

Important information for UCU Members at Warwick University

Your union on campus

January 2017

Editorial message to members

Dear Members

Welcome to the first UCU newsletter of 2017. It won't have escaped your notice that 2016 has been a year of great change and some surprises, on the world stage and also within the Higher Education sector. Last term was an exceptionally busy time for UCU and this newsletter reports on some of these events and also looks forward to what is happening at the start of this year.

Following a consultative ballot of members, last term saw the end of the industrial action which had been called by our union in relation to the pay offer, the gender wage gap and the increased casualization of our sector. We would like to thank all members for their support in this action. In November 2016, Paul Bridge, UCU Head of Higher Education sent a message to members outlining plans to continue campaigning on the latter two issues via "nationally backed local claims". Further information on how the branch is responding to this is detailed below.

On a more positive note, following the occupation of the Slate Building last term, the university has committed to extending the recognition agreement to cover hourly paid teaching staff and to removing the injunction put in place following the disgraceful events of December 2014. And while the students' demand that the university opt out of TEF did not achieve the ultimate result, we should be encouraged by the Vice Chancellor's statement on TEF and the Higher Education and Research Bill.

As we look forward to the coming term, locally, the university has announced that it wishes to conduct a consultation on the statutory instruments. This is very, very troubling. The University Statutes enshrine certain employment protections for academic and teaching staff, and any attempt to change them should be viewed as an assault on the terms and conditions of members' employment at the university. Further details about these scandalous proposals and what UCU are doing about them can be found below.

The NUS boycott of the National Student Survey is currently underway and in line with UCU policy, we are asking members to assist Warwick SU in getting the message out about why this boycott is so important. The UCU webpage contains a joint NUS/UCU statement and some FAQs outlining how to take effective action within the bounds of your contract. The NSS is due to open on 6 February.

We hope that you find this newsletter informative, and if you want to get involved in any of the actions around any of these issues or if you have comments, please email our administrator Claire Duffy (administrator@warwickucu.org.uk)

**Don't miss the next Branch
Committee Meeting**

2nd Wednesday of every Month

Contact

**administrator@warwickucu.org.uk
for details**

Attack on Statute 24 and Ordinances 19-22 aka “Review of University Governing Instruments”.

Management are proposing to abolish all sixteen pages of Statute 24, except for the first paragraph, together with the four related Ordinances (19-22). Why does this matter?

Because, in one fell swoop, it will strip away the legal protection against redundancy and dismissal for reasons of discipline or incapacity that all academic/teaching staff have benefitted from since the University was founded. The Insite message from the Vice Chancellor, issued just before Christmas, and entitled “[Review of University Governing Instruments](#)” gives the impression the review will be a minor tidying-up exercise - bringing the instruments into line with current employment law – and that trade union support will be sought for the proposed changes. Nothing could be further from the truth. What is being proposed constitutes a radical reconfiguring of the relationship between academic/teaching staff and their employer, and the so-called trade union consultation is set to last just over a month. If the campus trade unions do not agree to the proposed changes, management will press ahead, regardless, and seek Council ratification on 17 May, 2017.

It is true that the first paragraph of Statute 24 (on academic freedom) is to be retained. However, the next 16 pages are to be removed along with Ordinances 19, 20, 21 and 22 – relating to Grievance, Disciplinary, Redundancy and Sickness Absence. These are legally-binding documents that cannot be changed on a whim. By contrast, the university procedures that will replace them can be altered whenever management feels like it. In the drafts that we have seen, academic freedom will be stymied by a definition of gross misconduct that includes anything “that could damage the reputation of the university”. The Academic Redundancy Committee will be abolished and its powers given to Heads of Department and/or HR. Heads of Department will also be able to dismiss grievances, as trivial, without them ever reaching the Vice Chancellor, let alone Council. For sure, many Heads of Department do a good job in difficult circumstances, but few of them have the requisite understanding of employment law and a handful of them are positively Machiavellian. With the greatest respect, giving them this level of power is counter-productive, especially when the existing structures could be maintained and modified, where needed.

Academic/teaching staff do have better employment protection than other staff, but if the university want everyone to have the same terms and conditions, they should be levelling things up, not down. As a branch, we cannot accept proposals that will make it easier for management to discipline and dismiss staff yet harder for members to win grievances.

Other universities have also sought to dilute the employment protections for their staff, and a number of approaches can be seen. At some institutions, changes have been jointly agreed with trade unions, but, at others, the local branch has gone into dispute. Members of Warwick UCU’s committee are working with Regional and Head Office to resist these changes and to secure the best result for our members.

Further communications will follow. To repeat: ***this is an attack on our employment protections and UCU members must stand together to fight these proposals.***

Please look out for these further updates, and if you want to turn anger into action, get in touch by emailing Claire Duffy.

The Prevent Duty and Universities

On 15 October 2016, some staff and students organized a hugely informative one-day conference on the Prevent Duty and universities, prompted by the growing racism and xenophobia that has been unleashed in the wake of June's EU referendum outcome. Whilst Prevent, the 'soft' side of the government's counter-terrorism strategy, has been around since 2005, it is only since 2015 that universities, schools and other public bodies have a statutory duty to 'prevent people from being drawn into terrorism'. Towards that end, all universities are now required to draw up procedures and policies for managing external speakers and campus events, engaging with police and regional Prevent coordinators, providing staff training, managing the use of prayer rooms and IT usage (for further details see the UK government [Prevent Duty Guidance for Higher Education](#)).

The day was divided into 3 sessions: Session 1, 'What Do We Know?', provided an overview of Prevent and how it is being implemented in universities; Session 2, 'What Do We Think?', presented analyses and evaluations of Prevent from student unions and the National Union of Teachers; Session 3, 'What Do We Do?' presented information on campaigns against Prevent by NUS and UCU. The event included ample time for discussion, strategizing as well as hearing testimonials from individuals affected by Prevent.

The speakers highlighted how Prevent is problematic for a number of reasons. First and foremost, Prevent is racist, targeting and criminalizing Muslims. Since the introduction of the Prevent Duty, referrals to the government's 'deradicalization' programme called Channel have increased almost threefold, more than half of whom are Muslims. Moreover, the vagueness of the language of Prevent functions to create a wider culture of racism and suspicion, reinforcing already existing prejudices in society.

Moreover, the effects of Prevent go beyond Muslims to pathologize dissent more broadly. The vague definitions of 'extremism' and 'non-violent extremism' could conceivably include any public criticisms of government policies and laws. Even anti-fracking activists have been targeted by counter-terrorism police.

In addition, Prevent functions to undermine relationships of trust on campus by encouraging staff to be suspicious of students and increasing feelings of alienation and stigmatization amongst Muslim students and students of colour.

Meanwhile, there is no substantial evidence that Prevent works to prevent radicalization and it may actually be counter-productive, closing down debates around 'controversial' or 'sensitive' political issues and leading Muslims and people of colour to self-censor and disengage.

The Prevent Duty has been opposed by UCU, NUS and the National Union of Teachers. At the University of Warwick, a well-attended assembly meeting in March 2016 overwhelmingly passed a UCU Warwick-proposed motion calling on the University to engage with staff and students with regard to its proposed implementation plans and to comply with Prevent only to the minimal extent required by law, as well as calling on the VC to release a public statement opposing Prevent.

Until now, the university has created a Prevent Reference Group of staff and students to monitor the implementation of the Prevent Duty 'so that its manifestation is always appropriate and in-line with Warwick's commitments to equality, non-discrimination and academic freedom'. However, what this conference demonstrated is that the underpinning assumptions of Prevent and its insidious nature make it impossible to reconcile it with core academic values and civil rights. Therefore, it is crucial that we take a stand and step up our efforts to overturn the Prevent Duty and to pressure vice chancellors to publicly oppose it for the sake of our universities.

Gender pay and anti-casualisation claims

Following the decision to stop industrial action UCU head office have provided branches further guidance on lodging gender pay and anti-casualisation claims – in line with the strategy of exerting pressure at the institutional level.

Warwick UCU committee are working with Regional Office in order to develop the elements of both claims. While the commitment from the university to extend formal union recognition to casualised staff is a belated step in the right direction, the claim will look to support this recognition through a series of key outcomes.

In relation to the gender pay gap, the new Provost's [first executive blog](#), did little to suggest that the university was taking the gender pay gap seriously, noting that there were insignificant differences between female and male pay for all grades except 2 and 9– and the extent to which it did show concern, it was more about 'glass ceilings' rather than 'sticky floors'. The main problem, of course, was that the analysis gave no account of the numbers of men and women in each of the grades – we would expect that within grades pay would be largely equal – that is why we have grading, but the key issue is of course who gets appointed or promoted to which grade. The Provost's blog did however suggest a greater commitment to monitoring and this is one element which will be followed up with the branch claim.

NSS Boycott

As noted in the last newsletter, one of the policies adopted by the Students' Union, both nationally and at Warwick, is [the boycott of the National Student Survey \(NSS\)](#). The NSS is one of the quantitative metrics which will be used to generate TEF scores. UCU also has national policy opposing the TEF and recently issued a joint statement in [support of the boycott](#).

Staff may be asked by their HoDs or line manager to publicise the NSS, and this may be considered a reasonable legal instruction. We also need to be sensitive to the fact that some staff have promoting NSS written into their job descriptions. Notwithstanding these points, Warwick UCU is writing to all HoDs to remind them of the UCU and SU stance. We encourage members to support the SU's position by allowing students to address lectures – say 5 minutes at the start or end – and to display/distribute materials. Similarly, if staff are asked to promote the NSS, they should make students aware of the alternative position being taken by the SU (as detailed [here](#)) and of their on-going right to opt-out. Students who choose to do this must not be contacted about NSS completion thereafter. In light of this, staff should refrain from sending emails to individuals or groups until their Head of Department or line manager can guarantee that none of the addresses has exercised their right to opt-out. All of these staff actions are consistent with [the UCU guidance](#)

NSS goes live in early February. Please support students in their activities in the run up to the launch and until the NSS closes.

You don't need to face it alone

If you're facing problems associated with your employment at Warwick and are a UCU member, you can rely on our help. We have a team of personal caseworkers, all volunteers, who are trained to provide support, advice and representation on a range of issues from contract renewal to potential disciplinary action or harassment. If you are being disciplined, or taking a grievance against another member of staff, you have a legal right to be accompanied by a union representative.

If you find yourself in this situation and would like to speak, in confidence, to one of our caseworkers, email Claire Duffy (administrator@warwickucu.org.uk)

Democratic Deficit within the University – opposition to TEF

Our recent newsletter gave an update on the fight against TEF. To recap, TEF is one element of the Higher Education and Research Bill, which, if passed, will have far reaching and deleterious effects on higher education through the imposition of a market-based consumer model of education. UCU has national policy opposing the HE bill and the implementation of TEF. Indeed, even those who are in favour of TEF for the rewards which it might distribute know that it will do little to raise teaching quality; the reason why it's being rolled out is to combat the apparently 'lamentable' teaching in HE. When our Vice-Chancellor hosted an all staff meeting on 26 October, 2016, he himself [noted](#) that TEF wasn't about teaching and certainly wasn't about excellence.

There's no doubt that the University has tried to control the discourse relating to TEF – inflating the risks of non-participation and misrepresenting the timetable for opting in. Equally seriously, the democratic structures and processes which we and other TEF opponents have used, have found to be lacking. The SU sabbatical officers managed to call an extraordinary meeting of the Senate on 9 November, 2016 on the issue of the TEF since the University failed to put it on the agenda at a scheduled Senate meeting. UCU do not have representation on Senate.

Although the University agreed to debate TEF at Senate, it withheld relevant papers from Senate members relating to the TEF which the SU had asked for; it only offered to facilitate an extraordinary meeting at short notice and the views of one member of the Assembly, who was unable to attend but requested that their opposition to be noted, were also not shared by the Secretariat during the discussions. Finally, the Vice Chancellor as Chair of the Senate, refused to call a vote within the meeting on whether to opt into the TEF.

And although the Assembly voted overwhelmingly against TEF, [on 11 March 2016](#), only one of the six Assembly-appointed Senate members voiced any opposition to TEF – though this was through correspondence which was regrettably not shared.

The University continues to suggest that, although TEF is far from perfect, the risks of non-participation would be huge, particularly in relation to being able to recruit overseas students.

What the university sector is doing by falling into line is sending a message to government that any opposition to unpopular reforms can be vanquished by vague, unspecified nods to limiting overseas students, with the accompanying consequences which that would bring for funding.

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Join your union online at: www.ucu.org.uk/join

University of Warwick Green Ranking: Improvements but much more to be done

It's welcome news indeed that Warwick has substantially improved its Green Ranking as issued by the organization *People & Planet*. The university has made a concerted effort at meeting auditing and reporting requirements since the previous survey, and its commitments regarding carbon management and reduction, as well as the highlighting of staff accountable for sustainability targets, are especially noteworthy. Warwick scores 50.8% overall in 2016, tied for 34th place among all British universities and 7th among its Russell Group peers; this compares with a score of 28% and 129th out of 151 institutions in 2015.

The seriousness with which the university has addressed the survey this year is to be commended. UCU notes, however, that Warwick continues to score 0% on Workers' Rights, which measures the degree to which an institution behaves responsibly to those it employs and those who work in its supply chains. Criteria for this measure include status as a Living Wage accredited employer, certification as a Fair Trade organization and improvement in workers' rights in the university's ITC supply chain by working with Electronics Watch. As the representative body for academic and professional workers on campus, we strongly urge the administration to take steps to meet these challenges; the Living Wage, in particular, has played a central role in recent union campaigns and should be axiomatic for any institution of higher learning.

We also note that, while the university has made the welcome pledge to divest from all fossil fuels, it has not disclosed how much of its research funding goes into or is derived from fossil fuel industries – information that 21 out of 23 Russell Group universities have made available. It is essential, in order to meet national and global emissions targets, that our universities promote alternatives to fossil fuels in practice as well as policy.

Much of the university's improvement in the *People & Planet* rankings comes from establishing guidelines for creating a sustainable institution. This is an important first step. To make good upon its pledges with respect to climate change and environmental justice, Warwick must now set out specific action plans for meeting its announced targets and put them into practice. We invite all members of the university, from every department, to join us in addressing this most urgent of challenges.

Warwick Historians against racism

Members of Warwick's History Department have written a statement expressing their concern at the increased instances of racism following the result of the referendum on EU membership.

You can read the full statement at <https://www.opendemocracy.net/can-europe-make-it/warwick-historians/bigotry-seeks-company-in-uk>

In Other News

A USS pensions officer meeting is scheduled for 25 January at which our branch will be represented. At time of publishing, we do not have a report of the meeting, but that will follow for the next newsletter. The meeting will focus on the calculation of the value of the pension fund. Based on the 2014 assumptions, the scheme is showing a substantial deficit. USS are however saying they are going back to first principles for the 2017 assumptions. UCU nationally has been highlighting the problems with the current methodology and assumptions which we believe inflate the deficit due to the use of gilts which are at a historical low. As you may know, the University of Warwick were in broad agreement with UCU on this in 2014 and we believe that they are still maintaining a similar position. UCU continue to try to convince other employers to examine this position. We provide further updates in due course.

Calling non-academic members!

We want this newsletter to speak to all members, not only academics. If there's something we're missing, get in touch!