



25 March 2017

Reforming the University's Employment Statute

Dear Head of Department,

The [proposed reform](#) of the University's employment statute ([Statute 24](#)) may not be your number one priority right now, given that the ICLR results are just out and university senior management are saying the changes are minor. Honestly, they are not. Over time, they will fundamentally alter how freely academics produce knowledge and how openly they interact with you, their Head of Department. This is what academic colleagues have been telling us for weeks, and staff who are not trade union members are just as concerned as those who are. Law and History have already passed departmental motions highlighting the negative impact of the proposals on academic freedom and employment relations. We hope your department will do the same.

The problems are two-fold:

- a) **Moving processes out of Statute and into HR policy significantly weakens them** – Statute 24 is a piece of secondary legislation that can only be changed with Privy Council approval whereas HR policies can be downgraded by university management at any future point;
- b) **Having the same redundancy, disciplinary/dismissal and grievance policies for both academic and non-academic staff fails to acknowledge their different responsibilities.**

Warwick UCU, being the recognised trade union for the affected staff, has formally objected to the proposals on the grounds that academic freedom needs to be protected, not just in principle, but in day-to-day practice.

At present, the Privy Council needs to approve changes to Statutes and the University Council needs to approve changes to Ordinances. To us, this serves the long-term interests of the university because it ensures any putative changes are carefully reviewed by a range of stakeholders, some of whom are external to the organisation and can take a sector-wide view. Moving all of the procedural detail out of Statute and into HR policy removes this important safeguard. It allows senior leaders to impose less favourable policies, at any future point. We understand that our current leadership team has no intention of doing this, but there would be little to stop a future leadership team from embarking on a race

to the bottom and reducing our employment protections to the bare legal minimum in all respects.

Moreover, it is unfair to apply the same redundancy and disciplinary policies to all members of staff because academics, as scholars, teachers and researchers, have a distinct role within universities and the wider community. A fundamental part of their job is to “question and test received wisdom and to put forward new ideas and controversial or unpopular opinions”. Having different procedures is not about privileging academics but recognising and safeguarding their particular remit. Academic colleagues are telling us that, without the protections contained within Statute 24, they will start self-censoring, and knowledge production will diminish as a result.

If the changes go ahead, the Academic Redundancy Committee will be abolished. Instead, Heads of Department will be the ones recommending individual academics for redundancy, with redundancy notices being issued after 30 days of consultation. In light of this, we cannot agree with the statement in [Statute 24 FAQs](#) that “Moving employment provisions for academic staff out of Statute 24 and related Ordinances will not make redundancies easier in any way”. Heads of department will also chair disciplinary panels involving academic colleagues and decide on their grievances. None of the many current and former HoDs we have spoken to want these additional responsibilities. This is entirely understandable given that departmental headship is a temporary appointment.

Other universities have recently reviewed their employment statute. Some, including Manchester and Oxford have chosen to defend academic freedom as vigorously as possible, by retaining, in Statute, high levels of Council oversight and independent scrutiny. This sets them apart as places where the testing of received wisdom is not merely allowed but wholeheartedly endorsed; where the voicing of controversial/unpopular opinions, in the pursuit of knowledge, is not merely tolerated but actively encouraged. We trust that you will want Warwick to follow their progressive lead.

That being so, we would like you to do two things:

- 1) **Allow staff to discuss the proposals at a departmental meeting convened for this purpose;** a member of Warwick UCU committee would be more than happy to answer questions;
- 2) **Write to the senior leadership team with any concerns raised by staff at this meeting.**

Finally, if you, personally, have any misgivings about the new responsibilities you will be handed next academic year, please do let your Faculty Chair and/or the Provost know.

Thank you for taking the time to read this message in full. If you have any questions, please don't hesitate to email Claire Duffy, our administrator, on administrator@warwickucu.org.uk

Warwick UCU