

In the interests of academic freedom I am making this YesYes flysheet available. However, I would much prefer that you signed the NoNo flysheet available at <http://tinyurl.com/ybz3lev>. For a rebuttal of this FAQ see <http://www.cl.cam.ac.uk/~rja14/ccf/statute-u.html>.

Stephen Cowley

Statute U Ballot – Summary Flysheet

The proposed reforms to the University's grievance, discipline and dismissal procedures are intended to facilitate compromise, to provide independent judgement, and to do so in a timely way. They are the result of two years of detailed consultation and refinement through a succession of published reports. This flysheet simply recalls the key issues in question and answer form.

What has changed since the present procedures were introduced? Over the past twenty or so years there has been substantial change in the sort of protections that the British legal system expects employers to offer their employees. The handling of employees' grievances against their employer, and the treatment of employees caught up in discipline and dismissal cases, are expected to conform to certain standards. Politically uncontroversial, and fine-tuned by ACAS, these are in part intended to prevent the hardening of attitudes and prevent disputes ending up with Employment Tribunals. It is expected that there should be time-limits built in to procedures, so that delays are not used as a weapon. Employers are expected to offer employees the opportunity for the independent mediation of problems. They are expected to ensure that employees have a right of fair process in relation to their managers' decisions on grievances and discipline. The weightiness of the process involved in resolving a problem should be proportionate to its gravity for the employee.

What is wrong with our present procedures? Our University's procedures are no longer fully adequate. The absence of effective time limits means that grievances have been slow to resolve. The ten or so new grievances arising annually have been taking on average a year to resolve, with much anxiety associated with the delays. An officer currently has no right of appeal against a disciplinary decision by their head of department, other than through the grievance procedure. Our present redundancy procedure is defective; after the University has decided that there should be a redundancy situation through a ballot of Regent House, there is currently the requirement of a second ballot on the names of the individual officers affected.

How are procedures to be changed? The new procedures would introduce a process of mediation. A fresh and disinterested intervention can often facilitate an acceptable change in work arrangements before attitudes become litigious and polarised. The University is currently training a panel of mediators from a cross-section of staff. The new procedures provide for a timely and proportionate disciplinary process, retaining a University Tribunal hearing and right of appeal to the Septemviri in the case of removal from office.

Why is the ballot offering a choice of Graces? University officers can be divided between those with duties of teaching and research, entitled to study leave (defined by Schedule J), and the others, such as administrators, librarians and computer officers. All but one of the new procedures will cover both categories. The one exception relates to the declaration of a redundancy situation which, as mentioned, requires a ballot of Regent House. Since it is intended to protect academic freedoms, should it just relate to those engaged in teaching and research, or should it cover all University officers? That choice is up to you.

Why are these reforms only affecting University officers? The present procedures for assistant staff have a different history. The revision now proposed would facilitate convergence in relation to grievance, discipline and dismissal procedures for all categories of University staff, in accordance with the University's general policy.

Are not the proposed reforms unnecessarily complicated? The proposed new Statute is substantially shorter and simpler than that which it replaces. The subordinate legislation is relatively longer because modern employment law expects more detailed codes of practice than was the case in the past. The amendment of that more detailed material is now placed within the control of the Regent House.

Do the proposed changes weaken academic freedom? They do not. Precisely the same rights remain enshrined in the Statutes.

Do the proposed changes weaken the democratic nature of the University? They do not. Under the proposals any variations in the relevant statutes and ordinances, including any codes of practice, will be subject to approval by Regent House.

We urge you to vote in favour of the recommendations of the Joint Report.

- If you support the recommendations in full, then vote *placet* to both Grace 1 and Grace 2.
- If you support the proposals but not the distinction between Schedule J and non-Schedule J officers regarding redundancy, then vote *non placet* to Grace 1 and *placet* to Grace 2.

William Brown
George Reid

Please return to the Registry, signed and with your name in BLOCK CAPITALS, either by mail to The Old Schools, Cambridge CB2 1TN, or by fax to 01223 332332

Deadline; 1pm on Friday 12 March 2010.

Signature

Name in BLOCK CAPITALS