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CONTENTS

Notices

Calendar	452
Discussion of a Topic of Concern: 14 July 2020	452
Grants from the Colleges Fund	452
Statement on key principles for the delivery of education in the 2020–21 academic year	453
Decisions taken in response to the coronavirus (COVID-19) outbreak on student-related matters	454

Graces

Graces submitted to the Regent House on 17 June 2020	461
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End of the Official Part of the 'Reporter'

Report of Discussion: Tuesday, 9 June 2020

Joint Report of the Council and the General Board, dated 18 March 2020, on the titles and structure of academic offices	462
Report of the Council, dated 16 March 2020, on updates to the University's freedom of speech documentation	466
Report of the General Board, dated 17 March 2020, on a University Senior Lecturer dual career pathway	469



UNIVERSITY OF
CAMBRIDGE

NOTICES

Calendar

18 June, *Thursday*. Easter Term ends.

24 June, *Wednesday*. Publication of an extraordinary issue of the *Reporter*, including Reports for Discussion on 7 July.

7 July, *Tuesday*. Discussion deadline, receipt of written submissions by 4 p.m.

14 July, *Tuesday*. Discussion of a Topic of Concern, receipt of written submissions by 4 p.m. (see below).

29 July, *Wednesday*. Publication of an extraordinary issue of the *Reporter*, including Graces for submission to the Regent House.

Discussion of a Topic of Concern: Tuesday, 14 July 2020

The Council has called a topic of concern to the University on decisions taken in response to the coronavirus outbreak (see p. 454). The Vice-Chancellor duly invites those qualified under the regulations for Discussions (*Statutes and Ordinances*, p. 105) as well as all employees of the University and the Colleges to submit remarks **by 4 p.m. on Tuesday, 14 July 2020** on the following:

- Topic of Concern to the University: Decisions taken in response to the coronavirus (COVID-19) outbreak (p. 454).

Discussions in the Senate-House have been suspended in response to government advice and the Council has agreed that until further notice remarks will instead be accepted for publication as written submissions (see *Reporter*, 6584, 2019–20, p. 449). Submissions, which should comply with the usual rules for Discussion remarks (*Statutes and Ordinances*, pp. 105 and 110), should be emailed to reporter.editor@admin.cam.ac.uk by the 4 p.m. deadline above to be eligible for inclusion in the Discussion Report. General information on Discussions is provided at <https://www.governance.cam.ac.uk/governance/decision-making/discussions/>.

Grants from the Colleges Fund

10 June 2020

The Council has received the following report from the Colleges Fund Committee, which under Regulation 4 for the Fund (*Statutes and Ordinances*, p. 1083) it now publishes to the University.

1. The amount available in the Fund for distribution in 2020 is £4.906m.
2. The Colleges Fund Committee has approved the following grants to be paid in June 2020:

	£'000
Hughes Hall	920
Lucy Cavendish College	920
St Edmund's College	920
Wolfson College	920
Fitzwilliam College	625
Robinson College	375
Darwin College	226

3. These grants have been calculated by taking account of the model of a 'standard' College with a basic requirement for endowment. The figures take account of the endowment requirements of the relevant Applicant College as estimated by the Committee's model having reference to numbers of undergraduates, full-time equivalent graduates, Fellows, and College Teaching Officers.

4. The Committee has again placed a cap on the grant made to any one College. It has limited the maximum grant to 150% of the average grant. Four Colleges have had grants limited in this way.

5. The Committee has agreed that, given the current exceptional circumstances relating to COVID-19, the grants may be used for operational purposes.

6. The Colleges Fund Committee has not approved any exceptional grants in addition to the endowment-based grants listed above.

Statement on key principles for the delivery of education in the 2020–21 academic year

16 June 2020

The Council, on behalf of the University, and the Colleges have jointly agreed the following statement for circulation to current and prospective students.

The academic year 2020–21 at the University of Cambridge

The University and Colleges of Cambridge are preparing to welcome students – undergraduate and postgraduate – to Cambridge for the academic year 2020–21. We remain committed to excellence in education, learning and research. We want to work with every member of the Collegiate University community to support them as they live and work in this beautiful city and to offer them the fullest possible experience of being here.

Cambridge has welcomed and nurtured students for hundreds of years. The Collegiate University provides a deep-rooted sense of community and rich opportunities for learning. Small group teaching – supervisions, seminars or individual tuition – is at the heart of our educational provision and will continue in person as far as possible or via real-time face-to-face technology where not.

Colleges are looking forward to welcoming students into residence and are making preparations for teaching, welfare, social and extra-curricular activities during the year ahead. Every College remains proud to be their students' Cambridge home, and is working with student representatives to ensure that induction and welcome events in the autumn give new students the information and support they will need as they join their College community.

The Collegiate University sets out below its principles for delivering education in the academic year 2020–21. In the light of the COVID-19 pandemic we will seek to mitigate risks to health by applying social distancing and other government guidelines and continuing to respond to the changing public health situation through appropriate changes to our courses, services and facilities. Where official guidance or concerns for the health of students and staff demand it, we will review our approach.

1. **Cambridge will be open to students next academic year.** We will do all we reasonably can to accommodate the needs of students whose individual circumstances mean that they cannot attend any in-person teaching.
2. **The academic year will start as normal and term dates will not be changed.** Michaelmas Term will start on Tuesday, 6 October and end on Friday, 4 December, although some postgraduate courses may start earlier as previously advertised. New and returning undergraduate and postgraduate students are advised to be flexible in their travel plans at this stage; more advice about arrangements for the start of term will follow in July.
3. **Teaching will be delivered by a blend of in-person and online teaching,** and we will adapt our timetables, teaching methods, course content and locations for delivery of teaching to achieve this. The balance of the blend will depend on the stringency of social distancing and other regulations in force at the time. Where possible, teaching by seminars, practicals and supervisions will be delivered in person, and it may even be possible for lectures to smaller groups to be given on this basis. In any case, all lectures will be recorded and made available online. If large-scale lecturing in person becomes permissible, the University will reintroduce it as soon as possible.
4. **Research and learning facilities:** It is our aim that all students who require it for their studies will have sufficient and suitable access to research laboratories, libraries, museums and other facilities, subject to the restrictions of social distancing.
5. **Minimising risk:** All University and College buildings will be risk assessed and managed on an ongoing basis, following government guidelines and advice. This may involve managing how we all enter and leave buildings to allow for social distancing, reducing numbers of people allowed into a building or area, appropriate cleaning regimes, altered timings of events and any other measures considered appropriate to mitigate risk of exposure to COVID-19. We will promote health and infection control measures across the entire University, and communicate and implement changes to any of these measures resulting from local-lockdown requirements as required.
6. **Accommodation:** As many students as possible will be given accommodation in their own College. The Colleges and the University are working closely together to help all our students find accommodation within the University or in Cambridge.
7. **Support:** As well as teaching, Colleges offer a home environment and pastoral support to their students; the University additionally provides centralised student support, including the Student Counselling Service, Disability Resource Centre, Careers Service, support for mature students, student parents and care leavers. These services will continue to be provided, either in person or via real time face-to-face technology. For more information on our welfare support, see <https://www.studentwellbeing.admin.cam.ac.uk/> and your own College's website.

By the end of July the University will issue a further statement for current and prospective students; this will confirm if any particular changes are intended to be made to any courses. Any such changes will be notified to current and prospective students through our established processes for making changes to our courses as set out in our Terms of Admission for undergraduate students and applicable contractual terms for postgraduate students. The Colleges will also provide more detailed guidance about returning to Cambridge and the practicalities of student life in the autumn.

We look forward to welcoming our students, old and new, in the next academic year.

Decisions taken in response to the coronavirus (COVID-19) outbreak on student-related matters

17 June 2020

In its Notice of 9 April 2020 (*Reporter*, 2019–20, 6583, p. 435), the Council confirmed that it would provide a list of decisions taken to manage the University's activities at the start of the COVID-19 pandemic. This Notice provides that information concerning student-related matters, along with further information on the background to the decision-making since mid March 2020. The Council will publish a second Notice next week on decisions taken on other matters.

Background

The Council and the General Board recognised early on that swift action would be required to enable the University to weather the emerging crisis. That is why the members agreed to grant delegated authority to the Chairs of the Council, the Board and their sub-committees to take such action as was needed. This was not an unfettered authority; rather, it was one granted solely for decisions related to the pandemic that were both necessary and required a rapid response. The Council also agreed at its meeting in March that, where there was sufficient time, it would still receive matters for approval at a meeting (such as the proposal for a Contract Extension Scheme, which was discussed and approved at a Council meeting via videoconference on 21 April 2020). The Council and the Board were given a flavour of the kinds of decisions that would be taken at their meetings in March, including a probable move to online teaching and assessment should students be ordered to remain at home, and were satisfied that the action that was likely to be taken would be proportionate. None of the reports of decisions taken under delegated authority has changed that view.

There are no provisions in the *Statutes and Ordinances* that explain how decisions are to be made in an emergency or what is to happen when the University must react at very short notice to government measures. However, it is clear that, as an employer, the University has a responsibility to protect the health and safety of its staff. It owes the same duty to its students and to visitors. The University must also abide by the law and observe guidance issued by the government. As normal teaching and assessment could not take place owing to government-imposed measures, it followed that those arrangements would need to be set aside and alternatives provided.

Some of the decisions taken were or may have been in breach of the rules set down in Ordinances and General Board Regulations. The Council accepts the position adopted by those granted delegated authority that it was appropriate to take the action required to manage the University's operations at the time. It is too late to reverse most of those decisions. The Council also notes that no member has made a representation under Statute A IX 1 to seek review of a decision taken during this period. However, in the interests of certainty for all concerned, the Council believes that it is important to seek the Regent House's approval and ratification of any decisions which were taken in breach of Ordinances or of General Board Regulations.¹ The Council is therefore submitting Graces to ask the University to make an Order under Statute A II 1, the effect of which would be to make an exception to any requirements of Ordinances or General Board Regulations which may have been breached, and to validate the relevant decisions, and actions taken in reliance upon them, both retrospectively and prospectively (Graces 1 and 2, p. 461).

Arrangements in the 2020–21 academic year

The Council is also mindful that the ongoing restrictions on face-to-face contact will continue to have an impact on its normal arrangements for some time, and that, although hopefully unlikely, another lockdown cannot be ruled out. For that reason, the Council will seek approval of the suspension of certain provisions for a fixed period. In advance of that, and to provide certainty about the arrangements for the conferment of degrees in the coming weeks, it is submitting a Grace for the approval of an amendment to Ordinance (Grace 3, p. 461).

Topic of concern

The Council has decided that there should be an opportunity for the discussion of a topic of concern on the decisions listed below concerning student-related matters and those to be published later on other matters. All employees of the University and the Colleges will be invited to send in their remarks on this topic, in addition to those already entitled to do so (see p. 452). This will enable members of the collegiate University to share their views, so that the Council can draw lessons from the comments made, to shape the future management of an emergency on the scale of the current pandemic.

This topic will be included on the agenda of the Discussion on 14 July 2020.

Decisions taken (student-related and non-student matters)

The list below covers actions taken in response to the government's decision to take the country into lockdown and therefore these related mostly to the University's activities in Easter Term 2020. It does not cover decision-making relating to plans for the next academic year, which are expected to be dealt with in the normal way. Most of the overarching decisions – for example, to move teaching and assessment online and to close University buildings and ask staff and students to work from home – were made in March, and other decisions flowed from them.

The University, in common with all other universities, had to modify its normal operations at short notice to align with government advice. All decisions were taken in response to, and in the context of, the public health and regulatory advice and government measures applicable at the time. For that reason, the decisions below are presented against the dates on which they were announced and alongside information on some of the key changes to the advice available.

References below are to the University's activities and its staff. The Colleges worked closely with the University on many aspects of the emergency response but decisions made by the Colleges concerning their own activities are not listed. The list also focuses on decisions concerning all staff and/or all students or the University as a whole. Therefore decisions made by individual University institutions affecting only their staff and/or students are not captured, nor are details of all individual changes included (for example, changes to the examination schemes of each Tripos are not listed, nor is the adaptation of operational processes so that they can be managed remotely).

¹ Under Statute A V 1(d), the General Board has power to make regulations about any matters within its responsibility, including those relating to University courses and examinations. Temporary suspensions of General Board Regulations were approved by the Chair of the Education Committee on behalf of the General Board under delegated authority but no Notice was published in the *Reporter* to confirm the revised arrangements.

The notes below record whether a decision was made under delegated authority (and subsequently reported to the Council and the General Board).

	Matters regulated by the <i>Statutes and Ordinances</i>	Possible breaches of Ordinances / General Board Regulations
<p>16 March 2020:</p> <p><i>Government advice steps up following an initial announcement on 12 March 2020 introducing the first social distancing measures. From 16 March 2020, the advice discourages large gatherings, recommends working from home, the avoidance of non-essential contact, and frequent hand washing, and that anyone with a new persistent cough or fever self-isolates for 7 days. Those with underlying health conditions are encouraged to self-isolate.</i></p>		
<p>17 March 2020:</p> <p><i>The Foreign and Commonwealth Office advises British nationals to avoid all non-essential foreign travel.</i></p> <p>After the Congregations on 21 and 27 March 2020, all Congregations, Discussions and Sermons are postponed until further notice (a Notice confirming this is published in the <i>Reporter</i> on 18 March 2020). See below.</p>		
<p>18 March 2020:</p> <p><i>The government announces the closure of schools, colleges and nurseries from 5 p.m. on 20 March 2020 until further notice.</i></p> <p>Students – both undergraduate and postgraduate – are asked to return home, if possible.</p> <p>There is to be no face-to-face teaching in the Easter Term 2020 and no examinations in Cambridge. All teaching is to move online. A commitment is made to provide information about alternative assessment arrangements by 31 March 2020 (see below).</p> <p>These arrangements are to be in place until 30 June 2020 and may be extended.</p>		
<p>20 March 2020:</p> <p><i>The Prime Minister orders all pubs, restaurants, gyms and other social venues to close until further notice.</i></p> <p>A commitment to providing a further opportunity to take an assessment once the University is fully operational for those students whose preparation or assessment is significantly disrupted in Easter Term 2020 (for example, by caring responsibilities, illness, or technical difficulties). Further information is provided on 31 March (see below).</p>		

	Matters regulated by the <i>Statutes and Ordinances</i>	Possible breaches of Ordinances / General Board Regulations
23 March 2020: <i>The government instructs people to stay at home, only going out for limited purposes. Non-essential shops, businesses and venues are closed, gatherings of two or more people in public are banned, and all social events stopped. Police are given the powers to enforce these new restrictions.</i>		
25 March 2020: <i>The Minister for Science, Research and Innovation encourages UK universities and research institutions to continue to consider whether it is possible to continue with science and research programmes, particularly to protect work that is considered of critical urgency or importance, where pausing the activity is not possible or would severely impede research delivery, or where it requires ongoing maintenance and supervision.</i>		
27 March 2020: Confirmation that students in University accommodation will not have to pay rent for any period in which they have left residence because of COVID-19.		
Confirmation that students who meet the requirements of their course will be able to graduate in absence and that alternative arrangements will be made to celebrate students' achievements once it is safe to do so. Further information is provided on 31 March (see below).		
	Approval of a Grace and supplicats for degrees takes place online and in absence in the presence of the relevant officers, who are located within the Precincts of the University.	Under Regulation 3 of the Ordinance on Supplicats (<i>Statutes and Ordinances</i> , p. 174), a degree may be conferred at a Congregation (which should take place in the Senate-House or within the Precincts of the University) but there is no alternative method of conferment.

	Matters regulated by the <i>Statutes and Ordinances</i>	Possible breaches of Ordinances / General Board Regulations
31 March 2020:		
Information is published about the principles and policies guiding the University assessment of students in Easter Term 2020. The following decisions are made under delegated authority concerning the examination arrangements in 2019–20:		
<ul style="list-style-type: none"> All students in some other place outside the University Precincts until the end of Easter Term 2020 are to be treated as resident (postgraduate research students who are no longer in Cambridge are asked to confirm that they are still working on their research). 		
	<ul style="list-style-type: none"> In respect of entries and lists of candidates for examination, the examination timetable for Easter Term 2020 is revised and the requirement to submit entry confirmation forms is waived 	<ul style="list-style-type: none"> See Regulations 9–15 of the Ordinance on Entries and Lists of Candidates for Examinations, <i>Statutes and Ordinances</i>, p. 249.
	<ul style="list-style-type: none"> All students receive information about specific changes to the form and conduct of examinations by 31 March 2020 or shortly after that date (after the normal cut-off dates for making these changes). Most examinations are available over a 24-hour period² within which candidates sit the examination for the usual three hours (but for some examinations, the window is shorter and/or the examination period is shorter; examinations shorter than three hours). 	<ul style="list-style-type: none"> See Regulations 1 and 2 in the Ordinance on the Form and Conduct of Examinations, <i>Statutes and Ordinances</i>, p. 254. See the Ordinance on the Duration of Written Examination Papers (<i>Statutes and Ordinances</i>, p. 254).
	<ul style="list-style-type: none"> Changes to the scheme of examination for some courses are agreed and information about those changes is published online.³ In all cases the Faculty Boards concerned have provided assurances that the changes do not affect their students' achievement of the learning outcomes. 	<ul style="list-style-type: none"> The scheme of examination is described in the General Board Regulations for the course. Changes can be made, provided that the General Board is satisfied that the students' preparation for the examination is not affected.

² To allow for students living in different time zones, for students who are permitted extra time and/or rest breaks due to disability, or any technical difficulties that students may encounter.

³ See: <https://www.educationalpolicy.admin.cam.ac.uk/covid-19>

	Matters regulated by the <i>Statutes and Ordinances</i>	Possible breaches of Ordinances / General Board Regulations
<i>31 March continued</i>		
<ul style="list-style-type: none"> In those cases where Faculties and Departments have required their modified assessment to be summative, marks will be recorded on students' transcripts. Marks for formative assessment will not be recorded on students' transcripts. In most Triposes the requirement to obtain honours to progress to the next year is waived. For those who cannot complete any course work set (for example owing to illness, caring responsibilities or technical difficulties), there is an opportunity to seek an extension.⁴ 	<ul style="list-style-type: none"> First- and second-year undergraduate assessment is to be marked but not classed. 	<ul style="list-style-type: none"> The classing of assessment is described in the General Board Regulations for the course.
<ul style="list-style-type: none"> For students expecting to graduate in Easter Term 2020 or for whom there is a requirement to pass the Tripos to progress, where they are unable to take their modified assessment at the scheduled time in Easter Term (for example, owing to illness, caring responsibilities or technical difficulties), they may receive an extension for the submission of coursework. 	<ul style="list-style-type: none"> They also have an opportunity to take an online examination during a second assessment period on a date to be determined once the University is fully operational again. 	
<ul style="list-style-type: none"> Finalist undergraduate students and students on integrated Master's programmes, and students on postgraduate taught courses will have the opportunity to receive a classed degree. These students will be assessed and will get marks for each component of their assessment, which will appear on their transcript. A class will then be determined by the Examiners on the basis of the marks achieved, except where this results in a class lower than the class previously awarded in their second year, in which case that class will be recorded on their transcript. Any student who was not awarded a class in their second year but was allowed to progress, will be classed only on the basis of their achievement in the 2020 assessments. This replicates normal practice. 	<ul style="list-style-type: none"> Students who are eligible to be classed but who are unable to take any assessment either in the first or second assessment period, or only some of the assessment, or students who are otherwise affected by serious medical or other grave cause will be considered by either the Examination Access and Mitigation Committee (EAMC) (or the Board of Graduate Studies) for an alternative examination allowance, for example a 'DDH' (Deemed to Deserve Honours) class, or will be classed on the marks received from a subset of the assessment that has taken place. 	
<ul style="list-style-type: none"> A 'safety net' is introduced for this year's graduating undergraduate students.⁵ As long as they pass their assessments, they will not receive a class lower than the class which they were awarded in their second year examinations. 		

⁴ The General Board's authority to grant extensions, usually exercised by the Examination Access and Mitigation Committee, has been delegated to Departments and Faculties in relation to assessments in the Easter Term 2020.

⁵ Excluding a small subset of integrated Master's programmes, following agreement with the Faculties concerned.

	Matters regulated by the <i>Statutes and Ordinances</i>	Possible breaches of Ordinances / General Board Regulations
<i>31 March continued</i>		
	<ul style="list-style-type: none"> The General Board (acting through its Examination Access and Mitigation Committee) is to consider applications in the light of changes to examination arrangements resulting from COVID-19, including applications from final-year students who were not awarded a class in their second year and therefore cannot have the ‘safety net’ applied. 	
<ul style="list-style-type: none"> Students will not be ranked in 2019–20 but will be able to see all the marks awarded. 		
	<ul style="list-style-type: none"> The examinations for some subjects are to start before the dates as set out in Ordinance. 	<ul style="list-style-type: none"> See Regulation 2 of the Ordinance on Dates of Examinations and Publication of Class-lists (<i>Statutes and Ordinances</i>, p. 252).
	<ul style="list-style-type: none"> Class-lists will not be posted publicly outside the Senate-House (owing to the closure of the Old Schools) or published in the <i>Reporter</i> for the 2019–20 academic year. 	<ul style="list-style-type: none"> Regulation 5 of the Ordinance on Dates of Examinations and Publication of Class-lists (<i>Statutes and Ordinances</i>, p. 254) and Regulation 4 of the Ordinance on the Publication of Lists of Successful Candidates in Examinations (<i>Statutes and Ordinances</i>, p. 255).
	<ul style="list-style-type: none"> The requirement for the Chair of Examiners to provide a scheme showing which of the Examiners is to attend at the beginning of each examination session is waived. 	<ul style="list-style-type: none"> See Regulation 7 of the General Regulations for Examiners and Assessors (<i>Statutes and Ordinances</i>, p. 257).
<ul style="list-style-type: none"> All graduands are to proceed in absence on the dates agreed for Congregations (because of the extension to the assessment period, the majority of students will not have been classed by 27 June and therefore an additional date is subsequently added on 8 July 2020). 	<ul style="list-style-type: none"> Degrees in absence are conferred on 25 April and 16 May 2020 but no Congregation is held. 	<ul style="list-style-type: none"> Under Regulation 3 of the Ordinance on Supplicats (<i>Statutes and Ordinances</i>, p. 174), a degree may be conferred at a Congregation but there is no alternative method of conferment.
	<ul style="list-style-type: none"> Supplicats are received by the Registry but are not posted in the Schools Arcade (owing to the closure of the Old Schools). 	<ul style="list-style-type: none"> See Regulation 7 of the Ordinance on Supplicats (<i>Statutes and Ordinances</i>, p. 174).
<ul style="list-style-type: none"> Students on their year abroad are asked to return home unless it is not safe to do so and/or there are travel restrictions. 		
<ul style="list-style-type: none"> The eligibility criteria for the Special Hardship Fund are extended to allow students to apply for funding to cover unexpected, direct and immediate costs resulting from COVID-19. 		

	Matters regulated by the <i>Statutes and Ordinances</i>	Possible breaches of Ordinances / General Board Regulations
1 April 2020: Confirmation is given that postgraduate research students in receipt of maintenance stipends from funds managed within the University will continue to receive them.		
16 April 2020: <i>The government announces that lockdown measures will remain in place for another three weeks.</i>		
20 April 2020: <i>The government's Coronavirus Job Retention Scheme goes live. Under the scheme, the government pays 80% of employee wages up to £2,500 a month, plus employer National Insurance and pension contributions for furloughed staff.</i>		
21 April 2020: Confirmation that until face-to-face teaching begins again, a recording of all lectures will be made available via Moodle, and all students – undergraduate and postgraduate – will be able to ask for permission to record online supervisions and small group teaching. For the purposes of assessment in Easter Term 2020, students are permitted to self-certify illness and caring commitments and similar disruptions.		
10 May 2020: <i>The Prime Minister announces a roadmap for lifting restrictions, with unlimited outdoor exercise from 13 May 2020 as a first step.</i>		
28 May 2020: <i>The Prime Minister announces the reopening of primary schools (for children in Reception, Year 1 and Year 6) and nurseries from 1 June 2020.</i>		

GRACES**Graces submitted to the Regent House on 17 June 2020**

The Council submits the following Graces to the Regent House. These Graces, unless they are withdrawn or a ballot is requested in accordance with the regulations for Graces of the Regent House (*Statutes and Ordinances*, p. 105), will be deemed to have been approved at 4 p.m. on Friday, 26 June 2020. Exceptionally and given the closure of the Old Schools, any request by members of the Regent House for a ballot or the amendment of any of these Graces should be made to the Vice-Chancellor by email to registry@admin.cam.ac.uk. Emails should be sent from a personal University account and ideally include the CRSid of the signatory.

1. That the University by Order approves and declares valid as from the time they occurred the actions and decisions taken as set out in the Council's Notice dated 17 June 2020 (p. 454), notwithstanding that there may be, in the case of any such action or decision, inconsistency or conflict with Ordinances and General Board Regulations, whether as described in the Notice or otherwise.

2. That for the avoidance of doubt, the University by Order confirms that each degree conferred on 27 March, 25 April and 16 May 2020 as described in the Council's Notice dated 17 June 2020 (p. 454) is to be treated as having been a degree validly conferred by the University on those dates and at all times henceforth.

3. That the following changes to the first sentences of Regulations 3 and 7 of the Ordinance on Supplicats (*Statutes and Ordinances*, p. 174) be approved, to take effect from the date of approval of this Grace until 31 December 2020 (new text shown underlined):¹

[3.] Notwithstanding that the provisions of Regulation 2 have not been satisfied, a degree may be conferred either (a) in absence on a date and at a time determined by the Registry, or (b) at any Congregation; provided in either case that the necessary documents have been received by the Registry in time for proper consideration, and provided that a fine of £1 shall be paid in addition to the degree fee, if any.

[7.] One hour and a half before the time determined for conferment of a degree or degrees in absence by the Registry or appointed for each Congregation at which any degree is to be conferred (other than a degree for whose conferment a Grace has been approved by, or will at that Congregation be submitted to, the Regent House) the Registry shall cause to be posted on a board in the Schools Arcade or on the University website¹ a list of names of persons whose Supplicats have been received and who are certified by the Registry to have done all that is required of them by the *Statutes and Ordinances* and to be qualified to proceed on that day to the degrees for which they have applied.

¹ The lists will be posted to the *Reporter* website and will be accessible to those with a Raven password.

4. That Regulation 5 of the regulations for the Press Syndicate (*Statutes and Ordinances*, p. 126) be rescinded and the remaining regulations renumbered.²

¹ See the Council's Notice dated 17 June 2020.

² Regulation 5 currently confirms that the financial year of the University Press ends on 30 April. The Council, on the recommendation of its Finance Committee and the Press Syndicate, and with the support of the Press and Assessment Board, propose that the Press's financial period should end on 31 July from 2020–21, to bring it into line with the financial year end of the academic University and Cambridge Assessment.

E. M. C. RAMPTON, *Registry*

END OF THE OFFICIAL PART OF THE 'REPORTER'

REPORT OF DISCUSSION

Tuesday, 9 June 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 18 March 2020, on the titles and structure of academic offices

(*Reporter*, 6582, 2019–20, p. 419).

Professor E. V. FERRAN (Pro-Vice-Chancellor for Institutional and International Relations, Faculty of Law, and St Catharine's College):

Vice-Chancellor, this report proposes changes to the titles of academic offices and the tiers within the academic career structure. Informal and formal consultation on a new titles scheme indicated growing dissatisfaction with the existing titles and concerns about comparability with the titles adopted by the University's peer group nationally and globally which could hinder recruitment and/or retention of academic staff and handicap our academics in competing for research funding.

This Report proposes that the title of Professor at Grade 12 remains unchanged and that the offices of Reader at Grade 11 and University Senior Lecturer at Grade 10 are replaced by Professor at Grade 11 and Associate Professor at Grade 10. The Report also proposes that University Lecturer at Grade 9 is replaced by Associate Professor at Grade 9 for those UTOs who have passed probation and by Assistant Professor at Grade 9 for UTOs in probation. A majority of respondents agreed to this proposed structure in the consultations, commenting that these titles would aid national and international understanding of the University's roles. If the recommended amendments to the titles and structure of academic offices set out on this Report are approved, academic staff already holding the offices of Reader, University Senior Lecturer and University Lecturer will be invited to transfer to the new offices; those who do not wish to do so will retain their existing offices until they leave University employment.

In terms of endowed academic offices supported by trust funds, if the Report's recommendations are approved by the Regent House, the relevant provisions in *Statutes and Ordinances* affected by the changes will be reviewed.

If adopted, the impact of the new titles structure on under-represented groups will be monitored to help ensure that our recruitment and progression policies and practices are aligned with our institutional commitments to equality, diversity and inclusion.

While a majority of respondents supported the proposed academic titles and structure described, a minority was not in favour of these changes. The main concerns raised by the minority of respondents who disagreed with proposals were that the title of Assistant Professor could be misunderstood and that the full Professorship title might be devalued. Given the diversity of opinion and the importance of this matter to the academic community as a whole, the Council and the General Board felt it would be appropriate in these circumstances to call a ballot on this Report.

My personal opinion is that the time for change has come and that the structure set out in this Report is appropriate. I am not comfortable with maintaining the *status quo* in the face of growing evidence of its negative impact on valued colleagues. I do not feel that the new titles and offices would devalue my standing as a Grade 12 Professor. I am confident that the adoption of the title of Assistant Professor would not trigger a change in the University's approach to academic probation. As I said in the Discussion last year on the Academic Career Pathway Scheme,¹ there is no hidden agenda here: the University recruits outstanding academics that it wants to keep, will support these valued colleagues to reach the high standards that Cambridge sets, and publicly recognise their success in doing so; any other approach would be inconsistent with our values and would be in no-one's interest.

¹ See *Reporter*, 6550, 2018–19, p. 655.

Professor D. S. ABULAFIA (Faculty of History and Gonville and Caius College):

Vice-Chancellor, the proposed changes are not unexpected or undesirable. The re-naming of Readerships as Professorships (Grade 10) is a little cumbersome, but even if it does not sound an elegant solution it is a necessary one. However, in welcoming these changes I do want to alert the Regent House to the existence of a missing constituency, a very important one at least in the Humanities: College Teaching Officers, particularly those with tenure. As Chair of the History Faculty some years ago I did what little I could to involve them in Faculty teaching and general business; but I did not receive much encouragement from higher up in the University, despite the distinction of several CTOs who had simply not been in the right place at the right time to secure a Faculty post, had interests that were seen as tangential to the Faculty's needs, or simply had been denied proper recognition for their growing distinction. The supervision system would break down without the CTOs, and not just in History, as I learned while serving on the Faculty Board of English a few years ago. Yet it was even suggested to me by an august figure in the University that if we needed so many supervisors for our 600-odd undergraduates we must be running far too many papers (rather than admitting too many students: that obviously could not be said).

The Honorary Professorships and (until now) Honorary Readerships have been few and far between. It was a battle more often lost than won to obtain any in my Faculty for CTOs – much easier in the Sciences, where external funds were to hand. We must see greater willingness to offer Honorary Professorships to CTOs by encouraging those who are eligible and of sufficient distinction to apply for them, in whatever Faculty. But that still leaves an important question hanging, one that turns on the title of Associate Professor: what do we do for CTOs who are not, or not yet, quite so eminent, especially those with tenure? Giving recognition to the more senior and permanent CTOs would be the right compliment to pay for people without whom several Triposes would collapse. We have already – I am glad to say – abandoned the onomatopoeic title NUTOs (non-University Teaching Officers) and replaced it with 'CTOs'. Doing something for senior CTOs, such as offering the honorary title of Associate Professor to those who are keen to have it and can demonstrate their distinction in research and teaching, would be the next step towards greater recognition of their role in the collegiate University.

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

Vice-Chancellor, on 18 March, the day when this and today's other Reports were published for Discussion, the Vice-Chancellor 'announced in emails to all staff and students' that 'the University had suspended normal operations with effect from 5 p.m. on Friday, 20 March 2020'. The *Reporter*, as the University's historic organ of record, did not formally publish this statement until its abbreviated issue of 16 April.¹ That was the last *Reporter* to be published before the fragment which appeared on 27 May announcing this Discussion.

The adoption of the University Emergency Management Plan² taken to justify this unprecedented suspension has facilitated an extraordinary abandonment of the norms of governance on which it is surely important to put something into the record at the first opportunity. 'The University' has since made other announcements. But 'the University' is the Regent House. Certainly Statute A III 8 allows the Regent House to delegate 'to the Council or to another University body or authority to act on its behalf in such matters as it may from time to time determine', but that requires a Grace and there has been no Grace. The Statutes have not heard of the University Emergency Management Plan. There are no Ordinances governing its adoption and application. The *Reporter* of 16 April merely states that 'when normal business resumes, the Regent House will receive information about the decisions that have been taken during this period'. The *Reporter* of 27 May says only that 'the Council expects to publish a Notice in mid June 2020 about the decisions made under delegated authority'.

Also delayed until 16 April was a mention in the *Reporter* of an act of delegation of its powers to the Vice-Chancellor by the Council which had taken place at its meeting of 16 March. I know from my own years on the Council that the publication schedule of the *Reporter* is designed to make it possible for a text approved at a Monday Council meeting to appear there two days later. Special Ordinance A (viii) under Statute A X 8 provides for delegation by a committee to 'any University Officer' or body 'with or without restrictions or conditions, the exercise of any functions proper to the [delegating] body'. But the Council could not delegate powers it did not have. The General Board, it was also explained, had made delegations of its own powers 'to the Vice-Chancellor and the chairs of its committees on 11 March 2020'.

There can be no excuse for not mentioning these 'delegations' formally to the Regent House in the *Reporter* of 18 March. The issue of 16 April gives no reference to the *Statutes and Ordinances* for authority for them, merely an assertion that 'it is not currently possible to pursue the University's usual governance processes'. The Regent House was not asked whether it was happy to set them aside, and in any case surely it could not discard at will Statutes carrying Privy Council approval?

Are decisions requiring Graces which have not been approved 'decisions' at all? We read that 'examples of recent decisions taken include moving teaching online and alternative forms of assessment replacing examinations'. There is also the question (which I know has been raised) of the validity of degrees received with no meeting of Congregation. The Ordinances do not permit delegation to extend 'to any resolution concerning the award of a degree, diploma, certificate, or other qualification'.

The Reports before us today would normally have been discussed on 28 April. The *Reporter* of 18 March stated (on the stated authority of the Vice-Chancellor) that 'no

Discussions are to take place, until further notice'. The Ordinance says 'the Vice-Chancellor shall invite members of the Regent House to *attend*' a Discussion.³ The present remarks will simply have been emailed to the Editor of the *Reporter* by 4 p.m. on 9 June.

Was this departure from a live meeting necessary? Since a previous Registry instituted the practice the actual numbers present are recorded in the Report of each Discussion. It is obvious that there is always abundant room. Was the delay unavoidable? It could never have been impossible to hold a live Discussion in the vastness of the Senate-House with speakers safely 'distanced'. That would have preserved the freedom for speakers to raise a hand when they judge it the right moment, thus giving order to the sequence for the purposes of publication, allowing rejoinder and spontaneous comment and permitting the presiding Deputy for the Vice-Chancellor to object if remarks drift into irrelevance.

Even had it been necessary, was the 'decision' to discuss by email constitutionally valid? The *Reporter* of 27 May announced that 'the Council' has agreed that 'written submissions' like this will be accepted for publication 'until further notice'. That has been actively resisted in the past. It remains controversial and surely it could not have been agreed without reference to the Regent House? Discussions are conducted under an Ordinance, change to which requires Gracing. The Working Party to Review three areas of Governance announced in the *Reporter* of 10 May 2017⁴ was to consider Discussions as one of the 'areas'. In October 2017 the Twenty-second Report of the Board of Scrutiny welcomed the idea of including Discussions in the Review but said it would be 'concerned by a move to an online only forum as the nature of contributions and their impact might be very different'.⁵ There seems to have been little progress with inviting the Regent House to take a view or approve any change.

And what of the publication of Discussions? The *Reporter's* role as the University's organ of record is so essential that it comes first in the Ordinances, which require the *Reporter* be published 'at least weekly during term'.⁶ The suspension of the *Reporter* has had the effect of making it impossible for the Regent House to legislate, and now that some Graces are recognised to be required there is to be only an 'extraordinary issue' on 24 June, publishing Reports for another email 'Discussion' on 7 July, and another on 29 July publishing 'any Graces'. Today's belated remarks will be published, but when? The 'Calendar' in the shrunken *Reporter* of 27 May does not say. And when are the remarks made on 7 July to be published and a Notice in response both to that one and to the present Discussion, which would be needed before or simultaneously with any Graces?

I turn now to the content of the Report on academic titles. The present proposals are of course a mere stage in a long story, going back decades in both Oxford and Cambridge. In a debate of Oxford's Congregation in February 1995, several speakers stressed the importance of Oxford remaining a 'community of equal scholars' or a 'scholarly community of equals', 'equal' in their membership of a 'republic of letters'.⁷ One speaker put it vividly:

Some, possibly many, members of the poor bloody infantry came here for what distinguished this place from other universities, including other highly prestigious universities. We came here, and stay here, partly for the absence of hierarchy, for the idea that we will be judged on what we do and not on our status.⁸

The debate that time had been prompted by proposals to increase the number of academic ‘promotions’, so as to create more Professors and as the Report we are discussing notes, Oxford has since moved in the direction Cambridge may now choose to go.

Having had more than my fair share of a say over academic promotions in this forum over many past years I will not add to that further now. It is all on the record. I see there is to be a ballot which will settle something at least for now.

¹ <https://www.admin.cam.ac.uk/reporter/2019-20/weekly/6583/section1.shtml#heading2-3>

² <https://www.governanceandcompliance.admin.cam.ac.uk/audit-regulatory-compliance/emergency-planning/university-emergency-management-plan>

³ <https://www.admin.cam.ac.uk/univ/so/2019/chapter01-section4.html#heading2-2>

⁴ <https://www.admin.cam.ac.uk/reporter/2016-17/weekly/6464/section1.shtml#heading2-7>

⁵ <https://www.admin.cam.ac.uk/reporter/2017-18/weekly/6478/section6.shtml>

⁶ <https://www.admin.cam.ac.uk/univ/so/2019/chapter01-section1.html>

⁷ *Oxford University Gazette*, No 4358, 6 March 1995.

⁸ Peter Mirfield, see *Oxford University Gazette*, No 4356, 6 March 1995.

Dr P. J. ROGERSON (Faculty of Law and Gonville and Caius College):

Vice-Chancellor, I am a Reader in the Faculty of Law and also Master of Gonville and Caius College. However I make these remarks in my personal capacity. First, I must declare an interest. I am a Reader who would benefit from the change of title to Professor if this Report is approved by Grace. However, I would not be in any better financial position than presently.

I commend this Joint Report and warmly recommend the changes proposed in it. In responses to the survey some 77% of respondents wanted change, many to what is proposed in this Report. I do not seek to detract from those who have undergone the arduous promotions exercise. They richly deserve their enhanced financial reward. Nevertheless, permitting all those with tenure to have the title of Assistant Professor, Associate Professor or Professor brings Cambridge academics into a more internationally recognisable structure. I cannot be the only Cambridge lecturer to have attended conferences wearing a badge ‘Dr X, Cambridge University’ and felt a speaker’s eye slide quickly to locate someone with a proper academic title. A title which is understood in many parts of the world, as well as in the UK, as a signifier of tenure and status. Maybe I should be less concerned about such things but I too would like to be recognised as of equivalent worth to my colleagues at Oxford and elsewhere.

Dr T. J. ROULET (Judge Business School and Girton College):
Vice-Chancellor, I write to support the proposition of a transition towards a three-tiered Academic Title system (assistant, associate, full professor). LSE, Imperial and Oxford have already adopted such system. One issue with our current Cambridge system is the lack of clarity regarding the posts of Lecturers, Senior Lecturers and Readers. Reader is a unique UK term, which is rarely understood outside the UK. Senior Lecturerships are considered as junior posts (and in some Faculties, teaching-oriented) in Cambridge, while they are considered as Associate Professorships in many Russell Group universities. In the US, the title of Lecturer is usually for adjunct academics who are not research active.

As a Senior Lecturer, in France, I end up being excluded from dissertation committees because my post is not understood by colleagues in France. All of those issues limit participation of Cambridge academics in relevant international communities.

An element that might be worth being discussed is how Faculties might be tempted to change their promotion process from grade 10 to 11 to make them more demanding. This would disadvantage Faculty members at grade 10 and below.

Dr K. A. MUNIR (Judge Business School and Homerton College):

Vice-Chancellor, there are a number of reasons why a change of titles to Professor, Associate Professor and Assistant Professor, for which a vast majority voted in the recent exercise, makes eminent sense. Below, I mention three out of many:

- (a) Oxford and Imperial have already transitioned to this nomenclature long ago, and have been reaping handsome rewards for it in terms of recruiting top talent. A number of my colleagues, for instance, have gone over to Oxford simply because Oxford is able to offer them a ‘promotion’. On the other hand, I have yet to meet any who have come from Oxford to Cambridge.
- (b) Lecturer and Senior Lecturer, outside the UK, and especially in America denote non-tenure track, casual teaching positions. The term ‘Reader’ is unfamiliar to anyone outside the UK. In an increasingly global world, where Cambridge itself is appointing more and more academics trained outside the UK, and where an increasing number of conferences, workshops and meetings occur in America and Asia, the existing terminology is a significant liability. Readers and Lecturers find themselves explaining their position too much of the time. They are also denied numerous opportunities (media appearances, editorial roles, etc.) simply because they are taken to be far more junior than they actually are. There is a widespread feeling that we should not hold on to British exceptionalism at such high cost.
- (c) We are, especially in the current climate, often censured for our dearth of senior appointments from the BAME community – and rightly so. There are hardly any BAME people in the senior management of the University. Given that all research shows that *ceteris paribus* BAME people are less likely to rise up through the ranks in any organisation, and that a change in titles is likely to boost the number of BAME colleagues in senior positions, any opportunity to facilitate this ought to be welcomed with open arms. It will not only make the University look slightly more egalitarian but will also open up more opportunities for BAME colleagues to occupy other senior positions.

It seems that the way in which the titles consultation has proceeded has left a lot of people feeling disenfranchised and humiliated. Many junior colleagues were clearly told by senior colleagues that if such a change takes place they will not be respected in the organisation, and that their titles would be nothing but a 'freebie'. A number of junior colleagues reported feeling humiliated by the process, and chose to remain silent rather than argue with senior colleagues representing their organisational units be it Schools or Faculties.

There are of course some kinks that will need to be ironed out. The question of salaries within a bracket is one of them. The question of workload for any junior colleagues promoted to Professorships might be another. However, there are a number of ways of resolving this and the experiences of Oxford and Imperial would be instructive in this regard.

Dr M. J. RUTTER (Department of Physics):

Vice-Chancellor, this is not the first time I have submitted Discussion remarks by email, but the circumstances now are a little unusual.

It is welcome that the University is trying to maintain as much normality and openness as possible in its governance in these adverse conditions. With rumours of financial losses of many tens of millions of pounds across the collegiate University, with some staff already furloughed and others facing a very uncertain future, with face-to-face teaching suspended, examination halls locked, and most Departments still closed to their researchers, it is odd that the first item worthy of Discussion is the granting of honorifics to a category of staff enjoying secure tenure. But I have seen enough of the governance of this University to regard this as a reassuring sign that normality is being maintained.

It is also welcome that the Joint Report of the Council and the General Board on the titles and structure of academic offices be subject to a little more scrutiny, for in several areas it seems less than ideal.

The Report notes correctly that Cambridge's use of academic titles is not universally followed internationally. It implies that things would be less confusing if we followed the international norm. This overlooks several points.

There is no international norm. There is an Assistant Professor, Associate Professor, Professor system, often referred to as the American system, and there is a Lecturer, Senior Lecturer, Reader, Professor system, often referred to as the British or Commonwealth system. But even within these two systems there are many variations. Warwick University uses Assistant Professor, Associate Professor, Reader, Professor, for instance.

The scope for confusion, at least within the academic community, is limited. A few moments with Google quickly reveals the ranking system of any major University, and Cambridge still is a major international University. Those who fail to recognise that academic ranking systems differ between different institutions show a degree of insularity incompatible with world-leading research, and we need not overly concern ourselves with their opinions.

Where will this pursuit of an international norm lead? Do we believe that the standard for gaining the title professor here should be equal to that in the least, or maybe the average, international University? Do we believe that the standard of a first-class degree here should be the same as it is in the least, or maybe the average, international University? Do we believe that the standard for admission

as an undergraduate here should be the same as in the least, or maybe the average, UK university? Our reputation has been built on it being otherwise.

Being a major international university, the need for us to follow slavishly the customs of younger institutions is slight. Nor is it clear that we advance by following lesser institutions. We should value cultural diversity, including our own. If we do not value our own culture and traditions, who will believe that we truly value anyone else's? And I have always been quite content not to be American, even before recent events in Minneapolis.

I do not therefore accept that there is a particular need for the proposals in this Report. But it may still be the case that the proposals are an improvement on the *status quo*. Is this so?

I find the idea of suffixing a pay grade to the ranks of Associate Professor and Professor most bizarre. The division of the UK's university pay spine into grades is decided independently by each institution, and we recently addressed the point that our division disadvantages postdocs compared to most other UK universities. Suffixing a Cambridge-specific grade band to a title will hardly aid the wider comprehension of our system.

The current probation system for University Lecturers is not ideal, and is often a source of stress for those suffering it. At least currently the process is fairly private, for it is not obvious which lecturers have, or have not, passed their probation. The suggested change of title from Assistant Professor to Associate Professor would make it very clear. It may be better to wait until the probation scheme is accepted as working smoothly before making this change, and I am not certain that this point has yet been reached.

There is an increasing use of fixed-term lectureships. I failed to find these mentioned in the Report. I assume that they must be considered to be Assistant Professors, being untenured, but clarity might be helpful. The use of the title professor by someone with a fairly junior fixed-term post would seem strange, but to deny the title would seem stranger.

The current use of the title professor in the University could be regarded as a little arbitrary, but so too is this proposal. This Report focuses on the issue for UTOs. It fails to mention that this University does not have any form of Research Professor, and that Directors of Research are denied the title, whatever their eminence. In some cases they would be strong candidates for the grant of the title Honorary Professor or Honorary Reader (Ordinance XI), were it not that their employment by the University excludes them from this process.

Currently Directors of Research are regarded as equal to Professors by our HERA pay grading system, but lack teaching responsibilities, tenure, and the title Professor. In the new scheme, even pre-probationary lecturers would have a title including the word 'professor'. This further increases the division between UTOs and senior research-only staff, and it is disappointing that the Report fails to mention Directors of Research, Assistant Directors of Research, and Principal Research Associates, positions which seem particularly common in the Clinical School, but which occur more widely. They all write grants, and need international recognition, yet labour under titles not well understood even within Cambridge. Not only do they write grants, but, should their applications fail, their own, unestablished, posts may be in jeopardy. Their case for a better recognised title seems stronger than that of tenured Lecturers and Readers.

How the University chooses to style its UTOs is not a matter simply for UTOs, as the recent survey implied. Professor is one of those very rare job titles which is used in everyday life. It becomes one's title on one's passport, credit cards, and in correspondence. Minor modifiers such as 'Assistant' or 'Associate' tend to be dropped to avoid confusion. Currently the title is given to UTOs only, and only those at the highest rank. To give it to a much wider range of UTOs might cause resentment amongst those Research and Academic-Related staff on grades nine and above who would be denied even the title 'Associate Professor (Grade 9),' especially if they are also active in academic teaching as well as research, as many are. Must they take comfort in the words sometimes attributed to Solomon: "vanity of vanities, saith the Preacher, vanity of vanities; all is vanity"? [Ecclesiastes 1:2]

Report of the Council, dated 16 March 2020, on updates to the University's freedom of speech documentation

(Reporter, 6582, 2019–20, p. 425).

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

Vice-Chancellor, this is not a bad effort at resolving a major current difficulty but one is bound to notice that it mentions 'academic freedom' only once. The relationship of general freedom of speech to 'academic freedom' might bear further discussion in the present review. Perhaps worth considering in this connection is the 'Statement of Freedoms' Oxford created in the course of its review of its Statute XII.¹

¹ <https://governance.admin.ox.ac.uk/legislation/statute-xii-academic-staff-and-the-visitorial-board#collapse1382986>

Dr A. M. AHMED (Faculty of Philosophy and Gonville and Caius College):

Vice-Chancellor, staff at UK universities nowadays face managerial interference, loss of academic roles, disciplinary action and worse when trying to state a range of views. A UCU report in 2017 ranked the UK second-lowest for academic freedom among the (then) 28 EU states.¹ The 'Prevent' Duty on Higher Education Institutions continues to impose heavy administrative burdens upon, and to encourage undue suspicion towards, the exercise of perfectly legitimate political speech.

The University must therefore do everything possible to protect free speech and academic freedom for its staff, students and visitors. This is in line with its own core value of freedom of expression.

I welcome the reaffirmation of that core value in the proposed free speech documentation.² But the documentation as it stands is ineffective. It stands or falls on whether it protects the rights of staff, students and visitors to speak freely on any of those vitally important issues that are likely to provoke controversy or protest. These include animal rights, medical ethics, Israel and Palestine, religion, sexual ethics and sexuality. My main concern is that it fails this test.

I'll divide my comments into three sections corresponding to the three aspects of the proposed documentation that I think could usefully be amended.

1. Respect and tolerance

1.1 What is currently proposed

The University's Free Speech 'Principles' include the following:

The University of Cambridge...

4. expects its staff, students and visitors to be *respectful of* the differing opinions of others, in line with the University's core value of freedom of expression;
5. expects its staff, students and visitors to be *respectful of* the diverse identities of others, in line with the University's core value of freedom from discrimination;

The second paragraph of the proposed Statement reads in part as follows:

The University fosters an environment in which all of its staff and students can participate fully in University life, and feel able to question and test received wisdom, and to express new ideas and controversial or unpopular opinions within the law, without fear of *disrespect* or discrimination. In exercising their right to freedom of expression, the University expects its staff, students and visitors to be *respectful of* the differing opinions of others, in line with the University's core value of freedom of expression. The University also expects its staff, students and visitors to be *respectful of* the diverse identities of others, in line with the University's core value of freedom from discrimination.

I have indicated in italics the material which in my view merits reconsideration.

1.2 Concerns about it

(i) Respect implies appreciation or admiration (as per the Cambridge Dictionary).³ But there is no reason the University should expect anyone to appreciate or admire all opinions. A straightforward example: some people do not appreciate, admire or in any other way respect the opinions of racists about race or the teachings of some religions regarding homosexuality. Those people should be free to harbour and to express their disrespect for those opinions and teachings. Point 4 of the proposed 'Principles' rules that out. So too does the proposed Statement because of the occurrence of the word 'disrespect' in the first sentence, and of the word 'respectful' in the second sentence, of the material from its second paragraph quoted above.

The fact is that not all views are equally deserving of respect. The Oxford statement on free speech frankly admits this.⁴ Why cannot we? I propose that we replace the demand for respect in these places with a demand for tolerance. The Cambridge Dictionary defines tolerance as 'willingness to accept behaviour and beliefs that are different from your own, although you might not agree with or approve of them'.⁵ I should have thought that that is all that freedom of expression requires.

(ii) The last sentence of the second paragraph of the proposed statement (as quoted above) mentions 'the diverse identities of others'. These identities could encompass almost any political or religious identity from white nationalism through Catholicism and Communism to militant Islamism. Are we really supposed to *respect* all of these 'identities'? Ridicule and parody – which are compatible with tolerance though not with respect – can be as effective as argument and analysis in getting people to question the value of these and other 'identities' in others or in themselves.

This part of the statement, and also the part discussed at point (i) above, are failing the principal test. ‘Respect’ being so positive in its connotations, and ‘identity’ so Protean in its, it would be easy to argue that anyone who criticised a political ideology or religion was showing disrespect towards somebody’s identity. But simply expressing such criticism is clearly compatible with *tolerance*, not only for the ideological belief itself but also for whatever practices or institutions are bound up with it.

1.3 Proposed amendments

(i) In view of 1.2(i), I propose the following amendments:

(a) Change the ‘Principles’ to read:

The University of Cambridge...

4. expects its staff, students and visitors to *tolerate* the differing opinions of others, in line with the University’s core value of freedom of expression;

(b) Change the first two sentences of the quoted material from the second paragraph of the Statement to read:

The University fosters an environment in which all of its staff and students can participate fully in University life, and feel able to question and test received wisdom, and to express new ideas and controversial or unpopular opinions within the law, without fear of *intolerance* or discrimination. In exercising their right to freedom of expression, the University expects its staff, students and visitors to be *tolerant* of the differing opinions of others, in line with the University’s core value of freedom of expression.

(ii) In view of 1.2(ii) I propose the following amendments:

(a) Change the ‘Principles’ to read:

The University of Cambridge...

5. expects its staff, students and visitors to *tolerate* the diverse identities of others, in line with the University’s core value of freedom from discrimination

(b) Change the last sentence of the second paragraph of the Statement to read:

The University also expects its staff, students and visitors to *be tolerant of* the diverse identities of others, in line with the University’s core value of freedom from discrimination.

2. Visiting speakers

2.1 What is currently proposed

The sixth paragraph of the proposed Statement reads as follows:

An active speaker programme is fundamental to the academic and other activities of the University and staff and students are encouraged to invite a wide range of speakers and to engage critically but courteously with them. This Statement and the Code provide the only mechanism by which the University can cancel or impose conditions on meetings or events where this action is deemed necessary as a result of the event’s subject matter and/or speaker(s). This is to ensure that the use of University premises is not inappropriately denied to any individual or body of persons on any ground connected with their beliefs or views or the policy or objectives of a body (with the exception of proscribed groups or organisations) of which they are a member. However, all speakers should anticipate that their views might be subject to robust debate, critique and challenge.

2.2 Concerns about it

As far as it goes this paragraph is clear and robust. But one other point deserves prominence. This is to do with the dis-invitation of speakers. It is important that University societies, having decided to invite a speaker, should not then withdraw that invitation because of objections to the speaker’s views. Nothing could be more inimical to free debate than an atmosphere in which any group’s invitation to (say) pro-Israeli or to pro-Palestinian speakers was subject to reversal at the behest of a small but vehement opposing minority.

Not only does it matter in principle, it is already a legal requirement. Section 43 of the Education (No 2) Act 1986 places a legal duty on universities to take ‘reasonably practicable’ steps to ensure freedom of speech within the law for their members, students, employees and visiting speakers.⁶ The Equality and Human Rights Commission has published a helpful note on this and related legislation.⁷ For present purposes the EHRC guidance makes two relevant points: first, that the duty applies not only to premises owned by the University but also to Student Unions; and second, that invited speakers cannot be stopped from speaking except under very specific circumstances.

I believe that the Statement should make this important principle perfectly clear. The point is to reassure any student (or other) societies that are contemplating an invitation to a controversial speaker, that the University would support the event’s going ahead were the invitation to be accepted.

2.3 Proposed amendment

I therefore propose that Council simply incorporate the existing legal obligation into the Statement. This would mean changing the sixth paragraph to read as follows:

An active speaker programme is fundamental to the academic and other activities of the University and staff and students are encouraged to invite a wide range of speakers and to engage critically but courteously with them. This Statement and the Code provide the only mechanism by which the University can cancel or impose conditions on meetings or events where this action is deemed necessary as a result of the event’s subject matter and/or speaker(s). This is to ensure that the use of University or *Student Union* premises is not inappropriately denied to any individual or body of persons on any ground connected with their beliefs or views or the policy or objectives of a body (with the exception of proscribed groups or organisations) of which they are a member.

The University’s policy, in line with its duty under Section 43 of the Education (No 2) Act 1986, is that any speaker who has been invited to speak at a meeting or other event, on University premises or at the Student Union, must not be stopped from doing so unless: they are likely to express unlawful speech, or their attendance would lead the host organisation to breach other legal obligations, and no reasonably practicable steps can be taken to reduce these risks. However, all speakers should anticipate that their views might be subject to robust debate, critique and challenge.

The concluding block in italics is simply quoted (with minor changes) from the relevant section of the EHRC guidance on s. 43 of the 1986 Act. It therefore merely reaffirms our existing obligations. The point of doing so publicly (to repeat) is to reassure student groups and others that they should feel free to invite speakers whose views are controversial or unpopular.

3. Prevent

3.1 What is currently proposed

The final paragraph of the proposed Statement reads as follows:

The University will not unreasonably either refuse to allow events to be held on its premises or impose special conditions upon the running of those events. The lawful expression of controversial or unpopular views will not in itself constitute reasonable grounds for withholding permission for a meeting or event. *Grounds for refusal, or the imposition of special conditions, would include, but are not limited to, a reasonable belief that the meeting or event is likely to:*

- *include the expression of views that risk drawing people into terrorism or are the views of proscribed groups or organisations;*
- *incite others to commit violent or otherwise unlawful acts;*
- *include the expression of views that are unlawful because they are discriminatory or harassing;*
- *pose a genuine risk to the welfare, health, or safety of members, students, or employees of the University, to visitors, or to the general public; or*
- *give rise to a breach of the peace or pose an unacceptable security risk.*

3.2 Concerns about it

I have four main concerns about the material in italics.

(i) It allows the University to prohibit events *as often as it likes and for any reason at all*, because of the inclusion of the phrase ‘are not limited to’ in the third sentence. The first sentence offers little protection because it is entirely unspecific about what grounds *would* be reasonable.

(ii) The first bullet point is clearly taken from Paragraph 11 of the Prevent Duty Guidance for HEIs.⁸ That paragraph was ruled illegal by the Court of Appeal in 2019, so there is at present no legal basis for including it here.⁹ Moreover, Prevent itself is currently under review; and although the future of that review is uncertain, the original reviewer (Lord Carlile) has made it clear that no recommendation is off the table, including scrapping the policy altogether.

(iii) The first bullet point uses language so vague that it could cover everything from activism for Palestinian rights to animal welfare campaigns. There already have been several disgraceful over-interpretations of the Guidance, including a recent episode at Cambridge in which the University interfered with an event on ‘BDS and the globalised struggle for Palestinian rights’.¹⁰

I appreciate that the Prevent Duty exists whether or not we explicitly incorporate it into *our* free speech policy. But keeping it there (a) signals that the University endorses a burden that many of us regard as threatening as well as onerous; and (b) risks discouraging students and others from inviting controversial speakers for fear of yet more interference.

(iv) It is likely to fail the principal test because the term ‘welfare’ in the fourth bullet point is both vague and capacious. As far as I can tell anything that you dislike, or dislike enough, might reasonably be said to threaten your ‘welfare’ in some sense.

3.3 Proposed amendment

Change the final paragraph of the Statement to read:

The University will not unreasonably either refuse to allow events to be held on its premises or impose special *or unreasonable or onerous* conditions upon the running of those events. The lawful expression of controversial or unpopular views will not in itself constitute reasonable grounds for withholding permission for a meeting or event.

The University may only restrict speaker events given a reasonable belief that such events are likely to involve speech that violates the law, that falsely defames a specific individual, that constitutes a genuine threat or harassment, that unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise directly incompatible with the functioning of the University. In addition, the University may reasonably regulate speaker events to ensure that they do not disrupt the ordinary activities of the University.

These narrow exceptions to the general principle of freedom of expression are not intended ever to apply in a way that is inconsistent with the University’s commitment to the completely free and open discussion of ideas.

The proposed change solves the problems identified in 3.2 by removing the passages that create them. It also represents a *restrictive* as opposed to an *open-ended* specification of the conditions under which the University may restrict an event. This makes it more transparent and useful than the existing version. The generic reference to legal obligations as opposed to any specific duty gives it the flexibility to accommodate statutory changes.

The proposed new text in this section is substantially the same as in the corresponding passage of the ‘Report of the Committee on Freedom of Expression at the University of Chicago’, commonly known as the ‘Chicago Statement’.¹¹ More than 50 US universities have adopted the Statement including Columbia University, Johns Hopkins University, the University of North Carolina at Chapel Hill and Princeton University.

¹ Karran, T. and L. Mallinson, *Academic Freedom in the UK: Legal and Normative Protection in a Comparative Context*. UCU 2017.

² <https://www.admin.cam.ac.uk/reporter/2019-20/weekly/6582/section5.shtml#heading2-13>

³ <https://dictionary.cambridge.org/dictionary/english/respect>

⁴ <https://compliance.admin.ox.ac.uk/freedom-of-speech>

⁵ <https://dictionary.cambridge.org/dictionary/english/tolerance>

⁶ <https://www.legislation.gov.uk/ukpga/1986/61/section/43>

⁷ <https://www.equalityhumanrights.com/sites/default/files/freedom-of-expression-guide-for-higher-education-providers-and-students-unions-england-and-wales.pdf>

⁸ <https://www.gov.uk/government/publications/prevent-duty-guidance/prevent-duty-guidance-for-higher-education-institutions-in-england-and-wales>

⁹ <https://www.judiciary.uk/judgments/court-of-appeal-civil-rv-butt-v-secretary-of-state-for-the-home-department/>

¹⁰ <https://www.standard.co.uk/news/uk/cambridge-university-slammed-by-senior-academics-over-crackdown-on-free-speech-at-student-palestine-a3685811.html>

¹¹ <https://provost.uchicago.edu/sites/default/files/documents/reports/FOECommitteeReport.pdf>

Report of the General Board, dated 17 March 2020, on a University Senior Lecturer dual career pathway*(Reporter, 6582, 2019–20, p. 428).*

Professor E. V. FERRAN (Pro-Vice-Chancellor for Institutional and International Relations, Faculty of Law, and St Catharine's College):

Vice-Chancellor, this Report addresses the long-standing problem that the current scoring methodology for progression to University Senior Lecturer level includes a cap on the research score. When this cap was introduced, it was felt that it would provide a progression route for University Teaching Officers whose particular strength was in teaching. Experience has exposed the unintentional side-effect that the cap can impede the progression of UTOs whose career trajectory more closely follows the standard weighting between research, teaching and general contribution.

Concerns to this effect were raised during consultations on the Academic Career Pathways model and also during a specific consultation exercise proposing a dual pathway which was carried out in Michaelmas Term 2019. The comments on the proposal to introduce a dual pathway at the USL level were overwhelmingly positive.

The Report therefore puts forward an alternative research-focused route to Grade 10 USL, so that academics will be able to apply through either a research-weighted route or a teaching-weighted route, with an appropriate scoring methodology applied when evaluating their application. As academic careers are not always linear it is proposed that in providing for two alternative routes it would be clearly stated that those who reached Grade 10 USL through the teaching-weighted route would remain eligible to apply for further promotion based on a research trajectory.

For the avoidance of doubt: should the Report on new academic titles and offices be adopted, the office of University Senior Lecturer would be replaced by that of Associate Professor at Grade 10.

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

Vice-Chancellor, 'teaching-focused' has become a term of art in UK universities, most often in contexts where – as I know from case-work – individuals appointed on teaching-and-research contracts have been presented with a choice between redundancy and accepting a 'teaching-focused' role. Under that new contract role their opportunity for research will be reduced to the sphere of 'pedagogical scholarship'. The University of Edinburgh offers its own staff a description of that area of research limited to teaching:

The Scholarship of Teaching and Learning has been described as a revolution, a movement, a framework, a tool, even a paradigmatic change in higher education ...

We like to think of it as a process of intentional inquiry into one's own learning, teaching and assessment practices with a view to enhancing those practices and improve the learning of our students.¹

This is of course an entirely different thing from the choice which has traditionally been open to Cambridge's teaching-and-research academics holding University Teaching Offices to choose to concentrate rather more on one or the other, according to preference, perhaps shifting the emphasis over the years.

However, reading the Vice-Chancellor's email sent immediately before the late-May Bank Holiday² one's eye falls on a mention of 'potential generalised redundancies'. That has caused widespread upset and it seems worth just drawing attention to the increasingly familiar connection being made elsewhere between academic redundancies (often presented as 'capability' or 'performance' dismissals), and pressure on individuals to move from teaching-and-research to 'teaching-focused' contracts. You never know what might happen while the University of Cambridge is being run under 'emergency' powers with missing *Reporters* and no end date for a return to the constitutional normal.

¹ <https://www.ed.ac.uk/institute-academic-development/learning-teaching/staff/sotl/what-is-sotl>

² <https://www.cam.ac.uk/coronavirus/news/update-from-the-vice-chancellor-18>