

## Reforming the University of Warwick's Employment Statute

*The University of Warwick's employment statute ([Statute 24](#)) lays down the specific ways in which the university must deal with redundancy, discipline/dismissal, grievance, incapacity and appeals for staff on academic, teaching-only and research-only contracts. It was introduced after the 1988 Education Reform Act abolished formal tenure. It is designed to ensure University Councils fulfil their Chartered responsibility to protect academic freedom. Statute 24 is supplemented by Ordinances 19-22. See -*

*<https://www2.warwick.ac.uk/services/gov/calendar/section2/charterstatutes/secondschedule2/>*

### **This Assembly notes that:**

- i) The [Vice-Chancellor's introduction in December 2016](#) said Council wishes to "simplify, clarify and modernise" the content of the university's governing instruments and "the focus will be on making sure that the existing statutes and ordinances reflect our current organisation structure and processes ... [and are] ... in line with contemporary employment law".
- ii) The [Provost's update says almost all of Statute 24 will be repealed](#) and the existing policies on redundancy, disciplinary/dismissal, grievance, appeals and incapacity for those staff not covered by Statute will apply to everyone, with some minor changes.
- iii) The proposed changes fall short of [UNESCO Recommendations on Higher Education Teaching Personnel](#) with regard to "Security of employment" (Part IX, section B) and "Discipline and dismissal" (Part IX, section D).

### **This Assembly believes that:**

- i) Academics, as scholars, teachers and researchers, have a distinct role within universities and the wider community. A fundamental part of their job is "to question and test received wisdom and put forward new ideas and controversial or unpopular opinions". Academics need the additional safeguards contained within the employment statute so they can carry out their duties without fear or favour.
- ii) High-level statements about academic freedom need to be backed up with detailed Statutory provision that guarantees an appropriate level of independent, external and informed scrutiny of decisions affecting academic staff. This provision is not about privileging academics but recognising and safeguarding their particular remit. Differentiated roles and responsibilities already exist in other areas of employment, including areas such as probation, promotion and hours of work.
- iii) Other universities, such as Oxford and Manchester, have updated their employment statute by revising rather than removing much of the procedural and substantive safeguards.

### **This assembly resolves that:**

- i) Rather than leading a race to the bottom, the University of Warwick sets a positive example by developing an employment statute that demonstrates its exemplary commitment to academic freedom and secure employment. This will require more of the detailed procedures for redundancy and serious disciplinary matters to be kept within Statute and the related Ordinances.
- ii) Council be asked not to approve any changes until they have the support of all the affected parties i.e. those staff currently covered by Statute, the recognised trade union for this staff group, Heads of Department and Senate.

Proposed by Professor Jimmy Donaghey

Seconded by Dr. Jonathan Davies