

CAMBRIDGE UNIVERSITY REPORTER

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UNIVERSITY OF
CAMBRIDGE

NOTICES

Calendar

17 May, *Friday*. Congregation of the Regent House at 10 a.m. (see p. 592).

18 May, *Saturday*. Congregation of the Regent House at 10 a.m. (see p. 592).

19 May, *Sunday*. Scarlet Day. Whitsunday.

26 May, *Sunday*. Scarlet Day. Trinity Sunday. Preacher before the University at 11.30 a.m., The Revd Dr James Gardom, Dean and Chaplain, Pembroke College, and Interim Priest-in-Charge, St Bene't's Church. *Ramsden Preacher*.

28 May, *Tuesday*. Discussion by videoconference at 2 p.m. (see below).

Discussions (Tuesdays at 2 p.m.)

28 May

25 June

9 July

16 July

Congregations (at 10 a.m. unless otherwise stated)

17 and 18 May

19 June at 2.45 p.m. (Honorary Degrees)

26, 27, 28 and 29 June (General Admission)

18, 19 and 20 July

Discussion on Tuesday, 28 May 2024

The Vice-Chancellor invites members of the Regent House, University and College employees, registered students and others qualified under the regulations for Discussions (*Statutes and Ordinances*, p. 111) to attend a Discussion by videoconference on Tuesday, 28 May 2024 at 2 p.m. The following items will be discussed:

1. Report of the General Board, dated 2 May 2024, on the establishment of a Professorship of Social Anthropology (*Reporter*, 6740, 2023–24, p. 562).
2. Topic of Concern to the University: Abolition of Forced Retirement (p. 576).
3. Joint Report of the Council and the General Board, dated 14 May 2024, on the University's Retirement Policy and Employer Justified Retirement Age (p. 578).
4. Report of the Council, dated 14 May 2024, on a University Code of Practice on Freedom of Speech (p. 587).

Those wishing to join the Discussion by videoconference should email UniversityDraftsman@admin.cam.ac.uk from their University email account, providing their CRSid (if a member of the collegiate University), by 10 a.m. on the date of the Discussion to receive joining instructions. Alternatively contributors may email their remarks to contact@proctors.cam.ac.uk, copying ReporterEditor@admin.cam.ac.uk, by no later than 10 a.m. on the day of the Discussion for reading out by the Proctors,¹ or may ask someone else who is attending to read the remarks on their behalf.

In accordance with the regulations for Discussions, the Chair of the Board of Scrutiny or any ten members of the Regent House² may request that the Council arrange for one or more of the items listed for discussion to be discussed in person (usually in the Senate-House). Requests should be made to the Registry, on paper or by email to UniversityDraftsman@admin.cam.ac.uk from addresses within the cam.ac.uk domain, by no later than 9 a.m. on the day of the Discussion. Any changes to the Discussion schedule will be confirmed in the *Reporter* at the earliest opportunity.

General information on Discussions is provided on the University Governance site at <https://www.governance.cam.ac.uk/governance/decision-making/discussions/>.

¹ Any comments sent by email should please begin with the name and title of the contributor as they wish it to be read out and include at the start a note of any College and/or Departmental affiliations held.

² <https://www.scrutiny.cam.ac.uk/> and https://www.admin.cam.ac.uk/reporter/regent_house_roll/.

Office of Chancellor

14 May 2024

The Council wishes to update the Regent House and the Senate on its deliberations about the forthcoming search for a Chancellor to succeed The Lord Sainsbury of Turville. At its meeting in March 2024, the Council reflected on how to ensure the success of the search to fill this important office. The Council agreed that a proposal should be worked up to change the term of office of the Chancellor from a lifetime appointment to one for a fixed term of ten years. The Council will provide further details on its rationale for this proposed change in a Report for discussion and decision by the Regent House. The Council intends to publish its Report by the end of May. If the proposal is accepted by the Regent House, the election of a new Chancellor is likely to take place in Lent Term 2025, to allow time for the review of the change in Statute by the Privy Council.

Topic of concern to the University: Abolition of forced retirement

14 May 2024

The Registry gives notice that she has received the following request for the discussion of a Topic of concern to the University:

Cambridge's policy of forced retirement, known as the EJRA, claims to achieve:

- Intergenerational fairness
- Effective succession planning
- Innovation
- Academic freedom

It does none of these things.

- **Innovation suffers:** Forcing arbitrary retirement at 67 or 69 stops innovation. Academics can innovate at any age. To suggest otherwise is ageist.
- **Succession planning fails:** Top talent won't join Cambridge knowing they'll be forced out at 67 or 69. We lose our best professors to other universities by 62 or 64, creating a brain drain and taking their big grants elsewhere.
- **Intergenerational fairness is not achieved:** The EJRA does not lead to Cambridge promoting its own junior academics. Forced retirement disproportionately also harms women whose careers often develop later.
- **Academic freedom:** The EJRA is irrelevant to academic freedom. It singles out people based on one 'protected characteristic' and discriminates against them.

The EJRA is a destructive policy based on outdated assumptions. It hurts Cambridge's global reputation and undermines its mission.

This affects everyone. If you're young now, you'll face the EJRA's unfair limits in the future.

Sign the petition to put 'abolish EJRA' on the ballot. Protect Cambridge's excellence.

This request is supported by the 35 members of the Regent House listed in Annex A.

The Registry has agreed that this topic will be included among the matters for consideration at the Discussion on **Tuesday, 28 May 2024 at 2 p.m. by videoconference** (see p. 575).¹

ANNEX A

D. S. H. ABULAFIA
MICHAEL ANDERSON
S. M. ANSARI
S. BARON-COHEN
E. BENVENISTI
PIETE BROOKS
A. D. CHAMBERS
C. M. CLARK
T. W. CLYNE
J. A. CROWCROFT
R. J. DOWLING
G. R. EVANS

U. C. GOSWAMI
S. GOYAL
M. W. GROSS
T. C. GROSSER
C. J. HUMPHREYS
A. J. HUTCHINGS
M. JAMNIK
P. A. KATTUMAN
M. H. KRAMER
N. D. A. LANE
O. B. LINTON
A. V. S. MADHAVAPEDDY

C. MASCOLO
J. D. MOLLON
A. W. MOORE
B. C. J. MOORE
A. MYCROFT
S. M. OOSTHUIZEN
R. RAU
W. SCHULTZ
P. M. SEWELL
RICHARD J. SMITH
L. A. ZAIBERT

¹ For the Joint Report of the Council and the General Board, dated 14 May 2024, on the University's Retirement Policy and Employer Justified Retirement Age, see p. 578.

Stipends of the holders of clinical academic offices and payment for clinical responsibility from 1 April 2023

Agreement has been reached on the salary arrangements for clinical academic staff with effect from 1 April 2023. Following a recent meeting of the Board of the Universities and Colleges Employers Association, the Clinical Academic Staff Salaries Committee has agreed to translate the award of the Review Body on Doctors' and Dentists' Remuneration into the salaries of clinical academic staff. The increase, from 1 April 2023, is 6% plus a £1,250 consolidated payment on the scale points for Clinical Lecturers. The pay award will be backdated to 1 April 2023. The increase, from 1 April 2023, is 6% on the scale points for Consultants. The pay award will be backdated to 1 April 2023.

The values of national Clinical Excellence Awards (CEAs) and local CEAs under the previous scheme, discretionary points and distinction awards remain unchanged.

In accordance with the principle that the remuneration of clinical academic staff in Cambridge should be broadly comparable with that of equivalent staff in other UK medical schools, the General Board has agreed to approve revised stipends and scales of stipends for clinical appointments in Cambridge.

The figures currently shown in Schedule II to the Ordinance for Stipends (*Statutes and Ordinances*, p. 687) are replaced with effect from 1 April 2023 and are as follows:

For Clinical Lecturers on the equivalent of the NHS 'new' 2016 pay system:

Clinical Lecturer £32,398 by five nodal points to £63,152

For Clinical Lecturers on the equivalent of the NHS Specialist Registrar scales (pre-2009):

Clinical Lecturer £38,619 by eleven increments to £65,955

University Associate Professor (Grade 10)/Professor (Grade 11) (Senior Lecturer/Reader) scale £61,142 by six increments to £85,973

For Clinical Lecturers on the equivalent of the NHS Specialty Registrar scales (post-2009):

Clinical Lecturer £39,260 by eleven increments to £68,478

University Associate Professor (Grade 10)/Professor (Grade 11) (Senior Lecturer/Reader) scale £61,142 by six increments to £85,973

The offices of Clinical Sub-Dean in the Faculty of Clinical Medicine and Director and Assistant Director of Studies in General Practice are part-time and stipends are determined by local agreement, with reference to the appropriate full-time Consultant salary.

The Board has also approved the following basis for calculating rates of payment for clinical responsibility for University officers with honorary NHS contracts as Consultants:

New (2003) Consultant contract:

If the integrated job plan and the honorary Consultant contract agreed with the NHS covers not less than ten Programmed Activities a week, the annual pensionable payment for clinical responsibility will amount to the difference between the officer's prime stipend and their notional place on the NHS full-time Consultant salary scale.

That scale is:

With effect from 1 April 2023: £93,666, £96,599, £99,532, £102,465, £105,390, £112,356, £119,323, £126,281.

VACANCIES, APPOINTMENTS, ETC.

Election

The following election has been made:

Professor SALLY FAULKNER, M.A., M.Phil., Ph.D., *F*, Professor of Hispanic Studies and Film Studies, University of Exeter, elected Professor of Spanish with effect from 31 August 2024.

Vacancies in the University

A full list of current vacancies can be found at <https://www.jobs.cam.ac.uk>.

Dean (Director) of the Cambridge Judge Business School; tenure: from July 2025 or as soon as possible thereafter; closing date: 3 June 2024 at 12 noon; further details: <https://www.jobs.cam.ac.uk/job/46428/> and <https://www.odgers.com/90942>

Professorship of European Law in the Faculty of Law; tenure: from 1 January 2025 or as soon as possible thereafter; informal enquiries: Professor Mark Elliott, Chair of the Faculty of Law and Convenor of the Board of Electors (email: mce1000@cam.ac.uk); closing date: 12 June 2024; further details: <https://www.jobs.cam.ac.uk/job/46416/>; quote reference: JK41580

The University actively supports equality, diversity and inclusion and encourages applications from all sections of society. The University has a responsibility to ensure that all employees are eligible to live and work in the UK.

REPORTS

Joint Report of the Council and the General Board on the University's Retirement Policy and Employer Justified Retirement Age

The COUNCIL and the GENERAL BOARD beg leave to report to the University as follows:

1. This Report sets out proposed changes to the University's Retirement Policy, which currently applies an Employer Justified Retirement Age (EJRA) to most staff employed as University officers. Its main recommendation is that the EJRA should be retained for academic officers and removed for academic-related officers.

2. In February 2023, the Council and the General Board established a Retirement Policy and EJRA Review Group to review the University's Retirement Policy. Following consultation with staff, it made its recommendations to the Council and the General Board in April 2024. A report by the Review Group, setting out its approach, findings and conclusions, is available at: <https://www.admin.cam.ac.uk/cam-only/reporter/documents/ejra/EJRAReviewGroupReport2024.pdf> (University Account Required)].¹ Supporting materials, including a report on the analysis of data procured from the Higher Education Statistics Agency which has been peer-reviewed to verify the methodology, are available on the Staff Hub at <https://universityofcambridgecloud.sharepoint.com/sites/StaffHub/SitePages/Employer-Justified-Retirement-Age.aspx> (University Account Required)].²

Background

3. The University currently operates an EJRA for academic and academic-related University officers, which takes effect at the end of the academic year in which they reach 67. This is to support the following aims, which are set out in the University's Retirement Policy:³

- To ensure intergenerational fairness and career progression;
- To enable effective succession planning;
- To promote innovation in research and knowledge creation; and
- To preserve academic autonomy and freedom.

4. The University does not currently apply an EJRA to other staff.

5. To provide some context, the UK government phased out default retirement ages in 2011, after which employers could retain a compulsory retirement age, provided this could be objectively justified as a proportionate means of achieving a legitimate aim (referred to an Employer Justified Retirement Age).

6. Prior to these legislative changes, the University operated a compulsory retirement age for University officers (at the end of the academic year in which they reached 67) and for all other staff categories (at the end of the academic year in which they reached 65). Reviews of the University's policy in 2010–12 and 2015–16 confirmed the continuance of a compulsory retirement age for University officers (with certain specified exemptions) but not for other staff categories.

7. The Review Group established in 2023 considered whether to abolish, retain or raise the current EJRA, amendments to the Retirement Policy and other ancillary matters. At the request of members of the Council, it also considered issues relating equality and diversity. The Review Group comprised a broad range of representatives, including members of the Council, members of the Regent House, Heads of School, a Head of a Non-School Institution, the Academic Secretary, trade union representatives, and representatives from the retired academic community, the Colleges and the post-doctoral community. It also considered feedback from staff, departments and trade unions, as well as the analysis of data (both internal HR data and data supplied by the Higher Education Statistics Agency).

Proposed changes to the Retirement Policy

8. After careful consideration, the Council and the General Board have endorsed the following recommendations made by the Review Group, to take effect from 1 September 2024:

The EJRA

- (a) The EJRA should be abolished for academic-related officers, with the exception of the offices of Vice-Chancellor and Pro-Vice-Chancellor.
- (b) The EJRA should be retained for academic officers, but it should be raised to take effect at the end of the academic year that they reach the age of 69.

Extensions

- (c) More than one extension to allow staff to continue to work beyond the EJRA should be permitted under Section 7 of the University's Retirement Policy, provided that the evaluative criteria under that section are applied.

The re-employment of University officers post-retirement

- (d) The extensions procedure and criteria should apply to the re-employment of retired academic University officers, as it does for extension applications. The exception to this should be where retired academic University officers are applying for either academic-related or assistant staff posts which are advertised in line with the University's Recruitment Policy. Such applications should be treated in line with the University's Recruitment Policy.

The management of the retirement process, relationship with retired staff and other matters

- (e) The Council and the General Board have agreed that the University will review the following ancillary matters as recommended by the Review Group with a view to implementing changes as soon as practicable:

¹ An Equality Impact Assessment on the proposed changes is available at <https://www.admin.cam.ac.uk/cam-only/reporter/documents/ejra/EJRAEqualityImpactAssessment2024.pdf> (University Account Required).

² Under the terms of the agreement with HESA, access to the HESA data analysis report is limited to University staff and members of the Regent House, therefore not all holders of University accounts will be able to access it.

³ <https://www.hr.admin.cam.ac.uk/policies-procedures/1-retirement-policy/4-university-officers>.

- (i) to consider how to enable retired academics to contribute to the University in a meaningful way post-retirement that remains aligned with the EJRA and its underlying aims;
 - (ii) the HR processes in place, including the extensions and grant-funding processes, to simplify these and to ensure a more informed approach to retirement for retirees. Heads of Institution should be reminded to hold discussions in sufficient time ahead of retirement so that staff better understand the options available;
 - (iii) annual briefings to remind staff about the process and to encourage them to apply in good time for grant funding (where appropriate) and extensions;
 - (iv) what else could be done to acknowledge and appreciate the contribution of the leaver during their time at the University and ensure appropriate communications are in place within departments when retirements are due.
- (f) The Council and the General Board have also asked the Human Resources Committee to examine how the rate of completion of exit questionnaires could be improved or whether there are other means of gathering such information (for instance, exit interviews).

Transitional arrangements:

- (g) If the new EJRA falls on a date that is later than the termination date for their current fixed-term contract, former academic officers who are currently on fixed-term extensions to work beyond the EJRA would be permitted to extend their current fixed-term contract to the new EJRA of 69 by default.
- (h) Current fixed-term post-EJRA extensions for former academic-related officers should be made open-ended or extended for a further period, if desired by the staff member, bearing in mind that the individual may wish to keep their current retirement plans.

Rationale for the proposed changes

9. This review highlighted the competing interests of different staff groups in this matter (those nearing retirement age and those in their early to mid-careers). The Review Group strove to balance those interests as well as consider the impact of the EJRA on other aspects, for instance succession planning, and the competitiveness of the University.

10. One of the key factors for the Review Group in reaching its decision was the significant impact of the EJRA on vacancy creation for academic offices: when averaged over the period 2013–2023, 47.2% of academic officers who vacated their office did so at the end of the academic year in which they reached 67.

11. Further, modelling of HESA data predicts that if the EJRA were abolished at Cambridge, there would be significantly fewer permanent jobs available to more junior academics (on average 27.7 fewer academic offices per year between 2023 and 2032 with a cumulative total of 672.3 fewer offices over the next 40 years). This would in turn impact on the availability of offices for earlier career academics at the University and within the sector. The reduction in turnover would also have consequences for the promotion of innovation in research and knowledge creation.

12. In contrast, the EJRA has a much smaller effect on the creation of job vacancies for academic-related offices (only 9.9% of academic-related vacancies in 2012–22 was due to the EJRA). Further, many of the aims, for instance academic autonomy, do not apply to this staff group in the same way as for academics. For these reasons, the Review Group supported the proposal to abolish the EJRA for this group.

Ballot timetable

13. The Council and the General Board have agreed that there should be a ballot on this Report's recommendations. The ballot is expected to follow the timetable set out below.

<i>Ballot timetable</i>	
Discussion	2 p.m. on Tuesday, 28 May 2024 by videoconference
Graces and any Notice in response to Discussion remarks published	Wednesday, 12 June 2024
Deadline for amendments to Graces	4 p.m. on Friday, 21 June 2024
Deadline for fly-sheets	1 p.m. on Thursday, 27 June 2024
Voting opens	10 a.m. on Wednesday, 10 July 2024
Voting closes	5 p.m. on Monday, 22 July 2024
Results available on the <i>Reporter</i> website	Tuesday, 23 July 2024

RECOMMENDATIONS

14. The Council and the General Board recommend, with effect from 1 September 2024 (or such later date as the Council and the General Board shall determine):

- I. That the EJRA be applied only to officers designated as academic staff under Special Ordinance C (i) 1 and the holders of the offices of Vice-Chancellor and Pro-Vice-Chancellor.
- II. That the EJRA be revised to take effect at the end of the academic year that the officers listed in recommendation I reach the age of 69.
- III. If recommendations I and II are approved, that the revised Retirement Policy as set out in Annex A be approved.
- IV. If recommendations I and II are approved, that the consequential amendments to Ordinances as set out in Annex B be approved.

14 May 2024

DEBORAH PRENTICE,
Vice-Chancellor
ZOE ADAMS
MADELEINE ATKINS
GAENOR BAGLEY
MILLY BODFISH
SAM CARLING
JOHN DIX

SHARON FLOOD
ALEX HALLIDAY
HEATHER HANCOCK
LOUISE JOY
FERGUS KIRMAN
ELLA MCPHERSON
SCOTT MANDELBROTE
SALLY MORGAN

RICHARD MORTIER
SHARON PEACOCK
PIPPA ROGERSON
JASON SCOTT-WARREN
ANDREW WATHEY
MICHAEL SEWELL
PIETER VAN HOUTEN

14 May 2024

DEBORAH PRENTICE,
Vice-Chancellor
CAREDIG AP TOMOS
MADELEINE ATKINS
TIM HARPER

ELLA MCPHERSON
PATRICK MAXWELL
NIGEL PEAKE
RICHARD PENTY
ANNA PHILPOTT

PIETER VAN HOUTEN
BHASKAR VIRA
CHRIS YOUNG

NOTE OF PARTIAL DISSENT

The EJRA is a complex and contentious topic about which the Regent House will soon be asked to take a decision, and this Report is a key part of informing the Regent House on this topic beforehand. While we agree that it is important to get it published to avoid any further delays to the process of reviewing the EJRA, we cannot give unreserved support to this Report. We feel elements of its presentation risk the Regent House not being properly informed when it takes its decision, creating financial and reputational risks to the University.

In summary our key concerns are:

1. The presentation of data in the Report seems to us sometimes simplified to the point of bias. Three examples:
 - (i) The Report repeatedly refers to the EJRA as responsible for creating 47% of academic vacancies in the University. But this is only true assuming all those who retired at 67 did so solely because of the EJRA, which is likely to be taken as a weakness.
 - (ii) As the Report notes, it is clearly to be welcomed that the University is benefiting from increased diversity and reduced pay gaps with respect to gender and ethnicity among its academic staff. But this is neither used as a current justification for the EJRA, nor does it appear to be happening any more quickly here than at any other Russell Group institution. It is thus surprising how much prominence this point is given when it appears unrelated to the EJRA.
 - (iii) At several points the Report relies upon arguments of administrative convenience to justify the EJRA, for example it makes multiple references to succession planning but far fewer references to academic freedom. We do not believe that the law supports the view that such arguments are sufficiently weighty to be considered a valid social policy aim capable of justifying an EJRA for the purposes of the Equality Act.
2. The Report is silent on the interaction between the EJRA and the University's distinction between Established and Unestablished staff.¹ But the key justification for the EJRA in our opinion is 'to preserve academic autonomy and freedom', balancing the rights conferred by Established status with the need to refresh the University's academic staff. Removal of the EJRA from academic-related staff while some academic-related staff remain Established seems to us to create serious problems.
3. The legal advice from external Counsel referred to in the Report was made available on request to Council members. As it is legally privileged we cannot include details here, and it is in any case only advice and not the ruling of a tribunal or court. There will inevitably be legal challenges to the revised EJRA which present significant financial and reputational risks to the University, but do not appear to have been 'costed in' to the Recommendations in a meaningful way.

14 May 2024

ZOE ADAMS
MILLY BODFISH

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RICHARD MORTIER

¹ <https://www.governance.cam.ac.uk/governance/principal-officers/Pages/officers.aspx>.

ANNEX A: Revised Retirement Policy

The following revised version of the Retirement Policy will be adopted if the recommendations of this Report are approved.

Retirement Policy

1. Context

1.1. This policy provides a statement of the University's approach to employee retirement. The University believes that a clear policy will assist employees in planning for their retirement, or for an extension of their working lives, and will allow for effective succession and activity planning within the University.

1.2. This policy applies to all employees of the University of Cambridge, with the exception of employees working for Cambridge University Press & Assessment.

2. Statement of Policy

2.1. The University aspires to the highest international levels of excellence in education, learning and research. It is important that in striving to achieve these aims, institutions can plan their staffing structures to allow maximum effectiveness across these activities, whilst considering the wishes of individual employees in relation to their workplans.

2.2. The University operates an Employer Justified Retirement Age (EJRA) for academic University officers¹ and the offices of Vice-Chancellor and Pro-Vice-Chancellor, which is at the end of the academic year in which they reach 69.² The options available to them on reaching the retirement age are set out in more detail in Section 4: 'University Officers subject to a Retirement Age'.

2.3. The University does not operate a retirement age for assistant, research, academic-related³ or unestablished academic members of staff.

2.4. The operation of this policy and the maintenance of a retirement age will be kept under review. The Human Resources (HR) Committee may amend this policy as appropriate to ensure its compliance with legislation and to maintain an effective set of procedures. A report of the numbers of retirements and requests for extended employment beyond the retirement age will be received by the HR Committee each academic year.

3. Definitions

<i>Term</i>	<i>Definition</i>
EJRA-applicable University officer(s)	University officers to whom the EJRA applies under this Policy.
Retirement age	30 September of the academic year in which an academic University officer and the holders of the offices of Vice-Chancellor and Pro-Vice-Chancellor reach 69.
Pensionable age	The age at which the member of the relevant occupational pensions scheme becomes entitled to access their pension benefits in full without actuarial reduction.

4. University Officers subject to a Retirement Age

4.1. The University operates a retirement age for academic University officers and holders of the offices of Vice-Chancellor and Pro-Vice-Chancellor⁴ in order to:

- Ensure intergenerational fairness and career progression;
- Enable effective succession-planning;
- Promote innovation in research and knowledge creation; and
- Preserve academic autonomy and freedom.

4.2. At the end of the academic year before that in which the EJRA-applicable University officer reaches the age of 67, the relevant Head of Institution will invite the individual to attend an informal meeting to discuss their intended retirement plans and the options available. A record should be made of the discussion using form *RP3: Record of Workplace Discussion*. The retirement options open to a University officer are detailed below.

4.3. Normal Retirement

4.3.1. If an EJRA-applicable University officer intends to retire at the retirement age, this is the default position and accordingly they need not take any steps to notify the University that this is the case. Their employment will therefore end automatically on 30 September of the academic year in which they reach the age of 69. However, it would be helpful if they would confirm this intention during the workplace discussion with the Head of Institution.

¹ Officers designated as academic staff under Special Ordinance C (i) 1.

² Unless their office is exempted by Statutes or Special Ordinance from the EJRA.

³ With the exception of the office of Vice-Chancellor and Pro-Vice-Chancellor as stated above.

⁴ In this Policy, these University officers are referred to as EJRA-applicable University officers.

4.4. Flexible Retirement

4.4.1. If an EJRA-applicable University officer wishes to work reduced hours and draw part of their pension for a period before full retirement then they can apply for flexible retirement. For further information, please refer to Section 6: 'Pensions'.

4.5. Early Retirement

4.5.1. If an EJRA-applicable University officer wishes to retire before the retirement age they should complete form *RP1: Notification of Intention to Retire* and submit this to their Head of Institution to advise the University of the planned early retirement. This should be submitted no later than three months before the intended early retirement date otherwise there may be a delay in payment of pension benefits.

4.5.2. If an EJRA-applicable University officer wishes to retire before the relevant pensionable age, they need to seek permission of the University to do so, in addition to discussing their plans with the Head of Institution. EJRA-applicable University officers in General Board institutions will require the permission of the Academic Secretary. EJRA-applicable University officers in Council institutions will require the permission of the Registry. The relevant HR Business Manager will be able to advise the employee and Head of Institution of the process for seeking the necessary approval.

4.6. Delayed Retirement

4.6.1. EJRA-applicable University officers are currently required to vacate their offices no later than the end of the academic year in which they reach the retirement age under the provisions of Special Ordinance C (ii) 12. However, in exceptional circumstances it may be possible for an individual to be granted an extension of their employment on an unestablished fixed-term basis, thereby delaying their retirement for a limited period of time. For further information, please refer to Section 7: 'Procedure for EJRA-applicable University Officers to Continue Employment'.

4.7. Retirement Planning

4.7.1. Staff will have the opportunity to attend retirement planning events at appropriate times.

5. Assistant, Research, Academic-Related and Unestablished Academic Staff

5.1. While there is no retirement age for these staff groups, the University operates a procedure for employees to consider their choices at or about the time they become entitled to draw their occupational pension in full.

5.2. For planning purposes, it is assumed that whenever the employee chooses to retire, the retirement date would be 30 September, i.e. the end of the academic year in which they wish to retire. If the employee intends to retire on a different date, they should inform their Head of Institution using form RP1 as soon as possible to assist with operational planning.

5.3. The Head of Institution will write to employees two years before they reach the age of 65 (which for most employees is the age when they become entitled to draw their occupational pension without actuarial reduction) inviting them to a discussion as part of the normal process of regular reviews that occur under the Staff Review and Development Scheme.

5.4. The options open to an employee are detailed below.

- retire;
- continue working on the same basis;
- continue working with a reduction in hours;
- continue working with a modification of duties or in a different role; or
- for USS members only, apply for flexible retirement, working reduced hours and drawing a part-pension for a period before full retirement;
- for CPS members only, apply for flexible retirement and drawing their full pension whilst continuing to work at the University in either a full- or part-time capacity for a period before full retirement.

5.5. Such discussions are an informal opportunity for both Heads of Institutions and employees to plan jointly for the future, and enable Heads of Institution to establish if and when an employee is considering retiring. The outcome of a discussion should be recorded briefly on form RP3. Heads of Institutions or their deputies are encouraged to undertake this review annually, or more frequently where the individual requests it, or where it is required, irrespective of age. The aim of the regular review meetings is to maintain a dialogue about the employee's plans in a supportive manner.

5.6. Where an employee intends to continue in post, they should inform the Head of Institution of this intention at the relevant review meeting.

5.7. If an employee wishes to take on a different role within the University at any stage, they are entitled to apply for that position in the normal way.

5.8. If an employee intends to continue working but wishes to request a change in hours or duties, form *FLEXAF: Application for Flexible Working* should be completed and submitted to the Head of Institution in advance of the relevant review meeting. Requests will be considered under the criteria set out in the University's Flexible Working Policy. Requests for modification of hours or duties will be accepted providing this is in accordance with the needs of the institution.

5.9. An employee can declare their intention to retire at any time by completing form RP1 and by providing the appropriate period of notice of their retirement. If an individual chooses to retire earlier than the pensionable age, and is a member of the USS or CPS, their pension benefits may be actuarially reduced in line with the terms of the relevant scheme. They should therefore seek guidance from the University Pensions Team.

5.10. In the case of University officers who are not impacted by the EJRA and who wish to retire before the relevant pensionable age, they should submit a completed form RP1 to their Head of Institution to advise the University of the planned early retirement no later than three months before the intended early retirement date, otherwise there may be a delay in payment of pension benefits. If they intend to draw their pension early, they also need to seek the permission of the University, in addition to discussing their plans with the Head of Institution. University officers in General Board institutions will require the permission of the Academic Secretary. University officers in Council institutions will require the permission of the Registry. The relevant HR Business Manager will be able to advise the employee and Head of Institution of the process for seeking the necessary approval.

5.11. Staff will have the opportunity to attend retirement planning events at appropriate times.

6. Pensions

6.1. Flexible Retirement

6.1.1. Employees are able to access all or part of their pension benefits whilst remaining in employment under the flexible retirement provisions offered by the relevant pension scheme. The amount of benefit which can be accessed and the arrangements for continuing employment are determined by the rules of the relevant pension scheme. An employee wanting to access their pension benefits under these arrangements should seek guidance from the University's Pensions Section.

6.1.2. The rules of the USS allow a scheme member to draw part of their pension whilst continuing to work and receive a part-time salary. The minimum reduction in current working hours and salary under this arrangement is 20% and the maximum pension that can be drawn is 80%. An employee wishing to take advantage of the flexible retirement option should first seek guidance about the terms of the scheme from the University Pensions Team.

6.1.3. Members of the CPS pension scheme, who wish to access their full pension whilst continuing to work and who do not wish to change their working hours, must complete the letter at the following link, [https://www.pensions.admin.cam.ac.uk/cps/cps-retirement/#Flexible Retirement](https://www.pensions.admin.cam.ac.uk/cps/cps-retirement/#Flexible%20Retirement), and return this to the University's Pensions Section. If a member of the CPS pension scheme wishes to access their full pension whilst continuing to work and change their working hours, they should follow the process as detailed in section 6.1.4 below.

6.1.4. If an employee wishes to request flexible retirement, they should complete form *RP4: Application for Flexible Retirement* for the consideration of the Head of Institution.

6.1.5. If the employee is an EJRA-applicable University officer and the period of flexible working requested will not extend beyond the retirement age, agreement can be reached as outlined in section 6.1.4. However, if the proposed period of flexible working extends beyond the retirement age then they will additionally need to make a separate application to continue working beyond the retirement age on a part-time basis. For further information, please refer to Section 7: 'Procedure for EJRA-applicable University Officers to Continue Employment'.

6.1.6. USS members in General Board institutions who wish to take flexible retirement will require the permission of the Head of Institution, in consultation with the Academic Secretary, and the Faculty Board where appropriate. USS members in Council institutions who wish to take flexible retirement will require the permission of the Head of Institution, in consultation with the Registry. The relevant HR Business Manager will be able to advise the employee and Head of Institution of the process for seeking the necessary approval.

6.1.7. The employee will be advised of the outcome of the flexible retirement application in writing. If the request is approved, the employee will receive a letter confirming that they have been granted leave to work part-time and setting out the new contractual working arrangements.

6.1.8. If the employee is a member of the NHS pension scheme, they should consult the HR Team for the School of Clinical Medicine before considering flexible retirement.

6.2. Re-employment or Re-engagement of Retired Employees

6.2.1. It is recognised that there will be occasions when an individual has fully retired from the University but wishes to return either as an employee or as a worker via the Temporary Employment Service. Before considering a return to the University, the individual and/or the recruiting manager should consult the Pensions team to establish whether the individual's pension scheme permits re-employment or re-engagement.

6.2.2. The rules of the different pension schemes are amended from time to time so it is important to seek up-to-date information before making a decision to return to the University.

6.2.3. The Cambridge University Assistants Contributory Pension Scheme (CPS)⁵ rules do not include any restrictions on the re-employment or re-engagement of retired employees in receipt of a CPS pension.

6.2.4. The Universities Superannuation Scheme (USS)⁶ rules set conditions around the re-employment or re-engagement of retired employees in receipt of a USS pension. Within the first month, a USS pensioner cannot be employed in any capacity by the employer from which the retirement took place. After the first month, re-employment is possible providing that:

- At the point of retirement there was no intention on the part of the University to re-engage the member of staff; and
- The member of staff has not taken early retirement and drawn their USS pension as part of a redundancy package.

⁵ The occupational pension scheme for Assistant members of staff.

⁶ The occupational pension scheme for Academic, Academic-Related and Research members of staff.

6.2.5. It cannot be agreed with an employee before they retire that they may return to work at the University at a later date. This would be against the spirit of the USS rules, which define retirement as ‘ceasing employment which gives eligibility for membership of USS with no expectation of taking up another employment which would give the member an entitlement to join USS’. Individuals who are retiring are required to complete a written declaration to this effect.

6.2.6. If the retired employee is a member of the NHS pension scheme, they should consult the HR Team for the School of Clinical Medicine before considering re-employment or re-engagement.

6.2.7. As part of the pensions auto-enrolment provisions, any retired employee that is re-employed or re-engaged may be auto-enrolled into the relevant pension scheme for the new post and will subsequently be able to opt out of those arrangements if they so wish.

7. Procedure for EJRA-applicable University Officers to Continue Employment

7.1. Applications to Continue Employment

7.1.1. An EJRA-applicable University officer who wishes to continue their employment for a limited time beyond the retirement age should discuss their intentions with the relevant Head of Institution at the earliest opportunity. If they wish to proceed, they will need to complete Part 1 of form *RP2A Request for EJRA-applicable University Officer to Continue Working Beyond the Retirement Age* and Part 1 of form *RP2B: Details of Funding*.⁷ The completed forms should be submitted to the individual’s Head of Institution, together with a curriculum vitae (CV) in accordance with the timelines as detailed in section 7.3.3.

7.1.2. The Head of Institution will meet with the EJRA-applicable University officer to discuss the details of the requested continuation of employment. The request will be considered against the evaluative criteria set out below and having regard to the University’s guidance on fixed-term contracts, including the need for such contracts to be objectively justified.

7.1.3. Following consideration of the request, the Head of Institution will complete Part 2 of forms *RP2A* and *RP2B* confirming whether or not the institution supports the individual’s continued employment taking into account whether the application meets the evaluative criteria. The completed form should be submitted to the relevant HR Business Manager, along with the applicant’s CV.

7.1.4. The HR Business Manager will arrange for the application to be considered by the relevant School Body. For example, the Needs Committee (or equivalent) and the Head of School if the applicant is in a School Institution or the Registry if the applicant is in a Non-School Institution. The HR Manager will collate the appropriate documentation confirming the position of the institution then submit the completed application pack to the Secretary of the Retirements Committee for its consideration by the Retirements Committee in accordance with the timescales detailed in section 7.3.3.

7.1.5. The application pack submitted to the Secretary of the Retirements Committee must include the following documents:

- Form *RP2 Application to Continue Working Beyond the Retirement Age* (Parts A and B).
- Curriculum vitae (four sides of A4 maximum, including publications).⁸
- Minutes of the relevant School body for examples, the Needs Committee (or equivalent).
- A letter of support from the Head of School (or equivalent).
- Form *RP4: Application for Flexible Retirement* (where appropriate).

7.1.6. The individual will be advised of the outcome of the application in writing which will include the reasons for the Committee’s decision.

7.1.7. Successful applicants may apply for further extensions, subject to the provisions of this Section 7.

7.1.8. Where the employment of an EJRA-applicable University officer is extended beyond the retirement age, that employment will be in a fixed-term capacity and the individual will move from an established to an unestablished position. A new contract of employment will be issued reflecting the title and terms of the new fixed-term appointment. The new contract end date will be the individual’s extended employment end date.

7.1.9. The University will continue to rely on retirement as a reason for ending the employment relationship at the end of this fixed period or employment, including where there have been successive extensions.

7.1.10. During the period of extended employment, Heads of Institution should continue to meet annually with members of staff whose employment has been extended to discuss their ongoing plans. The meetings will allow a discussion of the individual’s wishes together with the institution’s plans, including potential variation in existing arrangements, and enable due process in advance of the extended employment end date.

7.1.11. An EJRA-applicable University officer will be permitted to choose whether a period of extended employment is paid or unpaid. If paid, any salary progression will be managed in line with the relevant reward scheme.

7.1.12. An EJRA-applicable University officer may apply to continue working beyond the retirement age on a part-time or full-time basis. If they intend to work in a part-time capacity then they may wish to draw part of their pension benefit to supplement the part-time salary. In such circumstances the individual will be required to submit an application to continue employment (see section 7.1 above) and any approval of that application would be treated as Flexible Retirement under the rules of the USS. For further information, please refer to section 6.1: ‘Flexible Retirement’.

7.2. Criteria for Evaluating Requests

7.2.1. An extension of employment may only be granted in very exceptional circumstances, where:

- The individual concerned is the most appropriate person able to complete a specific project or task that is already underway; and/or

⁷ Please note that form *RP2 Part B* will not be circulated to the Retirements Committee and will be used for local planning purposes only.

⁸ The curriculum vitae should be a maximum two pages/four sides of A4 in length, including publications.

- The individual concerned is the most appropriate person able to secure the full benefit of a project already completed; and/or
- The individual concerned is the only person able to attract specific and significant funding; and/or
- It would enable effective planning for departure and recruitment.

7.2.2. In all cases, an extension must not undermine the aims of the EJRA and must be aligned to the strategic aims of the relevant institution. Ordinarily, an extension should not deprive in a significant way other academics and researchers of access to either space or funding.

7.2.3. For the avoidance of doubt, staff on extensions should only carry out the work for which they were granted an extension and should not continue the duties of their vacated post.

7.3. *The Retirements Committee*

7.3.1. The Retirements Committee will meet on a quarterly basis to consider all case for extensions of employment, although cases may be decided by Chair's action where an urgent decision is needed before the next meeting.

7.3.2. The Committee shall consist of:

- (a) The Pro-Vice-Chancellor with responsibility for Human Resources, *ex officio* (Chair);
- (b) two persons appointed by the University Council;
- (c) one person appointed by the General Board;
- (d) one Head of School appointed by the General Board;
- (e) the Registry *ex officio* (or a nominated Deputy); and
- (f) the Academic Secretary *ex officio*

with the Director of Human Resources as Secretary.

Members in classes (b) and (c) shall serve for three years from 1 January. The member in class (d) shall serve for three years, or as long as they remain Head of School, whichever is the shorter.

Members may be reappointed; normally no member shall serve for more than six consecutive years.

7.3.3. The annual timetable for the submission of applications to extend employment can be found on the HR website.

7.4. *Appeal Procedure*

7.4.1. Where an EJRA-applicable University officer is dissatisfied with the outcome of a request to continue their employment beyond the retirement age, they will have a right of appeal. Any appeal should be made in writing to the Director of Human Resources within 14 days of the outcome of the request being communicated to the employee and should set out the grounds of appeal.

7.4.2. Appeals will be heard by an Appeal Committee appointed by the Council consisting of a Chair and two University officers. The Appeal Committee will meet within 14 days of its establishment to hear the appeal, or as soon as reasonably practicable. The appeal will be determined following an oral hearing attended by the appellant and the responsible person. The responsible person shall be the Head of Institution, Head of Division or their nominated deputy. The appellant and the responsible person will be entitled to make a statement and to address the Appeal Committee.

7.4.3. Following the hearing of the appeal, the Appeal Committee will consider the facts of the case and may allow or dismiss an appeal, in whole or in part. The decision of the Appeal Committee will be notified to the appellant in writing in seven days of the hearing.

7.4.4. The Appeal Committee may decide to vary the above procedure as it deems appropriate. The decision of the Committee will be final.

7.5. *Re-employment of Retired Employees*

7.5.1. EJRA-applicable University officers who have retired but are seeking re-employment in any capacity may be considered for vacancies in line with the University's usual recruitment processes, provided that:

- The post is advertised in line with the University's Recruitment Policy; and
- The post is an academic-related or assistant post.

Otherwise, they will remain in scope of the Retirement Policy and their re-employment will be subject to the same approvals process and criteria as a request to continue working beyond the retirement age.

7.5.2. Before considering a return to the University, the individual and/or the recruiting manager should consult the Pensions team to establish whether the individual's pension scheme permits re-employment. See section 6.2 above.

8. Documentation

<i>Document</i>	<i>Purpose</i>
RP1	Notification of Intention to Retire
RP2A	Request for EJRA-applicable University Officer to Continue
RP2B	Working Beyond the Retirement Age Details of Funding
RP3	Record of Workplace Discussion Regarding Retirement Intentions
RP4	Application for Flexible Retirement

ANNEX B: Proposed changes to Ordinances

The following changes to Ordinances will be made if the recommendations of this Report are approved.

(a) By amending Special Ordinance C (ii) 12 (*Statutes and Ordinances*, p. 77) to read as follows:

12. Subject to the provisions of Statute C and any Special Ordinance made under Statute C, the following University officers shall be entitled, unless their office is exempted by Statute or Special Ordinance from the provisions of this section or the tenure of their office is limited by Statute or Ordinance or by Grace, to hold office until the retiring age so long as they satisfactorily perform the duties of the office:

(a) officers designated as academic staff under Special Ordinance C (i) 1;

(b) the holders of the offices of Vice-Chancellor and Pro-Vice-Chancellor.

Such officers shall vacate their offices not later than the end of the academic year in which they attain the age of sixty-nine years.

(b) By amending Special Ordinance C (v) 7 (*Statutes and Ordinances*, p. 80) to read as follows:

7. When it becomes known to the Vice-Chancellor that a vacancy has occurred or will occur in the Librarianship, the Vice-Chancellor shall report the fact to the Council and to the General Board at their next meetings.

(c) In Special Ordinance C (vii) A.13 and 14 and B.9 (*Statutes and Ordinances*, pp. 82–83) by replacing the references to ‘sixty-seven’ with references to ‘sixty-nine’.

(d) In the Ordinance for University officers (*Statutes and Ordinances*, p. 674) by amending Regulation 1(c) to read as follows and removing the words ‘Notwithstanding Regulation 1(c),’ from Regulation 1(e):

(c) Appointments shall be subject to the satisfactory completion of a probationary period.

(e) By amending the last sentence of the Ordinance for Emeritus Officers (*Statutes and Ordinances*, p. 675) to read as follows:

This regulation shall apply *mutatis mutandis* to the Vice-Chancellor on retirement, and to the Registry, the Librarian and the Director of the Fitzwilliam Museum on resignation after reaching the age of sixty.

(f) In Regulation 2 of the Ordinance for the Title of Honorary Professor, Honorary Clinical Professor, Honorary Reader and Honorary Professor (Grade 11) (*Statutes and Ordinances*, p. 675) by replacing the references to ‘sixty-seven’ with references to ‘sixty-nine’.

ANNEX C: Other changes

The General Board has agreed to make the following changes to General Board Regulations if the recommendations of this Report are approved.

(a) In the General Board Regulations for the offices of both the Clinical Dean and the Directors and Assistant Directors of Studies in General Practice (*Statutes and Ordinances*, p. 621) by deleting Regulation 3 and renumbering the remaining regulations.

(b) In the General Board Regulations for the staff of the Fitzwilliam Museum (*Statutes and Ordinances*, p. 652) by revising Regulation 5 of to read as follows:

5. When the Vice-Chancellor knows that a vacancy has occurred or will occur in the Directorship, the Vice-Chancellor shall report the fact to the General Board at its next meeting.

Report of the Council on a University Code of Practice on Freedom of Speech

The COUNCIL begs leave to report to the University as follows:

1. In this Report, the Council seeks approval for a new University Code of Practice on Freedom of Speech as set out in the Annex to this Report.

2. It is a new statutory duty under the Higher Education (Freedom of Speech) Act 2023¹ that the University issues a Code of Practice on freedom of speech. The Act places a duty on universities to take ‘reasonably practicable’ steps to secure freedom of speech ‘within the law’ for their staff, members and students, and for visiting speakers, having ‘particular regard’ to the importance of freedom of speech. The relevant sections of the Act are expected to come into force from 1 August 2024.

3. The Code in the Annex to this Report is not intended to signal any change to the University’s existing position that it wholeheartedly supports freedom of speech within the law and academic freedom, while recognising that various laws create situations where freedom of speech must or may be circumscribed.

4. The Code amalgamates, updates and replaces three existing University-level documents about freedom of speech: the University Statement on Freedom of Speech,² the Code of Practice on Meetings and Public Gatherings on University Premises,³ and the summary University Free

Speech Principles.⁴ Existing drafting from these documents has been retained where possible, though inconsistent terminology has been regularised as appropriate. Most of the procedural content about the booking of relevant meetings and events has been moved to an Annex.

5. While the Code derives largely from existing University documentation, it also covers the topics that are required by the new legislation and by the Office for Students’ draft regulatory advice issued in March 2024.⁵ While this draft regulatory advice remains both provisional and non-binding, aligning the University’s Code to its suggestions is a sensible measure.

6. The Code was prepared with specialist external legal input. It was approved by the Council on the recommendation of the Committee on Prevent and Freedom of Speech, a Joint Committee of the Council and the General Board, which is overseeing the University’s preparations for compliance with the new statutory duties. The Council considers that the draft meets all statutory requirements and adequately secures and promotes the right to freedom of speech and academic freedom within the law.

7. The Council recommends:

- I. That approval be given to the new University Code of Practice on Freedom of Speech, as set out in Annex A to this Report, with effect from 1 August 2024.
- II. That the University Statement on Freedom of Speech and the Code of Practice on Meetings and Public Gatherings on University Premises be rescinded, with effect from 1 August 2024.

14 May 2024

DEBORAH PRENTICE,
Vice-Chancellor

ZOE ADAMS

MADELEINE ATKINS

GAENOR BAGLEY

MILLY BODFISH

SAM CARLING

JOHN DIX

SHARON FLOOD

ALEX HALLIDAY

HEATHER HANCOCK

LOUISE JOY

FERGUS KIRMAN

ELLA MCPHERSON

SCOTT MANDELBROTE

SALLY MORGAN

RICHARD MORTIER

SHARON PEACOCK

PIPPA ROGERSON

ANDREW WATHEY

MICHAEL SEWELL

PIETER VAN HOUTEN

¹ See <https://www.legislation.gov.uk/ukpga/2023/16/contents>.

² <https://www.governanceandcompliance.admin.cam.ac.uk/governance-and-strategy/university-statement-freedom-speech>.

³ https://www.governanceandcompliance.admin.cam.ac.uk/files/code_of_practice_on_meetings_and_public_gatherings_on_university_premises.pdf, also reproduced at *Statutes and Ordinances*, p. 209.

⁴ <https://www.governanceandcompliance.admin.cam.ac.uk/governance-and-strategy/university-free-speech-principles>.

⁵ <https://www.officeforstudents.org.uk/consultations-on-free-speech/consultation-on-proposed-regulatory-advice-and-other-matters-relating-to-freedom-of-speech/annex-b-regulatory-advice-on-freedom-of-speech/>.

ANNEX A: Revised Code of Practice

The following revised version of the Code of Practice will be adopted if the recommendations of this Report are approved.

**University of Cambridge
Code of Practice on Freedom of Speech**

1. Introduction

1.1 The University of Cambridge, as a world-leading education and research institution, is fully committed to the principle, and to the promotion, of freedom of speech.

1.2 This Code of Practice sets out the University's commitment to freedom of speech, outlines the various legislative frameworks under which such freedoms must be upheld and may be circumscribed, and summarises the procedures used by the University to manage these issues.

2. Scope

2.1 This Code of Practice applies to:

2.1.1 all members, staff and students of the University; and

2.1.2 visiting speakers and all other persons invited or otherwise lawfully participating in University activities on University premises.

2.2 For the avoidance of doubt, this Code of Practice does not apply to purely commercial meetings or events on University premises.

2.3 References in this Code of Practice to 'University premises' means those premises over which the University of Cambridge exercises control, whether indoor or outdoor.

2.4 Cambridge Students' Union, and separately each Cambridge College, has its own duty to secure freedom of speech within the law and has issued its own Code of Practice on this topic.

3. Key Concepts and Legislative Framework

3.1 Freedom of speech means the freedom, within the law, to receive and impart ideas, opinions or information by means of speech, writing or images (including in electronic form) without interference.

3.2 Academic freedom, in relation to academic staff at the University, means their freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without loss of their jobs or privileges at the University, or the likelihood of their securing promotion or different jobs at the University being reduced.

3.3 These concepts are underpinned by the Human Rights Act 1998, which brings the European Convention on Human Rights into direct effect in national law. Article 10 of the Convention articulates freedom of expression as a human right and sets out the limited circumstances in which that right might be circumscribed (such as to protect public safety, for the prevention of disorder or crime, or for the protection of the reputation or rights of others). These concepts also exist within other UK legislation. Universities in England have duties under the Higher Education and Research Act 2017 (as amended by the Higher Education (Freedom of Speech) Act 2023) to take such steps as are reasonably practicable to secure and promote freedom of speech and academic freedom within the law for staff and students and for visiting speakers.

3.4 Section 26 of the Counter-Terrorism and Security Act 2015 places a duty on certain bodies, including higher education institutions such as the University, in the exercise of their functions to have 'due regard to the need to prevent people from being drawn into terrorism'. This necessitates the establishment of protocols and procedures by which to assess the risks associated with meetings or events that are University hosted, affiliated, funded, or branded. This Act also requires the University to have particular regard to its other duties with regard to academic freedom and freedom of speech. Debate, discussion, and critical enquiry are, in themselves, powerful tools in preventing people from being drawn into terrorism.

3.5 Under the Equality Act 2010, staff and students must not be subjected to unlawful discrimination, harassment, intimidation or threats of violence on the grounds of race, sex, age, religion or philosophical belief, sexual orientation, disability, gender reassignment, marriage and civil partnership, or pregnancy or maternity. However, the provisions of the Equality Act 2010 are not to be interpreted to undermine freedom of speech and academic freedom. As a result, students' learning experience and the working environment of staff may include exposure to research, course material, discussion or speakers' views that they find offensive, contentious or unacceptable, but are nonetheless within the law, and unlikely to be considered unlawful harassment or discrimination under the Equality Act 2010.

3.6 There are other legislative requirements that may be relevant in particular cases, such as offences under the Terrorism Acts if speech encourages terrorism, or amounts to the incitement of religious or racial hatred or hatred on the grounds of sexual orientation under the Public Order Acts, as well as statutory requirements relating to the holding of processions and assemblies. The University is not under any obligation to secure or promote freedom of speech that contravenes any legislative requirements.

4. Values

4.1 The University's core values are 'freedom of thought and expression' and 'freedom from discrimination' and it encourages its staff, students and visitors to engage in robust, challenging, evidence-based and civil debate as a core part of academic enquiry and wider University activity, even if they find the viewpoints expressed to be disagreeable, unwelcome or distasteful. The steps the University takes to embed its values in practice are set out in section 5 below.

4.2 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 speech, 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. 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. While debate and discussion may be robust and challenging, all speakers have a right to be heard when exercising their right to free speech within the law. Neither speakers nor listeners should have reasonable grounds to feel censored or intimidated.

4.3 The University will ensure that staff are able to exercise freedom of thought and expression within the law without placing themselves at risk of losing their job or any University privileges and benefits they have or the likelihood of their securing promotion or different jobs at the University being reduced. The University expects all staff and students to engage with intellectual and ideological challenges in a constructive, questioning and peaceable way. The right of staff and students to freedom of assembly, and to protest against certain viewpoints, should not obstruct the ability of others to exercise their lawful freedom of speech.

5. Steps the University takes to ensure Freedom of Speech and Academic Freedom

5.1 The University will ensure that its teaching, curriculum, policies and procedures reflect its duties to ensure, so far as is reasonably practicable, freedom of speech and academic freedom within the law and the very high level of protection for the lawful expression of viewpoints and for speech in an academic context, including but not limited to:

- (a) its processes for programme development and approval, quality assurance and academic assessment;
- (b) its processes for admission, appointment, reappointment and promotion;
- (c) its policies relating to equality, diversity and inclusion (including the public sector equality duty) and the Prevent duty;
- (d) its processes for facilitating research; and
- (e) its codes of conduct and other behaviour policies, which will ensure no individual will be subjected to disciplinary sanction or other less favourable treatment by or on behalf of the University because of the lawful exercise of freedom of speech or academic freedom.

5.2 The University does not enter into non-disclosure agreements related to complaints about sexual misconduct, bullying or harassment.

5.3 The University has processes in place to identify and manage any risks to freedom of speech or academic freedom arising from the terms of certain overseas funding, including funding from endowments, gifts, donations, research grants and contracts, and educational or commercial partnerships.

5.4 The University shall:

5.4.1 ensure that this Code of Practice is brought to the attention of new students at registration and new staff during induction;

5.4.2 draw the attention of students and staff to this Code of Practice annually, and ensure that it is referred to in other University documentation as appropriate;

5.4.3 ensure that all relevant staff are aware of and/or receive appropriate training on freedom of speech and academic freedom;

5.4.4 ensure that all relevant decision-makers, in making any decision or adopting any policy that could directly or indirectly (and positively or negatively) affect freedom of speech, act compatibly with the University's free speech duties as they apply in the relevant circumstances;

5.4.5 periodically seek feedback from staff, students and other stakeholders to secure their views on whether freedom of speech and academic freedom at the institution are being adequately protected and take the responses into account;

5.4.6 ensure that there are adequate measures in place to raise concerns about freedom of speech and academic freedom;

5.4.7 ensure that when new policies and procedures are introduced consideration is given to their impact on freedom of speech and academic freedom;

5.4.8 ensure that it has appropriate processes for the holding of events and meetings as set out in section 6 below;

5.4.9 monitor any concerns that have been raised about freedom of speech and academic freedom to ensure that they are addressed so far as is reasonably practicable and to address any lessons learned and draw the attention of complainants to its processes for investigating complaints and the OfS complaint scheme as set out in section 7; and

5.4.10 take steps to secure compliance with this Code of Practice, including where appropriate taking disciplinary action.

6. University Events and Meetings – Procedures and Conduct of Attendees

6.1 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, including as set out at paragraph 6.6 of this Code. This Code of Practice provides the only mechanism by which the University can cancel or impose conditions on University 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.

6.2 The starting point should always be that the event should go ahead and that cancellation is exceptional and undesirable. Depending on the circumstances, it may however be reasonable to refuse permission for a University meeting or event where the University reasonably believes (from the nature of the speakers or from similar activities in the past whether held at the University or otherwise) that:

- 6.2.1 the views likely to be expressed by any speaker are contrary to the law;
- 6.2.2 the speaker is likely to incite breaches of the law or to intend breaches of the peace to occur;
- 6.2.3 the meeting will not permit contrary or opposing viewpoints to be held or expressed;
- 6.2.4 the speaker and/or the organisation they represent advocates or engages in violence in the furtherance of their political, religious, philosophical or other beliefs;
- 6.2.5 the views likely to be expressed by any speaker are for the promotion of any illegal organisation or purpose, including organisations listed on the government's list of proscribed terrorist groups or organisations; or
- 6.2.6 it is in the interest of public safety, the prevention of disorder or crime, the proper functioning of the University or the protection of those persons lawfully on University premises, that the meeting does not take place.

6.3 The lawful expression of controversial or unpopular views will not in itself constitute reasonable grounds for withholding permission for a University meeting or event.

6.4 Where the University is reasonably satisfied that the otherwise lawful expression of views at an event or meeting on University premises is likely to give rise to disorder or threats to the safety of participants or the wider University community, the University shall consider what steps it is necessary to take to ensure the safety of all persons and the security of University premises. These may include, but are not limited to: requirements as to the provision of security/stewards, the speaker being part of a panel, ensuring that a member of staff is in attendance, or that the event or meeting should take place in alternative premises, at a later date, or in a different format. The University may impose such conditions and requirements upon the organisers as are reasonably necessary in all the circumstances, ensuring that the conditions and requirements go no further than is necessary to address the risks it has identified. The University will only pass on the costs of security for using the premises to those arranging the relevant event or meeting in exceptional circumstances, such as where the costs are wholly disproportionate to the numbers likely to be attending the event and the event could be held in a more proportionate way, or where the visiting speaker could reasonably be expected to have their own security because of the political or state office they hold. Any request to a meeting or event organiser to pay security costs in exceptional circumstances will be in writing and will explain those costs and any appeal mechanism. Any request to pay security costs will not be influenced to any degree by the ideas or opinions of any individual involved in organising the event or meeting, or by the policy or objectives of, or the views of any of the members of, any body involved in organising the event or meeting.

6.5 These narrow exceptions to the general principle of freedom of speech 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.

6.6 Those attending events and meetings at the University are expected to conduct themselves in a manner consistent with the following principles:

- 6.6.1 everyone has the right to free speech within the law.
- 6.6.2 the aim of events at the University is to expose members, staff and students to the widest possible range of views, within the law.
- 6.6.3 protest is itself a legitimate expression of freedom of speech but protesters should recognise the rights of others participating in the event or meeting, and in particular not violate the rights of others to speak during the event. Protest must not shut down debate.

6.7 Where any person or body to whom this Code of Practice applies is seeking to hold a University event or meeting on University premises which is outside of the normal academic curriculum the processes in the Annex shall be followed, except where the event or meeting is purely commercial.

7. Breaches and Complaints

7.1 Where the University receives a concern about the exercise of academic freedom or freedom of speech or where it has received a concern about a possible infringement or departure(s) from the values and procedures set out in this Code of Practice, it will consider which of its procedures are most appropriate to consider the concern, making such enquiries and seeking such information as it considers necessary. Such consideration may lead to further investigation in accordance with the University's disciplinary procedures (staff or student), or the University's grievance or complaints procedures.

7.2 The Office for Students (OfS) operates a free speech complaints scheme. Under that scheme, the OfS can review complaints about free speech from members, students, staff, applicants for academic posts and (actual or invited) visiting speakers. Information about the complaints that the OfS can review is available on its website. [link to be supplied].

8. Monitoring and Review

8.1 The University's Committee on Prevent and Freedom of Speech will periodically review the contents and operation of this Code of Practice and report on its operation and recommend amendments to it for consideration by the Council and the General Board as appropriate or necessary.

8.2 The point of contact for any query about this Code of Practice and its Annex is the Secretary to the Committee on Prevent and Freedom of Speech at [insert email].

ANNEX: Processes for meetings and events on University premises

A1. This Annex is issued under paragraph 6.7 of the University's Code of Practice on Freedom of Speech, which reads: 'Where any person or body to whom this Code of Practice applies is seeking to hold a University event or meeting on University premises which is outside of the normal academic curriculum the processes in the Annex shall be followed, except where the event or meeting is purely commercial.'

Organisation and approval of meetings and events on University premises

A2. Any meeting or event on University premises to which this Annex applies should have at least one organiser who is responsible for the meeting or event and is a member, member of staff, or student of the University. If a meeting or event is proposed without such an organiser, it may only proceed on condition that a member, member of staff or student is identified or nominated as the organiser responsible for the meeting or event.

A3. Permission is required for meetings and events to be held on University premises, whether indoors or outdoors. In the case of accommodation assigned to a single Faculty or Department, the permission of the relevant Faculty or Departmental authorities is required. In the case of accommodation not so assigned, permission must be obtained from the central University authority responsible for the accommodation concerned and, if a room is to be reserved, a booking must be made through that authority at least fourteen working days in advance of the proposed event. Further details of who to contact are available in the University's Guidance for Booking Meetings and Events.

A4. It is anticipated that, in the vast majority of cases, the authority in question will straightforwardly consider the request as part of normal business.

A5. However, in the exceptional circumstances that the authority in question considers that the holding of the meeting or event might reasonably be refused on any of the grounds set out at paragraph 6.2 of the University's Code of Practice on Freedom of Speech, there is a process of escalation to a Referral Group (referralconfidential@admin.cam.ac.uk). (Membership of the Referral Group is approved by the Council and the General Board on the recommendation of the Committee on Prevent and Freedom of Speech.) Only the Referral Group may refuse permission in this way and on these bases. The request should be forwarded to the Referral Group with a statement of the concerns. This referral should be made at least seven working days in advance of the proposed meeting or event. Members of the University who are concerned that a particular forthcoming meeting or event should be escalated to the Referral Group may do so directly. The Referral Group will, in consultation as necessary, determine whether the meeting or event can go ahead as originally planned, or should be subject to reasonable conditions such as those set out in paragraph 6.4 of the Code of Practice on Freedom of Speech. Only in exceptional circumstances, when there are risks which cannot be mitigated or the event organiser refuses to meet any conditions imposed, will permission be withheld.

A6. Any decision by the Referral Group (including one upheld on appeal) that a meeting or event should not take place, or may only take place subject to conditions, is binding and takes precedence over any other decision which may have been taken by any other body or officer in the University, subject to the right of appeal set out below.

A7. An organiser who is unhappy with the Referral Group's decision has the right of appeal to the Vice-Chancellor's deputy appointed for this purpose.

Management of meetings and events on University premises

A8. Once approved, the organisers of meetings and events must comply with any conditions set by the University authorities concerned. Such conditions may include the requirement that tickets should be issued, that an adequate number of stewards or security staff should be available, that the Proctors and/or University Security and/or the Police should be consulted and their advice taken about the arrangements, and that the time and/or place of the meeting should be changed. The cost of meeting the conditions, apart from security costs, and the responsibility for fulfilling them, rests with the organisers. Security costs will be borne by the University other than in exceptional circumstances, as set out in paragraph 6.4 of the Code of Practice on Freedom of Speech.

The Proctors

A9. In addition to seeking the permission referred to above, the organisers of any meeting or event to be held on University premises (especially one which is to be addressed or attended by persons who are not resident members of the University) which the organisers believe might attract significant protest and at which lawful free speech might be compromised should consult the Proctors at the earliest opportunity and ideally at least seven working days in advance via contact@proctors.cam.ac.uk.

A10. The organisers of any meeting or event must comply with any lawful and reasonable instructions given by a Proctor or other University officer, or by any other person authorised to act on behalf of the University, in the proper discharge of their duties.

Colleges

A11. Members of the University are reminded that University disciplinary regulations apply on College premises and that a College may invite the Proctors to enter its premises.

OBITUARIES**Obituary Notice**

Dr KENNETH JOHN RICHARD EDWARDS, M.A., former Fellow, College Lecturer and Director of Studies in Cell Biology, and Tutor, of St John's College, sometime Lecturer in and Head of the Department of Genetics, formerly Secretary-General of the Faculties, died on 1 May 2024, aged 90 years.

GRACES**Graces to be submitted to the Regent House at a Congregation on 17 May 2024**

The Council has sanctioned the submission of the following Graces to the Regent House at a Congregation to be held on Friday, 17 May 2024.

That the following persons be admitted to the degree of Master of Arts under the provisions of Statute B II 2:

1. NASSIM ABU-ERSHAED, Regional Commercial Director (International Education) in the Press and Assessment Department.
2. ELIZABETH CATER, Global Marketing Director (International Education) in the Press and Assessment Department.
3. HEATHER DAWN DARWIN, Director of Change (People and Culture) in the Press and Assessment Department.
4. JOANNE ELIZABETH FARMER, Administrative Officer in the Language Centre.
5. JESSICA PEARSALL GARDNER, Fellow of Selwyn College and University Librarian.
6. PENG HE, Fellow of St Edmund's College.
7. LUKAS JOST MEIER, Fellow of Churchill College.
8. RICHARD KEVIN MURRAY, Global Customer Services Director (Operations) in the Press and Assessment Department.
9. CRAIG JOSEF COLIN NICHOLSON, Chief Information Security Officer (Technology) in the Press and Assessment Department.
10. RACHEL RICHARDS, Assistant General Counsel, Editorial and IP (Legal and Business Affairs) in the Press and Assessment Department.
11. KARLA SAYEGH, Fellow of Wolfson College and University Assistant Professor in the Judge Business School.
12. DARREN MICHAEL SMITH, Technology Director, English (Technology) in the Press and Assessment Department.
13. FRANCESCA MARGARET ANNE WOODWARD, Global Managing Director, English (English) in the Press and Assessment Department.

Grace to be submitted to the Regent House at a Congregation on 18 May 2024

The Council has sanctioned the submission of the following Grace to the Regent House at a Congregation to be held on Saturday, 18 May 2024.

That the following person be admitted to the degree of Master of Arts by incorporation:

1. GAVIN JOHN FLYNN, Fellow of Downing College, Master of Arts of the University of Oxford (1998).

E. M. C. RAMPTON, *Registrary*

END OF THE OFFICIAL PART OF THE 'REPORTER'

COLLEGE NOTICES**Elections****Hughes Hall**

Elected to a Fellowship in Class A from 8 May 2024:

Matteo Zallio, M.Arch., Ph.D., *Genova*

Vacancies

St John's College: Chaplain; tenure: five years from 1 October 2024 or as soon as possible thereafter; stipend: £31,396 plus benefits; closing date: 3 June 2024 at 9 a.m.; further details: <https://www.joh.cam.ac.uk/chaplain-0>

EXTERNAL NOTICES**Oxford Notices**

Faculty of Law and Worcester College: Fixed-Term Tutorial Fellowship in Law; tenure: three years from 1 October 2024, with the possibility of extension for one further year; salary: £36,024–£38,205; closing date: 3 June 2024 at 12 noon; further details: <https://www.worc.ox.ac.uk/about/vacancies/fixed-term-tutorial-fellowship-in-law>

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