

## Search and Review Processes for Senior Administrators

Senior administration at our university appears to be poised to undergo a marked transformation. More than half of 73 senior administrative positions at the University of Saskatchewan covered by [MoA No. 2](#) are vacant, filled on a temporary basis, or have terms that conclude in 2016.

Here's a look at the [numbers as of February 16, 2016](#), provided by the Provost's office:

- 14 Deans of Colleges
- 3 Executive Directors of Schools
- 6 Vice Deans
- 36 Associate Deans/Associate Directors of Schools
- 2 Vice Provosts
- 1 Associate Provost
- 1 Assistant Vice-Provost
- 10 Unified Clinical Department Heads, College of Medicine.

Of these, 3 are TBA, 11 are Interim (a new label that has appeared since the spring of 2014), 4 are Acting, and 32 have terms that conclude in 2016.

Also covered by the MoA and not included in the above numbers are the President, the Provost and Vice-President Academic, the Vice-President Research, the Vice-President Finance and Resources, the Associate Vice-President Human Resources, the Director of the Global Institute for Water Security, the Executive Director and CEO of the Global Institute for Food Security

and the Director of VIDO-INTERVAC.

MoA 2 was signed in the interest of promoting harmonious relations and recognizing that the appointment and reappointment of senior administrative officers has an impact on the working conditions of faculty. In the MOA, the University restates its commitment to follow the policies issued by the Board of Governors and to allow the full range and extent of consultation envisioned by these policies.

With so many interim/acting senior administrators and so many up for review in 2016, the Board of Governors should be striking a large number of search and review committees over the coming months. USFA members have not only a vested interest but also the right and responsibility to participate fully in the processes of appointing and reappointing senior administrators. If you serve on one of these committees, you should know the principles and procedures the University and Faculty Association have agreed to.

Keep in mind that you are not powerless if you participate in these processes. As a member of a search or review committee, you will participate in setting procedures for the process. You will decide on whether to use a search consultant or not. You will determine which candidates are shortlisted. You will determine the

transparency of a search once a shortlist of candidates has been identified. You will assess an incumbent senior administrator's performance and ability to continue in that office.

### What you need to know

Procedures were approved March 4, 2011 and can be found online beginning at page 27 of [the Joint Committee's Report](#). In addition to setting out search and review procedures, the Joint Committee's Report sets out the composition of search and review committees and outlines principles governing these processes.

Search and review procedures are structured to involve constituencies most directly affected by the senior administrative position and are a means through which the university community participates in shaping the institution. The procedures include principles re-

### Questions about the appointment and reappointment of Senior Administrators?

Please contact the USFA office:  
[usfa@usaskfaculty.ca](mailto:usfa@usaskfaculty.ca)  
Or 966.5609

The Collective Agreement is available at:  
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[www.usask.ca/hrd.employment\\_agreements.php](http://www.usask.ca/hrd.employment_agreements.php)

specting the role of committees and committee members, transparency, accountability, confidentiality, representation, consultation, timeliness and conflict of interest.

The new label “interim” is equivalent to “acting” as described in the procedures.

### Some considerations

At the outset of search and review processes, committees should discuss the approved principles and procedures to have a shared understanding of what should, and should not, happen as their work proceeds.

#### 1. Search and review committees should clearly understand their role

Search and review committees have different purposes. Search committees identify a number of qualified potential candidates and recommend one for appointment. Review committees assess the incumbent’s performance in terms of the position profile, and recommend either reappointing the incumbent or undertaking a search for a new candidate.

These committees are deliberative and advisory, not determinative: ultimately, the Board of Governors appoints and re-appoints senior administrators. Committees make a recommendation through the President to the Board (except in the case of the search and review for President, and the review for the Vice-President Academic, when the committees report directly to the Board).

Committee members bring the perspective of their constituency to the deliberations, but their role is to exer-

cise independent judgment in seeking the best candidate for the position or in reviewing the performance of an incumbent. Input or feedback from constituencies or individuals is provided to the committee through the chair.

Committees must provide a fair, reasonable and balanced assessment of the identified candidates or the incumbent being reviewed. Search committees provide advice on all eligible candidates in order to assist decision making, but they do not necessarily advocate the nomination or appointment of one favoured candidate. Review committees advise on the past performance and potential future performance of the incumbent senior administrator.

#### 2. Establishing the process

Committees establish their own procedures, subject to approved principles and procedures, for searches and reviews. This activity encompasses a number of decisions and includes more than the examples provided in the procedures document (i.e., establishing quorum, attendance expectations and information gathering procedures).

Search committees determine the process for seeking applicants. They should pay careful attention to establishing the criteria used for searches: e.g. what qualifications and skills should a successful candidate have? Search parameters for the position should be based on the position profile, which should be amended, if necessary, to reflect the qualities the search committee will require of candidates.

Committees should also discuss the “rule of 3” (limiting the shortlist to 3

interviewees) before selecting the candidates they will interview. Adopting this procedural rule at the outset of a search has the potential to eliminate good candidates. Accordingly, the search committee should determine which candidates to interview based on the criteria it has set—and not on an arbitrary limit to the number of interviewees. The [recent example from Concordia](#) of a senior administrator (University CFO) receiving severance (reportedly \$235K) after three months in the position illustrates the high cost of a poor hiring decision.

The search procedures are silent about whether a member of a search committee may become a candidate for the position. Search committees should address this possibility when establishing procedures. In the view of the USFA, there should be a clearly defined point in the search process when a committee member becomes ineligible to become a candidate for the position. The potential for conflict of interest is significant in this situation since a committee member could use privileged information acquired through committee participation to his or her own advantage in gaining a well-paying and prestigious position.

In the review process, committee chairs invite members of the university community to submit written comments on the performance of incumbent senior administrators. Submissions considered to be unprofessional by the chair will not be provided to the committee. Because *professional* is not defined or described in the approved procedures, committees should determine what it

means and what would be considered an unprofessional submission when they establish their procedures.

3. Search consultants

Part of establishing procedures also includes whether or not the committee will use a search consultant. Search consultants *should not* already be in place before the committee meets. Nor should they take on responsibilities that are rightly the responsibilities of the chair and/or members of the search committee. The search consultant's role and responsibilities should be determined by the search committee before the process begins. Consultants should never make decisions for the committee (i.e., committees should know who applied for the position, and final shortlists should be determined by the search committee and not by the consultant alone). If the committee decides they are needed, the role of consultants is to assist the exercise of academic judgement, not to replace it.

Committee members should be wary of a search consultant, or for that matter the chair of the committee, dictating procedures to be followed (i.e., timing for searches, consultations with faculty, external bodies etc.) Committee members are not lackeys of the chair or search consultant.

4. Achieving transparency and avoiding secrecy while protecting confidentiality

Academic culture is predominantly a culture of disclosure, not concealment. Faculty should fully understand and forcefully defend the distinction between necessary confidentiality and compulsive secrecy.

As the procedure document says, "the principle of transparency must be balanced against the requirements of the search," but consider whether it is necessary for search or review committee members to sign a confidentiality agreement. Especially, consider what this practice would contribute to enforcing what is in fact a normal expectation in collegial governance. We respect confidentiality in all sorts of ways in our activities as faculty members. So too must search and review committee members. Confidentiality does not mean total secrecy. Committee members could, for example, agree to make the process more transparent by sharing the names of the shortlisted candidates, and still protect confidentiality by not exposing committee members' expressed opinions of a particular candidate. Because widely accepted standards of shared governance include principles of openness and transparency, committee members should not be forced to sign sweeping confidentiality statements that require their silence on all matters related to the search and review process.

Committees that discuss and arrive at an understanding of confidentiality when they establish their procedures will ensure a process that supports and facilitates open dialogue about candidates and incumbents through the lens of their search criteria and the position profile.

The initial list of candidates in a search will not be made public and "When a shortlist of candidates has been established it is the responsibility of the search committee to determine whether the search will be con-

fidential or open." Even if there is evidence that a search may be disadvantaged by public presentations by shortlisted candidates, continuing the search process "in confidence" is *at the discretion of the search committee*.

5. Accountability

Being accountable need not breach confidentiality.

Except as noted earlier in the case of the President and Vice President Academic, search and review committees report to the Board of Governors through the President. Reports are to include the committee's recommendation, rationale for the recommendation and any minority views held by committee members. Ideally committees should review these reports prior to submission. The USFA believes that committees should always review their reports prior to submission and that, with current technology, there is no valid reason why the ideal cannot always be achieved.

Every committee should have a clear understanding of what its report to the Board contains. There are appropriate ways to share relevant information to fulfill the principle of accountability without breaching confidentiality. A report should not name individual committee members as the author of a particular view, attribute comments to individual committee members, or divulge which committee members were part of the majority or minority. Additionally, committee members should know if a verbal report will be provided to the President or Board and what information it will contain. Any verbal reporting

should likewise not divulge the specifics of committee deliberations.

Search committees should also be clear about whether or not a search consultant will be reporting to the University. If the consultant will be providing such a report, search committees should know to whom the consultant will report and understand what information the report will contain. For example, will the consultant report on who said what? We would expect that consultants will be bound by the same notion of confidentiality as search committee members. However, that expectation many not be practiced and ensuring clarity for everyone involved ensures a good process.

Search and review committees will have a record of their work. Minutes or meeting notes will be taken and kept on file for at least a few years. Committees should know where these records will be kept and who has access to them.

#### 6. Conflicts of interest

Committees must avoid conflicts of interest and the appearance of conflicts of interest. The University has adopted a [Conflict of Interest policy](#) as well as an [Employment Practices Policy](#) that references conflicts of interest. The Collective Agreement speaks to conflicts of interest as well in Articles 10.9, 13.5.1.2, 14.5.3 (v), 15.11.3 (v), 16.6.2 (v), and 17.5.3 (v).

For both searches and reviews, committee members must promptly raise conflicts of interest or perceived conflicts of interest. When a committee member believes that he or she, or a fellow committee mem-

ber has a possible conflict of interest, it should be raised with the committee and the committee should address it in the manner described in the approved procedures.

Committees determine the continuing participation of a member in light of conflict of interest. More often than not, individuals resign from committees, or step out during deliberations (depending on the process), if there is any question of conflict of interest. Ultimately, however, if a conflict or perceived conflict is raised, a committee must consider it and make a determination. It is appropriate for committees to put the question to a vote.

#### 7. Timeliness

The Joint Committee's Report, the principles and the procedures all underscore the need to avoid acting appointments (now sometimes labeled interim) and this is accomplished through timely searches and reviews.

Acting appointees may be perceived as placeholders, by others and at times by themselves. They may be reluctant or unwilling to make major decisions and undertake initiatives. Problematically, such a situation can impede effective governance and the forward momentum of university work and planning.

Timeliness does not mean that searches and reviews are required to be completed in a specific period of time. However, they should not take forever, nor should they be forced to be completed in a rush. They should commence "far enough in advance that an appointment can be made without the necessity of an intervening acting appointment."

There will be occasions when an

intervening appointment will be unavoidable, for example while a re-appointed incumbent is on an administrative leave, but there are no appointment procedures for intervening positions and there is no involvement of the university community in assisting the Board in making a decision on whom to appoint.

If search and review processes proceed in a timely fashion, as approved procedures state they shall, there should be very little need for intervening appointments.

#### **Contact the USFA if:**

- You are a search or review committee member and experiencing barriers when seeking clarification or raising concerns.
- You are a search or review committee member and believe there are process irregularities.
- You have any questions about the search and review processes for senior administrators.

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