REPORT OF DISCUSSION

Tuesday, 7 July 2020

Following the suspension of Discussions in the Senate-House in response to government advice during the coronavirus pandemic, the Council agreed to permit Discussion remarks to instead be made by written submission (Reporter, 2019–20, 6584, p. 449).

Written submissions were received as follows:

Joint Report of the Council and the General Board, dated 23 June 2020, on a revised fitness to practise procedure

(Reporter, 6586, 2019–20, p. 478).

No remarks were made on this Report.

Joint Report of the Council and the General Board, dated 23 June 2020, on a revised fitness to study procedure (Procedure to Support and Assess Capability to Study)


No remarks were made on this Report.

Joint Report of the Council and the General Board, dated 23 June 2020, on revised probationary arrangements for academic and academic-related staff

(Reporter, 6586, 2019–20, p. 495).

No remarks were made on this Report.


Professor D. A. CARDWELL (Pro-Vice-Chancellor for Strategy and Planning, Faculty of Engineering, and Fitzwilliam College):

Vice-Chancellor, in my capacity as Chair of the Planning and Resources Committee, I commend this Report to the University. The Report’s recommendations will provide essential breathing space to allow work to take place over the summer and as we understand further the short-term and longer-term financial implications of COVID-19. A second Report informed by that work will be published in early Michaelmas Term and supersede this first Report.

I also take this opportunity to respond to Dr Cowley’s partial note of dissent on the Report.

The University has employed a devolved Budget-setting process for many years based on Chest allocations to Schools and Non-School Institutions (NSIs, including the UAS). It is considered widely that this repeat-cycle process adds very limited value to the effective operation of the University, it is resource-intensive and its focus, the Chest allocation, does not correlate with underlying costs. A broad consultation with Heads of Institution in 2018–19 indicated a clear desire to re-focus finite School and NSI resources on developing academic strategy and planning work that would guide our approach to addressing the acknowledged – pre-COVID-19 – structural deficit through embryonic Surplus Improvement Plans and improvements in operational effectiveness at the level of individual Schools, Departments and Faculties and in the NSIs. As a result, the Planning and Resources Committee (PRC),
at its meeting of 26 June 2019 and the Finance Committee at its meeting of 10 July 2019 both approved a new, light touch approach (pre-COVID-19) to the planning round based on input to the 2018–19 Planning Round.

Finance Committee also approved separately at its meeting of 10 July 2019 a transition to a financially transparent Budget Report based on actual income and expenditure. This was a move away from the approach used in recent years under which the annual Budget was set by making minor modifications to historical Chest baseline allocations.

Finance Committee further approved at its meeting of 4 March 2020 the alignment of the Budget to the forecast of the 10-year financial model. This revised approach was based primarily on the need to focus, in the Budget, on the operating cash flow of the academic University. Furthermore, the financial forecast of the 10-year model is based on published prior-year actual revenues and costs, which provides a more comprehensive and transparent financial foundation for the Budget Report than the legacy Planning Round approach. This decision was informed by a detailed presentation to Finance Committee on the 10-year financial model by the Chief Financial Officer on 12 February 2020 and it supersedes a previous decision by Finance Committee in July 2019 to align the Budget to the 2018–19 Budget Report forecast. Finance Committee requested subsequently at its meeting of 3 June that an appropriate revised target envelope be established, given the cash flow deficit target was no longer realistic post-COVID-19, as noted in the Partial Note of Dissent.

A paper describing a two-stage process to setting the Budget for 2020–21 was presented to, and approved by, PRC at its meeting on 20 May, 2020. The focus of that paper was on the process for setting the Budget; the paper did not intend to seek approval for a specific operating deficit. Recommendation 2(i) in this paper, however, gave the impression that such approval was being sought, and this apparent approval was reflected subsequently in the minutes of the meeting, which were themselves approved by the PRC at its next meeting (24 June). This recommendation is inconsistent with the content of the paper, which states clearly and consistently that major decisions on Budgetary items would be taken over the summer planning period and that significant cost-savings would be included in the final Budget Report presented to Council in October. The confusion over the recommendation in the PRC paper and related minute is regrettable. To be clear, the intention of the PRC paper was not to propose a pre-COVID-19 base budget with a Chest deficit of £43m, or in any way propose to pre-empt difficult operational decisions that still have to be made and the need to reduce the operating deficit of the University.

Lastly, the notion that the University has continued to spend freely despite an increase in forecast Chest deficit is not correct. The University has reviewed its capital expenditure comprehensively over the past 18 months and, pre-COVID, had already reduced its commitment to capital projects by more than £250m. A range of other measures to reduce recurrent and non-recurrent operational expenditure by £20m in 2020–21 are now being developed as part of stage 1 of the 2020–21 Budget process (as outlined above, and consistent with establishing the revised target financial envelope requested by Finance Committee). Further, longer-term annual cost-savings are planned from 2021–22 onwards to reduce annual recurrent expenditure by a further £20m and towards an annual target savings of £40m relative to the 2018–19 Budget Report. Together with parallel plans for further income generation, the intention is that these savings will allow the University to generate a sustainable operating surplus.

Footnotes

1 The recommendation reads: ‘2. As part of a Stage 1 process, the Committee is asked specifically to agree that:(i) Funding is allocated as part of the base budget to meet costs set out in Category 1 [on-going or regulatory activity].’

2 Paragraph 4: In response to the scenario projections, which will evolve over the coming months, the Task Forces will identify and implement a series of management actions to mitigate, to the extent possible, the degradation in the University’s projected financial position.

Paragraph 13: Although some of the proposals in this paper are neutral in the model, others would result in a base Budget for 2020/21 which falls considerably short of that target [set by the Finance Committee] if remedial action is not taken.

Paragraph 28: Stage 2 of the Budget process is intended to achieve an acceptable final Budget for 2020/21 for the start of the Academic year.
Professor G. R. EVANS (Emeritus Professor of Medieval Theology and Intellectual History):

Vice-Chancellor, this Report contains new information on the suspension of normal governance, which does not seem to have been given to the University directly, though surely it should have been. I begin with that.

An ‘Update’ on University governance – not identified as a Notice – appeared in an extraordinary Reporter of 16 April.¹ There the University was told of a delegation of authority by the Council (on 16 March) and the General Board (on 11 March), to the Vice-Chancellor and the Chairs of their dependent committees. There was no mention of the University Emergency Management Plan with its Gold, Silver and Bronze groups in charge of strategy, tactics and operations, though at least a blue link could easily have been added.²

The Update of 16 April further announced that:

- as there is little ordinary committee business (and no consideration of draft Reports and Graces for publication) and there are no Discussions, the publication schedule of the Reporter is also now suspended for the time being.

The reason given for the suspension of Discussions was that it was ‘not currently possible to pursue the University’s usual governance processes’. A different reason was given in the Notice of 17 June, which stated that ‘Discussions in the Senate-House have been suspended in response to government advice’. It now seems Discussions can (it is to be hoped strictly temporarily) be held by email, for here we (electronically) are.

There was a published expectation on 16 April that:

- the current suspension of ordinary committee business and the publication of the Reporter, and the consequential hiatus in the University’s normal governance processes, will be lifted early in the Easter Term.

It was not lifted of course, and after 16 April another Reporter did not appear until 27 May, before the two still ‘extraordinary’ issues appearing a week apart in the second half of June. The suspension of the Reporter was certainly not done on ‘government advice’ and has proved to be a direct impediment to normal governance. Ordinances, p. 103,³ seem to give the Registry some scope about the timing of the Reporter’s publication, but one wonders whether she has been exercising that as Chair of a group which has taken operational control of the University since March or as the University’s Registrar?

At the end of the Easter Term it turned out to be possible – without formally reinstating the regular Reporter – to publish issues on 17 and 24 June which included four Graces (three on 17 June and one on 24 June), though without providing preliminary Reports and Discussions. The second issue contained ten Reports (ten!), some at least of which could surely have been published sooner to enable prospective speakers to consider them more easily individually. University business having been held up for so long should not be hurried now. Who thought that was reasonable?

But then who is making these decisions? Are ‘the University’s usual governance processes’ still ‘suspended’? This Provisional Allocations Report suggests that the power has been handed back to the Council, for it says that ‘the University’s strategic, operational and financial response to the COVID-19 crisis is overseen by the Council’ and that ‘the Council made further decisions on 15 June 2020’. But groups set up under the Emergency Management Plan (?) or perhaps quite other bodies without even that authority still seem to be operating:

- The Council is supported in its work by a Recovery Task Force, which is assessing the potential impact on the University under four scenarios intended to frame and inform the Council’s decision-making.

A ‘Crimson Recovery Taskforce’ was mentioned in the Vice-Chancellor’s Update on 7 May.⁴ Is this the same one? Where does it fit in? Who are the members of these bodies? Who appointed them and on what principles?

The two lists of decisions taken outside normal governance published on 17 and 24 June⁵ do not answer any of these questions about who is now in charge, and whether normal governance has been restored. The Council should surely answer the questions immediately in a Notice, with full details of
any sub-committees operating since March 2020, their remit, membership and mode of appointment, how records have been kept and where those records may be seen.

The important Dissenting Note to this Report strongly suggests that what was already a less-than-rigorous process before COVID-19 arrived has left the University further exposed to risks during this period of suspended normal governance. It includes the hope that ‘the financial sacrifices requested of staff’ may ‘only be used to alleviate the COVID-19-induced deficit, not the underlying structural deficit’.

Lack of information about that seems worrying enough when:

No Non-Chest figures have been provided to the Finance Committee or the Council for the coming year, and nor was a statement of the receipts of the Chest and payments from the Chest during the preceding financial year and a revised estimate of the corresponding figures for the current financial year (both of which are required by Ordinance).

Without full transparency and much more detail about the roles played by those who have taken over the ‘emergency decision-making’ it will be hard to ensure that the Regent House will see precise figures, either for the ‘induced deficit’ of the last few months or for the ‘underlying structural deficit’.

Footnotes

3 Statutes and Ordinances, p. 103.

Dr S. J. COWLEY (Faculty of Mathematics, Emmanuel College and University Council):

Vice-Chancellor, I am a member of the Council, but I speak in a personal capacity. I am the author of the Note of Partial Dissent that argued, inter alia, that the current planning process is broken since ‘there has not been a clear, transparent planning and resource allocations process for the last two/three years, which is a necessity if the University is to manage itself out of the current situation’.

I accept that the budgeting process in Cambridge is neither straightforward nor standard. For example,

- this is partly because this Report refers to allocations rather than expenditure, although in a year’s time the outturn should be reported (unfortunately, for the first time in my memory, a forecast for the outturn for the current year is missing from this Report);
- this is partly because of the division between Chest allocations/expenditure and non-Chest expenditure; and
- this is partly because Cambridge has its own way of doing things.

However, during the eight years I was on the Resource Management Committee, from 2007–14 inclusive, the budgeting process worked. This was in no small part because of two exceptional Pro-Vice-Chancellors for Planning and Resources, namely Professors Minson and Young.

In March 2003, just before Tony Minson was appointed Pro-Vice-Chancellor, an ad hoc Finance Working Party (FWP) had published a report because of increasingly large Chest deficits (in those days there was no non-Chest deficit). The FWP had been established a year earlier since ‘Financial forecasts prepared early in 2002 projected a deficit £11.6m in 2002–03, growing to £24m in 2005–06’, or in terms of RPI-adjusted July 2019 money, deficits of about £19.7m and £40.8m respectively. To quote selectively from the report:

The financial problem is chronic, and cannot be allowed to continue, but it is not so severe as to require the University to be damaged as a consequence of financial recovery.
Some of the problems stem from the University's 'core plus' approach to annual budgeting, in which the baseline expenditure from the previous year is rolled forward with the annual addition of 'New Needs' but without detailed examination of the spending within the baseline; others from the artificial division of funds between the 'Chest' and 'non-Chest'.

A Resource Allocation Model (RAM) is not a solution to this or other problems, but it will provide new incentives and new responsibilities which will help promote the culture change necessary to take a unified approach to the University's finances. The RAM models how income is earned and expenditure incurred and will have to be applied with moderation (that is to say a phased transition from current levels of funding to a new Formula Funding approach).

Anyone who has been in recent meetings of the Finance Committee and the Council will have a distinct sense of déjà vu, other than the magic bullet is no longer the RAM but, according to this Allocations Report, 'a comprehensive Budget process for the Academic University, based on total income and expenditure and tied into a ten-year financial model'. There are rarely magic bullets (although the Government does seem to have discovered a magic money tree recently).

From my perspective, first as a member of the Board of Scrutiny from 2001–05, and then as a member of the Council from 2007–2014, it was not the existence of the RAM that turned the financial position around, but the leadership of Tony Minson and Steve Young. In July 2019 money, the RPI-adjusted outturn of the Chest in Professor Minson's first three years, i.e. 2004–07, was about £42m, in his final three years it was £13m. Then following the financial crash, in the first three years of Professor Young's leadership the accumulated outturn was £0.4m and in the final three years it was £18m.

That is the end of the good news; in the three years 2016–19, the cumulative Chest outturn was £27m. But it is far worse than that. The non-Chest deficit has also spiralled downwards: for 2004–07, 2007–10, 2010–13, 2013–16 and 2016–19 the accumulated non-Chest surpluses were (again in July 2019 money): £6m, £9m, £16m, £8m and £49m. In 2019–20 the Chest Allocations 'surplus' was -£16m and the non-Chest 'surplus' was -£24m. As I outlined in my Partial Note of Dissent, in July 2019 the Finance Committee had agreed that, as a minimum, the Chest deficit be no worse than £17m. Hence, I was gob-smacked when I read in the draft Minutes of the Planning and Resources Committee (PRC) meeting of 20 May 2020 that the PRC had agreed to allocate funding as part of the base budget to meet "category 1" costs as set out in Appendix 2 of PRC 2156, noting that the allowances for additional course costs and soft-funded posts are provisional at this stage.

That was an agreement for a Chest deficit of £38m or, without the allowances for additional course costs and soft-funded posts, a deficit of £28.9m (up from £16m the previous year), and there was no figure for the non-Chest deficit (which was £24m the previous year). Moreover, this is all based on pre-COVID-19 figures. To my mind, given that extra funding will be needed as a result of the COVID-19 crisis, this agreement by the PRC was reckless.

At a Human Resources Committee meeting a month or so ago I was asked where this deficit had come from. That is hard to answer, but large chunks of it were predictable.

- In the Discussion of the Allocations Report on 27 May 2014, I noted that 'I am not objecting to the transfer [of £150m into the Capital Fund, with a resultant £8–10m loss in recurrent income from (suitably invested) reserves], in fact I approve it since we have little choice, having failed to put money away for the biofacilities rainy day. I am objecting to the process by which the Council and the Regent House are being asked to approve matters. There are significant changes happening. Less than two years ago, the Capital Plan was based on a maximum borrowing limit of £100m. That was then raised to £150m. Then the University transferred ... a further £150m from reserves. That is a 200% increase in effective 'borrowing' from £100m to £300m in less than two years. In my opinion there is very little wriggle room left for unexpected expenditure, and that will happen' ... and it has with a vengeance this year.

- In the Discussion of the North Range of buildings on the New Museums site on 25 November 2014, I noted that (emphasis added) 'There are ambitious plans for the redevelopment of the Cavendish Laboratories, a possible move of the Chemistry Laboratories to West Cambridge, and re-development of both the Old Press/Mill Lane and New Museums sites. All of this is desirable, indeed highly desirable. However, funds are limited, and we cannot always do
everything we want; we have to be willing to identify priorities’, ‘insufficient ducks are lined up’, and the University ‘should ensure that [it has] the correctly prioritised funds before embarking on the journey’ … but it does not seem to be doing so.

- In the Discussion of the Allocations Report on 12 June 2018, I noted that ‘A common theme for me is that financial predictions have consistently been too rosy (maybe in the hope of an obtaining approval). Matters need to change, and the quality of forecasts needs to improve. Liam Byrne’s quote of ‘I’m afraid there is no money’, may be putting it too strongly, but the University is facing a period of financial realism’ … but the University does not seem to have realised that yet.

The planning process is broken. For instance, if we go back a couple of years there were planning assumptions that some Schools (including Physical Sciences, which is where Mathematics lies) were idiotic enough to abide by, while others ‘played the system’ and so increased the deficit. The Council has repeatedly agreed expenditure without identifying the source of funds. For instance, the Cambridge Living Wage is an excellent initiative, but the source of funds was not identified. In desperation at the Council I proposed that all those earning above £100k had a pay freeze for one year, which would have raised something close to the necessary £1m (including recurrent). That motion was seconded, but then ruled out-of-order by the Chair. I could rant on.

As one of the University’s Charity Trustees, I have a responsibility to think about the long-term future of the University. To repeat the above quote from March 2003, ‘the financial problem is chronic, and cannot be allowed to continue’. Unfortunately, the May decision of the PRC leaves me unconvinced that, without a change of direction, the financial problems will be addressed.

The change of direction I propose is a U-turn. As it was recently put to me by someone struggling with the current planning process, ‘it is not a good idea to change metrics (from Chest to total) when you are trying to fix a major deficit’. The University had a system that worked. Fortunately, most of the key academic-related staff (both in the Old Schools and in other Intuitions) are still in post from when it was working (and here I declare an interest since my wife is a Secretary of a School). However, as I have repeatedly observed to anyone who would listen over the last couple of years, what is not working is the Resource Management Committee (RMC). inter alia because it not meeting frequently enough. It is the RMC that according to its Terms of Reference should be ‘dealing with the detailed work of resource allocation’, and ‘advising the PRC on allocations for central heads of expenditure’. I am sorry to say that I also think that the necessary leadership is lacking. The University seems to have drifted over the last couple of years, despite the urgency that the Finance Committee tried to inject in July 2019.

If one wants ideas as to how to reduce expenditure and increase income, then a good place to start is the 2003 report of the Finance Working Party (rather than re-inventing the wheel, which seems to have been happening over the last couple of years). The bottom line is that there is almost certainly going to be pain. However, I repeat from my Note of Partial Dissent, ‘it is important that the financial sacrifices requested of staff outlined in paragraph 3 (which of necessity I support), should only be used to alleviate the COVID-19-induced deficit, not the underlying structural deficit’. I am very far from convinced that all those with leading roles in the University have signed up to this.

Footnotes


Report of the Council, dated 23 June 2020, on the period of appointment for members of the Audit Committee


No remarks were made on this Report.
Report of the Council, dated 23 June 2020, on the investment of bond proceeds held for income-generating projects


Professor G. R. EVANS (Emeritus Professor of Medieval Theology and Intellectual History):

Vice-Chancellor, it is worth rereading the Discussion\(^1\) which preceded the Grace of 10 May 2018 for its useful warnings on this plan to use bond proceeds for ‘income-generating projects’. These were given by the two members of the then Council who had dissented from the Report.\(^2\) Those warnings have been largely borne out by events, which is why these changes are now called for. For the purpose of the present Report is to loosen considerably the constraints which were put on the concept of ‘income-generating projects’ at the time. It seems high-risk for the University to start down what looks like a slippery slope in this expenditure. Will there be further loosenings to come?

This appears as the sixth in a list of ten Reports published after the end of term in a single Reporter. The Recommendations in this one are complex and numerous and certainly need time for proper study. This crowding of the agenda seems unnecessarily to add to the risks of compounding what could prove to be a big mistake with that giant Bond.

There is a promise that:

Projects and financial assets in which the Bond proceeds are invested will be monitored under the existing processes for the review and oversight of capital and other projects, with regular reports on the use of the Bond proceeds provided to the Finance Committee.

Can that be relied on? Let me quote again from the Dissenting Note to the Provisional Allocations Report:

No Non-Chest figures have been provided to the Finance Committee or the Council for the coming year, and nor was a statement of the receipts of the Chest and payments from the Chest during the preceding financial year and a revised estimate of the corresponding figures for the current financial year (both of which are required by Ordinance).

Is there to be an attempt to rush this through? Is a Notice to appear in the promised Reporter on 29 July, with Graces published then? Or will the Grace for this Report’s recommendations be published then without even a Notice? That is right up against the limit for such Gracing in this academic year. But perhaps without the protections of its normal governance such considerations can continue to be disregarded?

Footnotes

1. \[\text{http://www.admin.cam.ac.uk/reporter/2017-18/weekly/6505/section12.shtml.}\]
2. \[\text{http://www.admin.cam.ac.uk/reporter/2017-18/weekly/6502/section8.shtml.}\]

Report of the Council, dated 23 June 2020, on changes to Special Ordinance concerning Congregations


Professor G. R. EVANS (Emeritus Professor of Medieval Theology and Intellectual History):

Vice-Chancellor, the great danger when powers are seized in an ‘emergency’ is always that those who have taken possession of them will prove reluctant to hand them back. The latest statement, which I quoted in my remarks on the Provisional Allocations Report, is that the Council is still being ‘supported in its work by a Recovery Task Force’, one of the incarnations of one of the groups or sub-groups formed under the Emergency Management Plan which have not yet been fully listed for the Regent House.

The return of normal Discussions will have to be fought for, or it will be emailed speeches for ever. If the recommendations in this Report are approved, I fear there will also have to be a battle for the return of the requirement that admission to degrees take place at a normal Congregation of the Regent
House. For the Regent House is asked to adjust those requirements to an extraordinary degree in the present Report.

The *Reporter* of 18 March announced that:

The Vice-Chancellor gives notice that the Congregation called for Saturday, 21 March 2020 at 11 a.m. will now be for the approval of Graces and supplicats for degrees only and no admission to degrees in person will take place.¹

The tabulated information published in the *Reporter* of 17 June,² under its section for 27 March, states that 'approval of a Grace and supplicats for degrees' took place 'online and in the absence of the graduands', but in 'the presence of the relevant officers, who [were] located within the Precincts of the University'. Technically there was a Congregation, but one barely recognisable as such.

It was admitted in the 'decisions' list of 17 June that on 25 April and 16 May degrees were 'conferred' when 'no Congregation was held'. That is where the first of the Graces published on 17 June came in, in an attempt to validate retrospectively the degrees allegedly 'conferred by the University' without observing its legislative requirements, and to ensure that future such conferments would also be valid, confirming by Order:³

that each degree conferred on 27 March, 25 April and 16 May 2020 as described in the Council’s Notice dated 17 June 2020 is to be treated as having been a degree validly conferred by the University on those dates and at all times henceforth.

Grace 3 of 17 June sought to create an Ordinance looking forward, suspending ‘certain provisions for a fixed period’, until 31 December 2020. In advance of that, and to provide certainty about the arrangements for the conferment of degrees in the coming weeks’, in his Update 'University Statement' for 27 March the Vice-Chancellor said that ‘we are putting in place exceptional measures that will allow the University to continue conferring degrees’.⁴ At the ‘dates agreed for Congregations’ at the end of the Easter Term at General Admission degrees were thus to be conferred *in absentia* in the confidence that their validity would not be challenged.

That third Grace made changes to the requirements for Supplicats,⁵ to allow for a degree to be conferred ‘on a date and a time to be determined by the Registrar’ (who does not have powers to call a Congregation herself), with the only requirement that she has received ‘the necessary documents’ in time ‘for proper consideration’. That seems to sit lightly to the historic requirements stipulating the content of the assurances to be given (by the College? about the completion of the requirements for the degrees? about the candidate’s residence?). Can one really be sure in present circumstances that a degree will not be conferred without all the proper protections?

In the present Report, the Council begs leave to report to the University ‘in light of the decisions taken in response to the coronavirus (COVID-19) outbreak’. It recommends ‘some changes to Special Ordinance to confirm that Congregations can be held in the event that physical meetings are not possible’. It refers to Special Ordinance A (vii) 3, which ‘enables members of a University body to participate in a meeting by any means of communication which permits all members simultaneously to hear one another, unless expressly excluded’.⁶ That will mean giving degrees by Zoom then?

The Report then lists existing provisions which seem to free things up still further. Special Ordinance A (i) 2 requires degrees to be conferred within the Precincts of the University:⁷

A Congregation took place on 27 March 2020 at which the relevant officers were present via videoconference in (separate) locations within the Precincts of the University and therefore the requirements for a Congregation were met.

Should that prove inconvenient (how defined?), it is proposed that the Precincts shall be deemed ‘exceptionally’ to include ‘any means of communication which permits all those participating simultaneously to hear one another, on such dates and at such times as may be appointed by the Chancellor, Vice-Chancellor or the Council’. As to possible opposition to the Grace necessary to permit the conferment of a degree, Regulation 24 of Ordinance on Graces and Congregations ‘already allows members to give written notice of their intention to oppose a Grace in advance of the Senior Proctor reading out that Grace for approval at a Congregation’.⁸ That will be all right, then.

‘The Council wishes to confirm that these provisions would only be used in circumstances when a physical meeting is not possible’. Will they be used on its behalf under ‘delegated powers’ by one of
those shadowy ‘emergency’ bodies? Should the Regent House currently trust promises when it is not clear whether the Council is back in charge of its own decision-making?

Footnotes

7. Statutes and Ordinances, p. 65.

Report of the General Board, dated 23 June 2020, on Senior Academic Promotions

(Reporter, 6586, 2019–20, p. 519).

Professor G. R. EVANS (Emeritus Professor of Medieval Theology and Intellectual History):

Vice-Chancellor, this annual Report is always painful for those whose names do not appear in it, not because they are not deemed to have ‘performed’ to the required standard but because the General Board has approved the decisions against a criterion of affordability. This point has often been made in Discussions of the Report. Last year the opening speaker made it once more, pointing out that:

the budgetary increase of around 21 per cent in a year-on-year comparison of the estimated total costs of promotion between this year’s and last year’s SAP rounds constitutes a welcome reminder that money can be found if the purpose for which it is spent is judged sufficiently important.

and that:

in relation to the line-drawing exercise that the University has engaged in, we lack sufficiently detailed information on how this year’s unsuccessful applicants were scored to form a view on whether the line was sensibly drawn where it was drawn.¹

For a few years, two decades ago, after a non placet was called on the Allocations Report, it was accepted that rewarding staff must take priority over work on estates matters. A good deal of catching-up became possible. Then the University returned to the policy of limiting the grant of Senior Academic Promotions by affordability.

The financial impact of COVID-19 on the University was considered at the Council’s June meeting, and a Finance Message from the Vice-Chancellor was circulated the next day. It warned of limited ‘use of’ the University’s ‘reward and progression schemes for the academic year 2020/2021’.² This does not bode well for Senior Academic Promotions and will add to the pain of this year’s worthy but disappointed if they are to have no opportunity to apply next year.

The Vice-Chancellor noted that:

The University’s HR Committee has been asked to consider at its extraordinary meeting in July whether, as an alternative to cancelling Academic Careers Pathways 2021, it would be possible to run a "titular" promotion exercise through which a staff member’s title is upgraded, even if not their remuneration.²

Would such titular ‘upgradings’ be to a substantive office? Special Ordinance C (ii) (under Statute C I 2)³ makes it clear that the promotions being Discussed today certainly are:
[3.](c) Where any Statute or Ordinance provides that a University office shall be divided into grades, whether identified by a number or by a specific title, each grade shall, unless otherwise specified in the relevant Statute or Ordinance, be regarded as a separate University office, and promotion from a lower grade to a higher grade within an office which is so divided shall be regarded as appointment to a different office.

That is why there is a Report followed by a Discussion and a Grace each year.

When contracts were first introduced for academic staff some of those promoted refused to sign theirs, disliking some of the provisions they contained. They continued to be paid their previous salaries. I remember pointing out in a Discussion that admission to the new University office was not by signing a contract but by signing the book in the Old Schools. The present Special Ordinance C (ii) still makes that clear:3

4. Unless it is otherwise provided by Statute or Ordinance, every officer shall be admitted to her or his office as soon as may be after the commencement of tenure by subscribing, in a book kept at the Registry, a declaration that the officer will well and faithfully discharge all the duties of the office, and by entering in the book the date of entering upon the office.

5. The stipend of an office shall accrue due to an officer from the commencement of tenure unless he or she fails to enter upon the duties of the office on or before the required date as hereinafter defined. The required date shall be that specified by the electing or appointing body at the time of the election or appointment, etc.

I was given to understand that much signing speedily took place and the higher salaries were duly paid. As a speaker in a later Discussion noted, 'Fortunately there is a happy ending. As Professor Evans noted in an earlier Discussion, get appointed, sign 'the book', and tear up your contract. It works.'4

Naturally those Readers fortunate in the period when the financial barrier was lifted, and many others now reasonably looking to be given Professorships two decades later, are indignant to find themselves disappointed by a financial cut-off point. They would surely be disconcerted to find themselves now confronted either by no procedure at all next year or by a 'titular' promotion which presumably cannot be to a substantive University office. So much for that new Academic Careers Pathway if it proves to be full of unseen sink-holes.

Oxford's Recognition of Distinction is a different matter. Its academic staff cannot hold University offices in the Cambridge way and when the Recognition route to the solution of the academic promotions bottleneck was fixed on there more than twenty years ago the Tutorial Fellow of a College commonly enjoyed a higher salary than a Professor did.

One of the accompanying changes in Oxford was the removal of Congregation's right to approve academic promotions. That shifted to the General Board. Then the General Board was abolished under the North Reforms. Oxford's Recognitions of Distinction (now adding a couple of thousands to the previous salaries of the successful) are currently approved by its Personnel Committee and not by Congregation. Cambridge has retained the principle that appointment to Professorships and Readerships requires the consent of the Regent House. For Cambridge to move to 'titular' substitutes it will have to give the Regent House plenty of time to consider the implications, for it will have to Grace legislative change.

Cambridge's disappointed but deserving candidates this year may like to note that in September 1995 would-be applicants under Oxford's new scheme could read that:

The new policy has been introduced in recognition of the high quality of Oxford's academic staff and of the desirability of recognising distinction more explicitly than in the past. Given that no additional expenditure is involved in the conferment of titles, there is no artificial bar to the number of titles which may be conferred.5

They will no doubt be able to compare notes with Oxford colleagues on the merits of their 'titular' scheme.

Footnotes

Dr S. E. SEBASTIAN (Department of Physics):

Vice-Chancellor, it would be instructive for Cambridge to publish Black and Minority Ethnic (BME) statistics for outcomes of the Senior Academic Promotions (SAP) process. It seems surprising that in the last two years, no BME academics have been promoted to a Professorship in the Physical Sciences. It would be useful to know whether any BME women have been promoted to a Professorship in the Physical Sciences in the history of the University. The time is right for change.

It is welcome that the Academic Career Pathways (ACP) scheme makes an attempt to increase transparency in evaluation, but it does not go far enough. Markers of academic excellence must be well-defined and transparently disclosed to ensure objective promotion procedures that value academic merit. Clearly outlined evaluation methods are needed that combine assessment of intellectual quality by external peers, with quantitative metrics; these support peer review and possibly correct it where individual evaluations are confronted with aggregated data and patterns. This combination of qualitative and quantitative assessment is recommended for instance by the San Francisco Declaration on Research Assessment (DORA), to which the University is a signatory. ‘Peer review judgments (especially in policy related evaluative contexts) that are counter-checked by bibliometric studies are better protected against the operation of ‘old boy networks’ which, in turn, will strengthen the outside credibility of the mechanism’.1

Further, how we define academic excellence needs to be broad enough to enable individuals to present a portfolio of unique strengths, encompassing traditional categories, but allowing for increasingly relevant contributions such as impact on society. Current promotion processes narrowly restrict the parameters of an academic case that can be presented, thus maintaining status quo by constraining contributions to those valued by existing internal bodies. Instead, narrative portfolios that cover innovative areas of expertise as evaluated by external experts encourage new and unique skillsets that are forward-looking and inclusive.

Finally, to ensure equitable promotions procedures, truly independent mechanisms of appeal need to be introduced, which seek to identify and find redress for discriminatory biases.

Footnotes


Report of the General Board, dated 23 June 2020, on the establishment of certain Professorships

(*Reporter, 6586, 2019–20, p. 523*).

No remarks were made on this Report.

Report of the General Board, dated 23 June 2020, on the authority to award doctoral degrees

(*Reporter, 6586, 2019–20, p. 524*).

Professor G. R. EVANS (Emeritus Professor of Medieval Theology and Intellectual History):

Vice-Chancellor, this Report states the following:
In October 2019 the Education Committee established an Enquiry Group to start the review of the work of the Postgraduate Committee. The Enquiry Group considered, inter alia, the transfer of the authority to award doctoral degrees from the Board of Graduate Studies (Postgraduate Committee) to Degree Committees.

This is now due to take effect on 1 October, after the Education Committee approved the transfer on 18 March. This is not one of the ‘decisions’ listed in the Reporter of 17 June as having been taken then. One of many gaps which must please be filled in the record belatedly published for the Regent House.

The Report has nothing to say about the higher doctorates. Are they to be included in this transfer of powers? There would need to be change to the Ordinances, which currently involve the Board of Graduate Studies. Higher doctorates (for example in Divinity\(^1\)) require that:

3. A candidate for the degree shall apply in writing to the Secretary of the Board of Graduate Studies, and shall specify the published works on which her or his claim to the degree is based, providing a summary in not more than five hundred words of the field of research covered by these works. A candidate shall send with the application a fee of £582 for the Chest, and two copies of each of the works specified, provided that the Board of Graduate Studies may, subject to the concurrence of the Degree Committee, allow a candidate to submit only one copy.

and:

4. Each application shall be forwarded by the Secretary of the Board of Graduate Studies to the Degree Committee, who shall give preliminary consideration to the application.

Oxford has recently been through a not uncontroversial review of its own award of higher doctorates, for as it was pointed out:

Formal and informal complaints have arisen relating to higher doctorates in recent years. Outcomes have been disputed by candidates, as has the choice of judges.\(^2\)

Cambridge can be expected to face a similar level of indignant challenge by rejected applicants.

The present Report makes an exception of the transfer of decisions to Degree Committees where that decision is against award of the doctorate:

The General Board endorses the transfer of degree-awarding authority to Degree Committees, subject to ratification by the General Board of decisions not to award a degree or to award a lower degree. In practice, this ratification would be delegated to the Board’s Education Committee.

A candidate refused a higher doctorate will naturally look for an avenue of recourse. A vestigial appeal process was sketched by Oxford. Its Review concluded that disappointed candidates do not have a right of complaint to the Office of the Independent Adjudicator, though it turned out that that had not been checked with the OIAHE. So would it be wise for the General Board to think through the provisions for the award of the higher doctorates in the light of the present changes? It would be a pity if these most ancient of the University’s degrees died out with their present holders for lack of an up-to-date means of granting more. Processions for Honorary Degrees could become very short.

Footnotes

1. *Statutes and Ordinances*, p. 469.

2. See paragraph 7.5.2: [https://www.admin.ox.ac.uk/media/global/wwwadminoxacuk/localsites/educationcommittee/documents/Higher_Degrees_Report.pdf](https://www.admin.ox.ac.uk/media/global/wwwadminoxacuk/localsites/educationcommittee/documents/Higher_Degrees_Report.pdf)