



Ms Sarah Alleemudder,
Bloch, Professor Steph

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5 REFORM OF STATUTE 18 [AB Min.68, 5.7.12]

Noted:

- 5.1 At AB 1-6 (12-13) a briefing note on progress in the development of proposals for the reform of Statute 18, introduced by the Provost and Professor Anthony Finkelstein, Dean of the Faculty of Engineering Sciences.

Reported:

- 5.2 The Provost noted that reform of Statute 18 had been discussed at AB meetings on 23 May and 10 July 2012. He drew the attention of AB to the following minute of the special AB meeting of 10 July [*Minute 38.13, 2011-12*]:

Having verified that all AB members who wished to speak had done so, the Provost thanked AB for a useful discussion and confirmed that he would now reflect on the feedback with a view to working out a way forward. He noted in particular the support for the idea of a standing committee of the Council charged with protecting academic freedom. It would be necessary to liaise with HR colleagues and legal advisors concerning the legal implications of suggestions raised at the meeting, and to consult with Trade Unions on the detail of some of these suggestions. Consideration would then be given to extending the consultation period.

The Provost then invited Professor Finkelstein to update AB on progress since the 10 July meeting.

- 5.3 Professor Finkelstein noted that it was clear from the discussions at the May and July meetings of AB that the original proposals for the reform of Statute 18 required further thought and development. Following the July meeting, it had been agreed to extend the consultation process (it had originally been intended to submit proposals for the reform of Statute 18 to Council at its meeting on 1 October 2012) in particular to allow time for reflection on the suggestion that a committee of Council be established with the remit to protect academic freedom. This further period of consultation had included extensive consultation with the campus Trade Unions and had resulted in the revised proposals now before AB. Although acceptance of those proposals had seemed to have been reached with Trade Union representatives at the last consultation meeting, they had subsequently been rejected at a vote of UCU members, which was disappointing in view of the positive discussions that had taken place.

- 5.4 The Provost reiterated that there had been discussion of the reform of Statute 18 at the May and July meetings of AB, that the consultation period had been extended that t. o6 S

Orders which had been referred to related to the requisitioning of a Special Meeting by a minimum of ten AB members, not for the placing of a new item on an agenda that had already been approved and circulated.

- 5.6 The Provost then invited members of the Board to comment on the substance of the revised proposals at AB 1-6 (12-13).
- 5.7 Individual AB members raised a number of specific concerns relating to the role of the Standing Committee on Academic Freedom (SCAF) as set out in the proposed Statute, including:
- that its remit would be purely advisory. Some AB members requested that the findings of the SCAF be regarded as binding. It was noted in response that this would not be possible as decisions might reflect wider issues than academic freedom alone, all of which would need to be taken into account in any particular case;
 - that the SCAF would only be established, in the case of a panel potentially leading to individual redundancy, dismissal or loss of academic privileges, at the request of the Chair of the panel concerned;
 - that, in the case of an Organisational Change Procedure involving redundancy, the SCAF would only be established in the event of an objection on the grounds of academic freedom not being resolved in consultation with the Trade Unions. It was noted in response that the Trade Unions would have the option of referring the matter to the SCAF;
 - that the responsibilities of the SCAF extended only to the specific provisions relating to academic freedom outlined in paragraph 4(i) of the proposed Statute. Professor Finkelstein noted in response that the SCAF would not hear the full circumstances of a particular case and therefore could do no more than act in an advisory capacity on the issue of academic freedom; to suggest that the SCAF should itself hear the case in question was to usurp the function of the disciplinary (*etc*) panel, provision for which was made elsewhere in UCL's procedures.
- 5.8 Concern was expressed about the removal from Statute of an explicit right to legal representation. Professor Finkelstein explained that, in accordance with ACAS guidance, which should be followed by UCL, formal legal representation was not appropriate at grievance and redundancy hearings, as the exposure of staff to cross-examination by a professional lawyer, possibly an experienced QC, retained by the institution was thought unlikely to be constructive. Although there was an expectation of union representation, it was noted by a member of AB that staff going through this process would not necessarily be members of a union and that they should, therefore, have a right to have a legal representative present at a hearing to offer legal advice. Professor Finkelstein confirmed that all staff have the right to seek legal advice in preparing their case. The issue would certainly be taken seriously if AB was to take the view that further clarification would be of assistance.

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paragraph 6^[1]. Professor Finkelstein noted that, whereas cases of redundancy in respect of ‘core’ academic staff were extremely rare, HEIs regularly needed to make new research staff redundant as their funding ended; it was therefore necessary to ensure that there was an expeditious process for dealing with that situation.

- 5.10 An AB member suggested that one of the major concerns expressed at the meeting on 10 July 2012, namely the perceived change to the relationship between academic staff and the Head of Department under the proposals [AB Minute 38.7, 2011-12], had not been addressed. Members also raised the issues of the potential for open-ended delay of the process while legal advice was taken, and the lack of a built-in appeals procedure.
- 5.11 An AB member drew the attention of the Board to the Statutory responsibility of AB to ‘consider and advise the Council upon the conditions and tenure of appointment of Members of the Academic Staff’ (Statute 7). Although the latest draft was the result of an extended period of consultation, it was suggested that the draft was fundamentally different from previous drafts and so required a level of detailed consideration by AB members that had not been possible in the time available. A new member of AB noted that she, and other new members, had not been involved in the discussions at the May and July meetings about the reform of Statute 18 and would welcome more time in which to consider the latest proposals.
- 5.12 The Medical and Postgraduate Students’ Officer of the UCL Union commented that, from a student perspective, UCL’s reputation had been built up by its academic staff. If the Provost and senior management were to proceed with taking the proposed reforms to Council in light of the lack of support from the UCU members and from AB itself, then this could result in students losing respect for UCL’s senior management team.
- 5.13 The acting convenor of the non-professorial academic group had been requested by the group to propose to AB that the current proposals for the reform of Statute 18 be discarded and that the process should begin afresh.
- 5.14 The Provost noted that given the constructive discussions which had taken place over the summer with the representatives of the campus Trade Unions, it had been hoped that the revised proposals before AB would be broadly acceptable. However, in light of the comments expressed during the meeting, the Provost invited AB to consider two propositions: (1) that the current proposals be rejected and the process of reforming Statute 18 be abandoned, and (2) that further consultation take place on the latest proposals. In order to gauge the mood of the meeting, the Provost asked for a show of hands on the two propositions. Following a show of hands, the Provost noted AB’s view that there should be further consultation on the revised proposals and that in light of that he would reflect further on next steps. The Provost also reminded colleagues that under its Standing Orders there was a provision for members to call a special meeting of AB.

^[1] ‘Professors, Readers, Senior Lecturers, Senior Clinical Lecturers, Lecturers, Clinical Lecturers or persons holding any other appointment (other than an honorary appointment) designated as an appointment on the Academic Staff of UCL by the Council’.

6 NATIONAL STUDENT SURVEY

Noted:

- 6.1 An oral report and presentation (saved with these Minutes as AB 1-13 (12-13)) by Professor Anthony Smith, Vice-Provost (Education), on UCL's performance in the 2012 NSS, including action that could be taken by departments, faculties and UCL institutionally on the issues raised by UCL's students.

Reported:

- 6.2 Professor Smith drew AB's attention to the aim in the White Paper³ to 'aim to be in the top three institutions in the country for all measures of educational excellence, including retention, value added, student satisfaction and employability'. UCL was ranked 73rd in the UK in the NSS 2012, 15th in London and 20th in the Russell Group. This declining position had already had a negative impact in terms of the Sunday Times university tables, in which UCL had fallen from 7th to 13th place in 2011.

9 FACULTIES AND ACADEMIC UNITS OF UCL

Noted:

- 9.1 Proposals for the establishment of academic units of UCL as set out in the note at AB 1-7 12-13).

RECOMMENDED – to Council

- 9.2 That, in accordance with Statute 10(1), the following proposals for the establishment of academic units of UCL be approved:
- That the Institute for Global Health be established as an academic unit of UCL within the Faculty of Population Health Sciences, with effect from 1 January 2013.
 - That (i) the MRC Cell Biology Unit transfer to UCL and be established as an academic unit of UCL (to be called the MRC Laboratory for Molecular Cell Biology) within the Faculty of Life Sciences with effect from 1 April 2013, and (ii) the MRC Clinical Trials Unit be established as an academic unit of UCL within the Faculty of Population Health Sciences, with effect from 1 August 2013.

10 LIBRARY COMMITTEE – ANNUAL REPORT

Noted:

- 10.1 At AB 1-8 (12-13) the annual report of the Library Committee for session 2011-12.

RECOMMENDED – to Council

Annual report 2011-12 of the Library Committee

Noted:

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13 ACTION TAKEN BY THE CHAIR ON BEHALF OF ACADEMIC BOARD

Noted:

13.1 The Chair had taken action on behalf of AB to approve:

- the renaming of the Chair of Biomaterials as the Bonfield Chair of Biomaterials;
- the appointment of Professor Lisa Jardine to the Chair of Renaissance Studies;
- the appointment of Professor Ralf Stanewsky to the Chair of Drosophila Molecular Genetics;
- the establishment of the Chilver Chair of Civil Engineering.

13A Academic Board Working Groups on Established Chairs and Readerships tenable at UCL

Noted:

13A.1 The Chair had taken action on behalf of AB to approve the membership of the AB Working Groups on established Chairs and Readerships tenable at UCL listed at * AB 1-10 (12-13).

14 APPOINTMENT OF PRO-PROVOSTS

Noted:

14.1 In support of UCL's International Strategy, applications had been invited by the Vice-Provost (International), Professor Michael Worton, for the two posts of Pro-Provost for Europe, the Caucasus and Central Asia and Pro-Provost for Africa and Middle East. Further details were at AB 1-11 (12-13) and were also available at <http://www.ucl.ac.uk/global/contact-us/pro-provost-vacancies>.

15 DATE OF NEXT MEETING

Noted:

15.1 The next meeting of AB was scheduled for **Wednesday 20 February 2013 at 4.00pm** in the **Christopher Ingold XLG2 Auditorium, Chemistry Building**.

JASON CLARKE

Secretary to Academic Board

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[telephone 020 7679 8594; internal extension 28594; e-mail – jason.clarke@ucl.ac.uk]