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Abstract

This article argues that the constitutions of higher education corporations created by the 1992 Further and Higher Education Act are flawed. It argues that the constitutions were created with insufficient regard both for precedents for the creation of universities and also for emerging problems and principles of corporate governance. This resulted in a model of governance which maximised the role of the vice?chancellor or chief executive and "independent members" of governing bodies, limited the participation of staff and students, and allocated a restricted role to academic boards. This article examines a number of the problems arising from inadequacies in governance in a number of post?1992 universities and their similarity with problems arising in further education colleges who shared common governance arrangements from the 1992 Act. This article compares these problems with governance problems in Australian universities and concludes that there is a need to reform the governance arrangements created by the 1992 Act. (HRK / Abstract

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