenda to the unreserved – Caius, Downing, Pembroke and Christ's are examples. It is helpful to have this information as with it you can check whether or not the College are meeting the requirements of the reserved business policy and, more importantly, ***if you feel an item on the reserved agenda should be on the unreserved you can request it be moved at the opening of the meeting.***

Ask for the reserved agenda to be sent with your unreserved agenda. What's more, see if you can get this reserved agenda to detail in brief what exactly each item alludes to: some colleges have found that the titles of the reserved agenda leave the focus of the item far too vague and extra information would be appreciated.

Make it clear that this is in the colleges best interest as it will improve relations between students and student representatives on Governing Bodies, as it will be clear to you then that what is in Reserved Business is what should be and you aren't being cheated, while at the same time college can conduct its business.

4. DISCUSSION OF RESERVED BUSINESS

Magdalene's Bursar and Downing's Master go over the matters on the reserved business agenda before each Governing Body meeting. This gives the Presidents a chance to flag up any concerns they may have on any subject and assures the student body that the reserved business is not being used to conceal important information.

Use the above colleges as examples and try to convince your College to provide a similar meeting.

Similarly to the Agenda, make it clear to your college authorities how this will benefit the college.

5. FREEDOM OF INFORMATION ACT

A larger document is attached (*Freedom of Information and Data Protection*) but under the Freedom of Information Act, any person has the legal right to ask for and be given any information which is held by a public authority (including colleges), except for certain exemptions- just find out who your colleges Freedom Of Information Officer is.

There is some leeway for this Act to be used to open up reserved business, but this is limited and varies between colleges. Some colleges will only have reserved business as defined by matters exempt from Freedom of Information (so personal records, data concerning an ongoing legal enquiry.) Using the Act will not help you see these colleges reserved business, but the positive side is that the content of such business is limited. Some colleges have reserved business beyond the exemptions of the Freedom of Information Act, and the Act may be used to see this information and certain parts of reserved business minutes.

6. FURTHER INFORMATION

If you are still unsure on how to go about talking to your College about reserved business or if you simply want more information on any of the above points please contact the below people:

Ashley Aarons (CUSU Services Officer): services@cusu.cam.ac.uk

Jacob Head (CUSU Education Officer): education@cusu.cam.ac.uk

Maz Kemble (Magdalene JCR President 2005-6): mkbk3@cam.ac.uk

Stuart Smith (Kings JCR College Council Representative): shs29@cam.ac.uk