

UNIVERSITY OF WARWICK

ASSEMBLY

OPEN MINUTES OF THE MEETING HELD 14:30, WEDNESDAY 10 OCTOBER 2018

IN RAMPHAL R0.21

| Ref | Item | |
|----------------|---|---|
| Present | Professor Stuart Croft | Vice-Chancellor (Chair) |
| | Professor Chris Ennew | Provost |
| | Sharon Tuersley | Secretary to Council (Secretary) |
| | Sophie Black | Assistant Registrar (Governance) (Assistant Secretary) |
| | Kelly Dixon | Administrative Officer (Governance) (Assistant Secretary) |
| | Members of the Assembly (243 members present including the above-listed) | |
| 001 | <p>Confirmation of Quoracy</p> <p>The Assembly was declared quorate based on there being more than 50 members present, as required in the Standing Orders.</p> | |
| 002 | <p>Assembly Representation on the Senate</p> <p>Nominations were invited for one non-professorial academic member of the Assembly to serve on the Senate through to 31 July 2021, with any nominations requested to be sent to senate@warwick.ac.uk by 12 noon on 24 October 2018.</p> | |
| 003 | <p>Chair's Business</p> <p>The Assembly noted that the agenda, the motion being brought forward and associated documents had been made available to members online via insite since the announcement of the Assembly meeting on 1 October 2018. The meeting was being held to consider a motion put forward to reform the University of Warwick's Employment Statute (Statute 24).</p> | |
| 004 | <p>Conflicts of interest</p> <p>No conflicts of interest were declared.</p> | |
| 005 | <p>Standing Orders of the Assembly</p> <p>A number of key points from the Assembly's Standing Orders were highlighted as follows:</p> <ul style="list-style-type: none"> • The Assembly was not a decision-making body of the University, but could make recommendations to the Council and to the Senate. • Members were invited to address the Chair, raising their hand if they wished to speak; speaking only when invited to by the Chair; and speaking not more than twice on any question, other than to speak on a point of order, information or clarification of a point they had previously raised. • The Chair's decision was final. • The meeting was a forum for debate amongst the members of the Assembly and as such the Vice-Chancellor, as Chair of the Assembly, would not be responding to questions. | |
| 006 | <p>Motion to the Assembly: Reforming the University of Warwick Employment Statute (Statute 24)</p> <p>The Assembly received the motion to reform the University of Warwick Employment Statute (Statute 24) (006-A181010) together with the following associated documents:</p> <ul style="list-style-type: none"> (a) Final Report from the Senate Sub-Group on Statute 24 (Appendix 1) (b) Provisional revisions to Statute and Ordinance (Appendix 2) (c) Provisional revisions to Grievance Policy and Procedure (Appendix 3) (d) Provisional revisions to Redundancy Policy and Procedure (Appendix 4) (e) Provisional revisions to Sickness Absence Policy and Procedure (Appendix 5) | |

(f) Provisional revisions to Disciplinary Policy and Procedure (Appendix 6)

The Provost, as Proposer, introduced the key points of the motion as follows:

- Proposals to reform the University employment Statute (currently Statute 24) aimed to simplify out-of-date employment processes, ensure a common policy framework for all University staff (with differentiation only in exceptional circumstances) and move detail from Ordinance into Policy.
- A commitment to the protection of academic freedom was being retained within Statute and further enhanced by the proposal by the Senate Sub-Group to establish the Academic Freedom Review Committee (AFRC), which would allow for any potential infringement of academic freedom to be tested prior to any disciplinary or redundancy process commencing.
- As part of the proposals, Council would have responsibility for recommending redundancies affecting an academic area.
- Statute had been simplified and now included an explicit commitment to the protection of academic freedom and the reduction of casualisation.
- The process for implementing a review of academic freedom was reflected in the revised Ordinance and was in line with legislative requirements.
- The University's employment policies, which had applied for some time to administrative and support staff, had been revised and improved in consultation with the Trades Unions, for example, by introducing enhanced redundancy pay and reviewing sick leave timescales.
- It was acknowledged that while positive feedback had been received from the Trades Unions in relation to the current proposed draft employment policies, the policies had yet to be considered by national and regional bodies, with a further round of review likely.
- The Assembly was being invited to support the motion to endorse an enhancement of the University's commitment to academic freedom in the context of a shared set of policies protecting all staff, which included a number of proposals as detailed in 006-A181010.

The Vice-Chancellor opened the debate to the Assembly, with key points raised as follows:

- A point of clarification was requested on the definition of academic freedom, namely the right of academics to use their skills and expertise to challenge accepted views, even where this view could be considered controversial or unpopular. It was noted that without academic freedom and therefore the right to challenge, it was not possible to advance knowledge.
- In acknowledgement of concerns amongst the academic community that employment processes would potentially be used to target individuals who published controversial or unpopular viewpoints, it was highlighted that the AFRC, a committee of the Senate, would be responsible for reviewing cases of alleged infringement of academic freedom.
- In instances of allegation of gross misconduct, even where reputational damage was a potential consequence of publishing controversial academic work, an individual would have the right to request an academic freedom review by the AFRC.
- In response to concern that the motion was being considered with rapidity and in advance of final approval being received for policy change, it was noted that Statute 24 had been under review for 22 months, with proposals open to consultation in May 2017 and June 2018. Agreement had been reached with all Trades Unions with the exception of UCU.
- The UCU sought to remind the Assembly that the Senate Sub-Group had been established after previous revisions to Statute and Ordinance were not accepted by the Assembly in December 2016. Furthermore, the Assembly had not been provided with final versions of the Statutes and policies and that this should be considered when voting.
- Whilst minor revisions to Statute and employment policies were welcomed, there was concern expressed over whether more major revisions would be made without consultation taking place with the Assembly.

- It was noted that whilst the University was taking a positive approach to reducing casualisation, there was a need to strengthen this commitment and to reduce fixed term contracts in favour of open contracts, which offered increased job assurance and protection of academic freedom. It was noted that University employment policy might include improved assurance regarding reduced casualisation.
- It was clarified that the Assembly was not a decision making body and that approval was not being sought for the proposed revisions to Statute and University policy. Rather, members of the Assembly were being invited to vote on an integral package of reforms to the University's employment framework that offered enhanced protection of academic freedom and improved employment policy for all staff, as requested by the Council.

DECISION:

The Assembly endorsed the final report from the Senate Sub-Group, Appendix 1 (S.54/17-18), and associated proposals (128 votes for, 61 votes against and 35 abstentions).

The Vice-Chancellor extended thanks to all of those involved in the ongoing process to reform Statute 24 and formally closed the meeting.

Close: 15:15

There are no further meetings of the Assembly currently scheduled