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UNIVERSITY OF
CAMBRIDGE

NOTICES**Calendar**

1 October, *Thursday*. Michaelmas Term begins. Congregation of the Regent House: Vice-Chancellor's address and the election and admission of the Proctors.

6 October, *Tuesday*. Full Term begins.

13 October, *Tuesday*. Discussion in the Senate-House at 2 p.m. (see below).

It is anticipated that an extraordinary issue of the *Reporter* will be published in late September 2020 and that the usual weekly publication schedule will resume from the start of Michaelmas Term 2020, with the first ordinary issue due on Wednesday, 7 October 2020.

Discussion on Tuesday, 13 October 2020

The Vice-Chancellor invites those qualified under the regulations for Discussions (*Statutes and Ordinances*, p. 105) to attend a Discussion in the Senate-House (unless otherwise advised) on Tuesday, 13 October 2020 at 2 p.m., for the discussion of:

1. First-stage Report of the Council, dated 28 July 2020, on a University of Cambridge Solar Farm at Lord's Bridge (p. 551).

Further information on Discussions, including details on format and attendance, is provided at <https://www.governance.cam.ac.uk/governance/decision-making/discussions/>.

Dates of Discussions, 2020–21

27 July 2020

The Vice-Chancellor gives notice that Discussions will be held in the Senate-House on the following days in the 2020–21 academic year:

<i>Michaelmas Term 2020</i>	<i>Lent Term 2021</i>	<i>Easter Term 2021</i>	<i>Long Vacation 2021</i>
13 October	26 January	4 May	13 July
27 October	9 February	18 May	
10 November	23 February	1 June	
24 November	9 March	15 June	
8 December	23 March	22 June	

Statutes approved: Governance of postgraduate student matters

24 June 2020

The Registry has received notice from the Clerk of the Privy Council that Her Majesty the Queen, at a Council held on 23 June 2020, was pleased to approve amendments of Statute A IX 3(b)(ii) and Statute A V 19, which were submitted under the Common Seal of the University in accordance with Grace 4 of 24 July 2019 as amended and approved by ballot in December 2019 (*Reporter*, 6570, 2019–20, p. 155).

The proposals approved by ballot included the dissolution of the Board of Graduate Studies and the transfer of its responsibilities to the General Board, to take effect from 1 October 2020. The changes to the Statutes replace references to the Board of Graduate Studies with references to the General Board from the same date.

Joint Report of the Council and the General Board on the titles and structure of academic offices: Notice in response to Discussion remarks

6 July 2020

The Council has considered the Discussion remarks received on 9 June 2020 (*Reporter*, 6585, 2019–20, p. 462) on the above Report (*Reporter*, 6582, 2019–20, p. 419). It has consulted with the General Board on the preparation of this response.

The Council notes the comments in support of the proposed change to the titles and structure of academic offices, including from Professor Ferran as the sponsor of the changes, as well as others. These commentators note the benefits in terms of aiding national and international understanding of the University's roles, believe that the change in name from Reader to Professor (Grade 11) is a necessary one, and also observe that the title of professor is understood in the UK and many parts of the world as a signifier of tenure and status.

The Council also notes the remarks made by Dr Roulet, Dr Munir and Dr Rogerson that misunderstanding about the seniority of those holding the current lectureship and readership titles limits the participation of Cambridge academics in relevant international communities and leads to denial of opportunities such as media appearances and editorial roles. The Council shares Dr Munir's expectation that a change in titles is likely to boost the number of Black, Asian and minority ethnic (BAME) colleagues in senior positions, and will also open up more opportunities for BAME colleagues to occupy other senior positions internationally. The Council agrees with Professor Ferran that, if adopted, the impact of the new titles structure on under-represented groups should be monitored to help ensure that the University's recruitment and progression policies and practices are aligned with its commitments to equality, diversity and inclusion. The Council also notes that the experiences of colleagues at Oxford and Imperial, who have implemented similar changes to titles, may be helpful in realising the benefits and avoiding any potential problems when taking forward the new arrangements.

The Council notes Dr Rutter's concerns about the suggested change of title from Assistant Professor to Associate Professor on successfully completing probation and whether it would be better to wait until the probation scheme was accepted as working smoothly before making this change. The Council confirms that the review of the probationary procedures mentioned in the Report of the General Board on arrangements for the implementation of the Academic Career Pathways (ACP) scheme (*Reporter*, 6547, 2018–19, p. 562) has been taken forward with a proposed implementation date of 1 October 2020 (see the Report, *Reporter*, 6586, 2019–20, p. 495). The Council also notes Professor Ferran's remarks that in her view the adoption of the title of Assistant Professor would not trigger a change in the University's approach to academic probation, which is that the University will support these valued colleagues in reaching the high standards that Cambridge sets and publicly recognise their success in doing so.

Some contributors raise concerns about the implications of these arrangements for other types of staff, such as fixed-term lecturers, researchers and College Teaching Officers. The Council confirms that, should the proposals in this Report be implemented, all new fixed-term lecturers will instead be called 'Assistant Professor' and fixed-term senior lecturers 'Associate Professor'. In respect of research staff, the review of the Senior Research Promotions (SRP) scheme mentioned in the Report of the General Board on arrangements for the implementation of the Academic Career Pathways (ACP) scheme has been taken forward and, if the proposals in this Report are approved, the equivalent research titles at each level will be considered in the light of the new titles for academic offices. Dr Rutter's comments will be passed to the Working Group taking forward this work so that they can be taken into account. The Council agrees with Professor Abulafia that College Teaching Officers carry out a very important role in supervisions. This Report concerns academic offices in the University; it will be for Colleges to decide, individually or collectively, whether to change the title of College Teaching Officer in response to this Report's recommendations.

The Council notes with concern Dr Munir's comments about junior colleagues choosing to remain silent when the consultation exercise on the proposals in this Report was conducted. The Council refers to its decision, confirmed in the Report, to hold a ballot on the Report's recommendations. It encourages all members of the Regent House to have their say by participating in that ballot.

Professor Evans draws attention to matters concerning temporary governance arrangements, which do not directly relate to the proposals in this Report. The Council will consider these comments when it responds to remarks made on the topic of concern on decisions taken in response to the coronavirus (COVID-19) outbreak (*Reporter*, 6585, 2019–20, p. 454).

The Council is submitting a Grace (Grace 5, p. 552) for the approval of the recommendations of this Report. The Council has agreed that voting in the ballot on the Grace will take place in the Michaelmas Term at the same time as the Council elections, with voting to open at 10 a.m. on Friday, 20 November 2020 and close at 5 p.m. on Tuesday, 1 December 2020 (a more detailed timetable will be published on 7 October 2020).

Report of the General Board on a University Senior Lecturer dual career pathway: Notice in response to Discussion remarks

6 July 2020

The Council has considered the Discussion remarks received on 9 June 2020 (*Reporter*, 6585, 2019–20, p. 469) on the above Report (*Reporter*, 6582, 2019–20, p. 428).

The Council notes the comments in support of these recommendations from Professor Ferran as the sponsor of these changes, and from Professor Evans.

The Council is submitting a Grace (Grace 6, p. 553) for the approval of the recommendations of this Report.

Report of the Council recommending provisional allocations from the Chest for 2020–21: Notice in response to Discussion remarks

27 July 2020

The Council has considered the Discussion remarks received by 7 July 2020 (p. 556) on the above Report (*Reporter*, 6586, 2019–20, p. 512).

The Council notes the remarks from Professor Cardwell, which address several concerns highlighted by Dr Cowley's note of partial dissent.

Some of Professor Evans' remarks, including those concerning the temporary suspension of the publication of the *Reporter* and of Discussions in the Senate-House, do not relate directly to the recommendations of this Report. The Council will consider them when it responds to remarks made on the topic of concern on decisions taken in response to the coronavirus (COVID-19) outbreak (p. 563).

Professor Evans, quoting from Dr Cowley's note of partial dissent, draws attention to the omission from the provisional Allocations Report of statements of Chest receipts and payments during the preceding financial year, and a revised estimate of the corresponding figures for the current financial year. The statements for 2018–19 are published below for the information of the Regent House. A revised estimate for 2019–20 was prepared on the basis of forecasts submitted by Schools and institutions in December 2019. That estimate does not reflect the impact of COVID-19 and is now significantly out of date. The Report published next term will include the final position for 2019–20 alongside the recommended Budget and Chest allocations for 2020–21.

Dr Cowley observes that neither the Resource Allocation Model introduced in 2004 nor an alternative approach to resource distribution can have the effect of a 'magic bullet'. The strengths and limitations of the RAM and the associated planning process have been discussed at length by the Planning and Resources Committee's Resource Distribution Group. Developing a new way of working that meets the challenge originally defined by the Finance Working Party in 2003 – 'to provide sufficient incentives and responsibilities to promote the culture change necessary to achieve a unified approach to the University's finances' – is a multi-faceted project, which will require a number of changes to the University's current systems, policies and processes. The project will be underpinned by a comprehensive communications programme at all levels of the University.

Neither the Council nor the senior leadership of the University is complacent about the extent of the financial challenge which existed before COVID-19 and has been exacerbated by the current crisis. This shared commitment will be reflected in the final Budget and Chest allocations for 2020–21, for which approval will be sought during Michaelmas Term 2020.

The Council is submitting a Grace (Grace 10, p. 553) for the approval of the recommendations of this Report.

Chest 2018–19 Actual out-turn versus budget

	Original Budget 2018–19	Cost Neutral Transfers 2018–19	Updated Budget 2018–19	Actual 2018–19	Variance 2018–19
	£m	£m	£m	£m	£m
Income					
Grants from the Funding Council	149.0	0.0	149.0	149.0	0.0
Academic fees	238.0	0.0	238.0	238.9	0.9
Research grants and contracts	41.3	0.0	41.3	44.0	2.7
Endowment income and interest receivable	21.4	0.0	21.4	24.0	2.6
Other operating income	18.2	0.0	18.2	17.6	(0.6)
Other services rendered	3.2	0.0	3.2	2.7	(0.5)
Net exchange gains	0.0	0.0	0.0	4.1	4.1
TOTAL INCOME	471.1	0.0	471.1	480.3	9.2
Allocation / Expenditure					
Academic Departments	199.2	(0.2)	199.0	199.0	0.0
Academic institutions and services	53.7	0.2	53.9	53.9	0.0
Staff and student services	1.3	0.2	1.5	1.5	0.0
Unified Administrative Service (UAS)	44.0	0.6	44.6	44.6	0.0
<i>Administered Funds</i>					
Teaching and research	116.6	(0.6)	116.0	117.3	(1.3)
Contingency	10.4	(0.1)	10.3	10.3	0.0
Human resources	2.2	0.0	2.2	2.3	(0.1)
Operational	4.4	0.0	4.4	4.7	(0.3)
Estates	58.2	(0.1)	58.1	60.0	(1.9)
General	6.3	0.0	6.3	6.3	0.0
TOTAL EXPENDITURE	496.3	(0.0)	496.3	499.9	(3.6)
Surplus / (deficit)	(25.2)	0.0	(25.2)	(19.6)	5.6

Report of the Council on the investment of bond proceeds held for income-generating projects: Notice in response to Discussion remarks

27 July 2020

The Council has considered the Discussion remarks received on 7 July 2020 (p. 559) concerning the above Report (*Reporter*, 6586, 2019–20, p. 515).

The Report proposes changes to the Special Ordinance governing the application of bond proceeds arising from the authority granted by Grace 2 of 10 May 2018. Professor Evans draws attention to remarks made at the Discussion preceding that Grace. The Council, in its response to those remarks, agreed that whilst specific business cases were immature, there was confidence in the potential of the projects (*Reporter*, 6505, 2017–18, p. 551). This is still the case. However, projects have not advanced as quickly as anticipated, as a result of market conditions and the COVID-19 outbreak. There are also other reasons for seeking changes to the terms of the Special Ordinance, including the opportunity to invest in projects that are expected to generate income through realised capital gains rather than, or in addition to, income from interest or dividends, and to permit investment in parties connected to the University, such as the Colleges, Cambridge University Press and Cambridge Assessment. The scope of the Special Ordinance has also been widened to cover interim investment of the proceeds.

The underlying commitment – to use the proceeds to fund investments that will deliver a return capable of exceeding the bonds' interest and capital repayments – remains the same, but the approach will now be to consider delivery of that commitment collectively as a portfolio of investments rather than on an individual basis. This will be subject to projects providing a minimum return of 2.35%.

Professor Evans suggests that there might be an attempt to rush the approval of this Report's recommendations through the University's governance process, without a response to remarks on the Report. The Council published a timetable for the approval of Graces before Michaelmas Term 2020 in the *Reporter* on 27 May 2020 (*Reporter*, 6584, 2019–20, p. 450). It did so to ensure that members of the collegiate University had sufficient notice of the relevant dates. The timetable adheres to the rules governing the process as set down in the Ordinance on Graces and Congregations and by precedent. It includes 29 July 2020 as the date by which Graces and responses to any Discussion remarks are to be published if they are to be approved before 1 October 2020.

The Council is submitting a Grace (Grace 12, p. 553) for the approval of the recommendations of this Report.

Report of the Council on changes to Special Ordinance concerning Congregations: Notice in response to Discussion remarks

27 July 2020

The Council has considered the Discussion remarks received on 7 July 2020 (p. 560) concerning the above Report (*Reporter*, 6586, 2019–20, p. 518).

The proposals in this Report aim to provide the alternative of a Congregation by videoconference in exceptional circumstances. As Professor Evans notes, the Council has already stressed in the Report that this option would only be considered should a Congregation as a physical meeting not be possible. The Council appreciates that degree ceremonies in the Senate-House are valued highly by students and their families, so a decision to confer degrees other than in person would not be taken lightly.

The Council notes Professor Evans' remarks on decisions taken in response to the COVID-19 outbreak and will consider them in its response to remarks on the topic of concern on the same subject (p. 563).

The Council is submitting a Grace (Grace 13, p. 553) for the approval of the recommendations of this Report.

Report of the Council on the construction of a new freezer store at the Cancer Research UK Cambridge Institute: Notice in response to Discussion remarks

27 July 2020

The Council has considered the Discussion remarks received on 14 July 2020 (p. 566) concerning the above Report (p. 550, first published on the *Reporter* website on 1 July 2020).

Professor Evans makes comments on the arrangements for publication of the Report. The Council is satisfied that sufficient notice was given, initially via the Advance Notices section of the *Reporter* website, with an email alert sent to draw attention to its publication there. It agrees with Professor Evans that the Ordinance concerning the *Reporter* ought to be updated and has asked for amendments to be drafted.

The project described in the Report meets a specific requirement for on-site freezer storage at the CRUK Cambridge Institute. The proposed works constitute a substantial alteration to the existing building, which requires Regent House approval before the project can proceed. The project is managed by the Estates Division under the scrutiny of the Space Management and Minor Works Sub-committee of the Resource Management Committee. The Sub-committee received a report on the project at its meeting on 24 June 2020 and authorised expenditure, from the funds awarded by CRUK, to allow design development to continue pending approvals from the Regent House and the local planning authority. The Sub-committee will receive a further report during Michaelmas Term 2020 seeking authority to proceed with the scheme to completion.

The Council is submitting a Grace (Grace 14, p. 553) for the approval of the recommendations of this Report.

Report of the General Board on Senior Academic Promotions: Notice in response to Discussion remarks

27 July 2020

The Council has considered the Discussion remarks received by 7 July 2020 (p. 561) on the above Report (*Reporter*, 6586, 2019–20, p. 519). It has consulted with the General Board in preparing this response.

The Council notes the remarks made by Professor Evans concerning the General Board's approval of promotion decisions against a criterion of affordability. As set out in the response to remarks made about last year's Senior Academic Promotions (SAP) exercise,¹ decisions on where the line for promotion is drawn are based on academic judgment taking into account all the evaluative criteria: research/scholarship, teaching and general contribution. The Council confirms that the budget for this exercise has been increased in recent years and that, as for the 2019 and 2018 exercises,² no candidate recommended for promotion by the Vice-Chancellor's Committee was denied their promotion because of a financial constraint.

Professor Evans' comments on the Council's request that the running of a 'titular' promotion exercise be considered as an alternative to cancelling the next Academic Career Pathways (ACP) scheme, which was mentioned in the Finance Message from the Vice-Chancellor to University employees on 16 June 2020. The HR Committee considered the request and the Council agreed with the Committee's recommendation that a 'titular' promotion scheme ought not to be adopted.

The Council also notes the remarks made by Dr Sebastian and agrees that it would be a positive step to publish Black, Asian and Minority Ethnic (BAME) statistics for the outcomes of the senior academic promotions exercise in future. Indeed, it is planned that this will happen in line with the move to ACP, replacing the current SAP scheme, when using an online application system developed to support the scheme will lead to enhanced reporting capabilities. This enhanced reporting will in turn facilitate better data analysis, including of equality and diversity data. In addition, the Council notes Professor Ferran's commitment to working with all interested parties to maximise the practical impact of the ACP scheme on equality and diversity matters, alongside other complementary initiatives.²

The Council also notes Dr Sebastian's support for the increased transparency in the evaluation of the ACP scheme but that in her view it does not go far enough, with a need for well-defined markers and broad definitions of academic excellence as well as clearly outlined evaluation methods. The Council confirms that, in line with the University's commitments as a signatory to the San Francisco Declaration on Research Assessment (DORA), the ACP promotions criteria acknowledge that intellectual content is much more important than publication metrics or the identity of a journal. The promotions criteria and indicators of excellence set out under the ACP scheme also seek to embody the second DORA core principle of recognising the value of all relevant research outputs and other types of contributions such as training early-career researchers and influencing policy and practice. The Council notes that the ACP scheme provides for a wide range of examples of indicators of excellence, both central and local, and allows for limited flexibility in adjusting the weighting of the promotions criteria. This should allow applicants to provide a broad range of contributions when making their academic case. In addition, the Council notes the assurance in the 2019 Report recommending implementation of ACP³ that it is envisaged the scheme will evolve over the coming years to ensure it meets the needs of the University and staff, with the continued input and support of the academic community. This continuing review of the operation of the scheme will encompass the appeals process.

The Council is submitting a Grace (Grace 15, p. 553) for the approval of the recommendations of this Report.

¹ *Reporter*, 6555, 2018–19, p. 796.

² *Reporter*, 6551, 2018–19, p. 668.

³ See paragraph 8 of the Report; *Reporter*, 6547, 2018–19, p. 562.

Report of the General Board on the authority to award doctoral degrees: Notice in response to Discussion remarks

27 July 2020

The Council has considered the Discussion remarks received on 7 July 2020 (p. 562) concerning the above Report (*Reporter*, 6586, 2019–20, p. 524). It has consulted with the General Board in preparing this response.

Professor Evans notes the approval of the Enquiry Group's recommendations by the Education Committee in March 2020 and suggests this is an example of a decision made under delegated authority in response to the COVID-19 outbreak. This is incorrect; the transfer of authority that the Report describes will take effect on 1 October 2020 if the recommendations of this Report are approved by Grace.

Professor Evans also queries whether this Report's proposals cover higher doctorates (i.e. the degrees of Doctor of Divinity, Doctor of Law, Doctor of Medical Science, Doctor of Music, Doctor of Science and Doctor of Letters). The Report provides, in footnote 1, a list of the degrees within scope; it does not include these higher degrees. The Board of Graduate Studies (the General Board from 1 October 2020) will continue to approve candidates for those degrees, on the recommendation of the relevant Degree Committee.

The General Board notes Professor Evans' comments on a right of review for decisions concerning the non-award of higher degrees. A review of these degrees is planned and will consider this point in due course.

The Council is submitting a Grace (Grace 17, p. 553) for the approval of the recommendations of this Report.

Revisions to Procedure on Student Harassment and Sexual Misconduct (Informal Complaint Procedure for Student Misconduct)

14 July 2020

The Council, on the recommendation of the General Board, has approved changes to its Procedure on Student Harassment and Sexual Misconduct, as set out in Annex A. The procedure was implemented in 2017¹ as an option for students who wished to limit their interaction with another student because of an allegation of harassment or sexual misconduct but did not wish to pursue a formal disciplinary complaint.

The procedure was reviewed in July 2018 and a number of minor amendments to the process were made, including an amendment to the name of the procedure and removal of associated timeframes for raising a complaint (*Reporter*, 6516, 2017–18, p. 841). Since that review, a new member of staff has taken responsibility for the management of complaints made using the procedure and has suggested some changes based on a year's experience of supporting its use. In addition, feedback has been received from College Tutors and students. As a result, there are a number of revisions that have been made to improve the effectiveness and accessibility of the procedure.

The amendments set out to achieve the following:

- (a) A consistency of language with the revised Student Disciplinary Procedure, specifically relating to the definitions of student misconduct. The Code of Conduct associated with this procedure has been replaced with the definitions of misconduct used in the Rules of Behaviour (*Statutes and Ordinances*, p. 191), for example, by including physical misconduct explicitly under the types of conduct covered (replacing the previous Code of Conduct's more implicit references, for example, to physical contact in the context of sexual misconduct or to controlling or coercive behaviour). These changes have also prompted a change to the title of the procedure.
- (b) The revisions made to the Student Disciplinary Procedure approved by Graces 1 and 2 of 1 May 2019 included removing the Law Faculty volunteers as a formal, guaranteed panel of support and therefore this change has also been reflected in this procedure.
- (c) The embedding of information within the procedure that was previously included in explanatory notes, so that students no longer need to cross-refer to those notes to follow the procedure. Information from the associated policy on the use of personal information has also been repeated in the procedure.
- (d) The replacement of a number of terms within the procedure, most prominently 'Investigator' and 'Investigation', which was a source of confusion to students as there is no investigation of the misconduct itself. There is also a change to the names of the two parties, to emphasise their equal status under the procedure.
- (e) Clarity for the Respondent Student that there is no requirement for them to deny or admit the contents of the Reporting Student's informal complaint.
- (f) Improvements to the process by requiring the Facilitator to meet with the students following the end of the process. This is already taking place and improving students' perceptions of the procedure.
- (g) That a review of a decision-maker's decision with which the Reporting Student is dissatisfied may be carried out under the University's Procedure for the Review of Decisions of University Bodies, rather than a specific review stage written into the procedure. This is an approach that has been adopted for consistency across a number of formal student procedures.
- (h) The removal of references to 'alternative resolution', as in practice this has confused students and appears to be a barrier to students considering the procedure as appropriate for their complaint.

Consequential changes to General Board procedures are noted in Annex B.

The Council is submitting a Grace (Grace 29, p. 555) for the approval of an amendment to the Ordinance concerning the procedure.

¹ Approved by Grace 3 of 22 February 2017.

ANNEX A

By replacing the existing Procedure on Student Harassment and Sexual Misconduct (*Statutes and Ordinances*, p. 222) with the following:

INFORMAL COMPLAINT PROCEDURE FOR STUDENT MISCONDUCT**1. Glossary**

1.1. In this procedure, the following terms shall have the meanings set out below:

Facilitator	A trained person who the Head of OSCCA will appoint to handle the consideration of the case and provide a report following such consideration
Group	The Group that receives the Informal Complaint Form (see paragraph 6.4)
Informal Complaint Form	The Form to be used to report a complaint under this procedure
Misconduct	Behaviour as described in paragraph 2
Misconduct Panel	The Misconduct Panel (see paragraph 8)
OSCCA	The Office of Student Conduct, Complaints and Appeals
Reporting Student	A Student who has made a complaint under this procedure
Respondent Student	A Student about whom a complaint has been made under this procedure
sexual misconduct	Behaviour as defined at paragraph 2.2
Student	A Registered Student as defined in Statute A X 2(c). ¹ For the purposes of the membership of a Misconduct Panel, this definition includes sabbatical officers of Cambridge University Students' Union and the Graduate Union

2. Types of behaviour amounting to misconduct under this procedure

2.1. Physical misconduct is any unwanted and unreasonable contact. Physical misconduct includes pinching, punching, kicking, slapping, pulling hair, biting, pushing, shoving, using weapons and using items as weapons.

2.2. Sexual misconduct is any unwanted and unpermitted sexual activity. Sexual activity includes sexual acts, kissing, sharing private sexual materials of another, touching through clothes, showing sexual organs and remarks of a sexual nature. Sexual misconduct can take place in physical or virtual environments.

2.3. Abusive behaviour is any unwanted behaviour which is reasonably likely to cause harm; or have the effect of violating another's dignity; or create an intimidating, hostile, degrading, humiliating or offensive environment for that other. It includes threats, abusive comments, the use of or supply of illicit substances, making malicious accusations, repeatedly contacting someone, and abuse that takes place within an intimate relationship. Abusive behaviour can take place in physical or virtual environments.

2.4. The behaviour covered by these forms of misconduct can include actions that appear to have been influenced by someone's protected characteristics or their perceived protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation. The behaviour can take place in person or online. A non-exhaustive list of these types of behaviours include:

- (a) making sexually offensive comments about dress or appearance, the display or distribution of sexually explicit material, or demands for sexual favours;
- (b) engaging in harassment on the grounds of a person's sexuality or gender (or assumptions about a person's sexuality or gender) including making derogatory homophobic, transphobic, or biphobic remarks or jokes aimed at a particular person, offensive comments relating to a person's sexuality, refusal to acknowledge a person's gender or identity, or threats to disclose a person's sexuality to others;
- (c) making offensive references to a person's race, ethnicity, skin colour, religion or nationality, dress, culture, background or customs which have the effect of ridiculing or undermining an individual or fostering hatred and/or prejudice towards individuals or particular groups;
- (d) ignoring, disparaging, or ridiculing a person because of mistaken assumptions about their capabilities, or making offensive reference to an individual's appearance, in the context of their disability;
- (e) controlling or coercive behaviour, such as pressure to subscribe to a particular political or religious belief.

2.5. The word 'unwanted' means 'unwelcome' or 'uninvited'. It is not necessary for a person to object to the behaviour for it to be unwanted.

2.6. The word 'unpermitted' means 'not permitted' or 'unauthorised'. A number of behaviours can indicate where permission has been given, for example, verbal comments or physical actions. Permission for an activity can only be given at the time it is taking place and where the person has the choice to give or not give permission. Where there is disagreement as to whether an activity was unpermitted, the applicable test shall be, taking all circumstances into account, whether a reasonable person would consider the activity was unpermitted.

¹ *Statutes and Ordinances*, p. 12.

3. Scope of procedure

3.1. The University is committed to providing an environment that is free from discrimination and affirms the right of all members to be treated with dignity and respect.

3.2. This procedure provides a mechanism to limit interactions between Reporting and Respondent Students by the agreement of both parties. This Procedure does not seek to investigate the misconduct which caused the Reporting Student to submit an Informal Complaint Form and it will not reach any findings on whether any misconduct has taken place. As a result, the procedure does not require the Reporting Student to provide a detailed account of the misconduct, nor does it require the Respondent Student to provide a response to the content of the Informal Complaint Form.

3.3. This procedure applies where a Student (the Reporting Student) wishes to complain about the misconduct of another Student (the Respondent Student).

3.4. OSCCA will provide procedural advice to a Reporting Student about any other complaint procedures that are available. As the purpose of this procedure is to limit interaction between a Reporting Student and Respondent Student, complaints made by a third party and anonymous complaints cannot be accepted.

3.5. A complaint under this procedure may be brought by two or more Reporting Students and/or against two or more Respondent Students where the complaint describes misconduct arising from the same event(s). In such cases references in this procedure to the 'Reporting Student' or the 'Respondent Student' shall be construed, as appropriate, as referring to more than one person.

3.6. A Reporting Student may choose to raise a complaint under this procedure or under an equivalent College procedure. Subject to the Group's² determination that this procedure would be appropriate, it is the expectation of the Colleges and the University that this procedure will normally be used where:

- (a) the complaint relates to sexual misconduct;
- (b) the complaint relates to conduct occurring in the context of University societies or sports clubs;
- (c) the complaint is brought against Respondent Students at more than two Colleges.

3.7. A complaint cannot be brought under this procedure where the Reporting Student has previously made a complaint about the same event(s) which has been dealt with under the University's Student Complaints Procedure or a formal College complaints procedure.

3.8. The General Board shall approve and keep under review a policy on the use of personal information³ under this procedure.

4. General principles

4.1. Any reference in this procedure to a University officer or other named role-holder includes a deputy appointed by that officer or role-holder to exercise the functions assigned to that officer under this procedure.

4.2. The University will act reasonably in considering complaints under this procedure, having regard to the individual circumstances of the case. Every effort will be made to ensure that all parties are treated with fairness and dignity.

4.3. Reporting Students who believe they have suffered any reprisal, or have received a threat of reprisal, as a result of making a complaint in good faith should raise the matter with the Head of OSCCA.

4.4. The time limits set out in this procedure may be varied by the Head of OSCCA for good reason, after consultation with the Reporting Student and the Respondent Student as appropriate.

4.5. The Head of OSCCA acting reasonably may suspend the consideration of a complaint at any stage of this procedure and/or refer the matter for consideration under another procedure including:

- the University's [Procedure to Determine Fitness to Study] < Procedure to Support and Assess Capability to Study >⁴ or an equivalent College procedure;
- the University's Fitness to Practise procedures.

4.6. A complaint may be brought under this procedure whether or not it has been reported to the police. The Head of OSCCA will normally suspend the procedure pending the outcome of any police investigation and/or criminal proceedings and, if there are reasonable grounds to do so, may also refer the matter to the Academic Secretary to consider the matter under Special Ordinance D (v): Precautionary Action.

4.7. The Reporting Student may withdraw a complaint at any time during this procedure, by notifying the Head of OSCCA in writing. Where a complaint is withdrawn no further action will be taken under this procedure.

4.8. None of the members of any body constituted under this procedure will have any previous knowledge of the case or any material connection with either the Reporting Student or the Respondent Student. Normally, no person who is a member of the Department/Faculty or College of the Reporting Student or the Respondent Student will be involved in the consideration of the case. The holders of the offices to which this procedure refers shall appoint standing deputies to act on their behalf in the event of any conflict of interest.

5. Support and guidance

5.1. OSCCA will provide advice at the outset to help both the Reporting Student and Respondent Student to understand this procedure. All parties will be directed to appropriate sources of advice and support throughout the procedure.

² See paragraph 6.4.

³ See the Appendix below.

⁴ The text in angular brackets will replace the text in square brackets if the recommendations of the Joint Report of the Council and the General Board on a revised fitness to study procedure are approved (see *Reporter*, 6586, 2019–20, p. 487).

5.2. The Reporting Student and the Respondent Student are able to bring a supporter to any meeting held under this procedure. However, the supporter should not be someone who could be a witness to events related to the misconduct. A College Tutor or an advisor from the Students' Unions' Advice Service are good sources of support for all Students, and the Sexual Assault and Harassment Advisor is available to support Reporting Students reporting sexual misconduct. As this is an informal procedure it is not normally necessary for a Reporting Student or a Respondent Student to have a legally qualified supporter. However, both the Reporting Student and the Respondent Student may access and use legally qualified supporters at their own cost.

6. Raising a complaint

6.1. A Student considering raising a complaint may discuss or meet with a member of OSCCA who can provide a description of the procedure.

6.2. To raise a complaint, a Reporting Student must complete and submit the Informal Complaint Form.⁵ Reporting Students can be assisted in completing the form by a supporter.

6.3. In cases where the Informal Complaint Form describes conduct that could constitute a criminal offence, the Reporting Student will be informed that if the complaint is considered through a University procedure before reporting it to the police this may undermine any later police investigation and subsequent proceedings.

6.4. On receipt of the Informal Complaint Form, a Group comprising the Head of OSCCA (convener), the Pro-Vice-Chancellor (Education), and the Secretary of the Senior Tutors' Committee will consider the form and determine (by a majority decision) whether to:

- (a) refer the complaint for consideration under this procedure;
- (b) dismiss the complaint because it is considered to be without merit, or vexatious, frivolous, or malicious;
- (c) reject the complaint because it does not fall within the scope of this procedure;
- (d) decline to refer the complaint for consideration under this procedure and recommend to the Reporting Student that the complaint is raised under a College procedure;
- (e) decline to refer the complaint for consideration under this procedure for other reasons.

6.5. OSCCA will normally notify the Reporting Student of the Group's decision within a week of the submission of the Informal Complaint Form.

6.6. If the Reporting Student is dissatisfied with the Group's decision, the Reporting Student shall have the right to request a review of that decision in accordance with the Procedure for the Review of Decisions of University Bodies.⁶

7. Consideration of the complaint

7.1. Where a complaint is referred for consideration, this will be carried out by a trained Facilitator, appointed by the Head of OSCCA. The role of the Facilitator is to prepare a report, which sets out any undisputed facts and makes recommendations around proposed actions for resolution, based on the responses of both the Reporting Student and Respondent Student.

7.2. The Facilitator shall determine how to handle the case, within the context of the general principles, including the duty to act fairly and reasonably, set out in paragraph 4. The Facilitator will invite the Reporting Student and the Respondent Student to separate meetings with the Facilitator. The aim of the meetings will be to establish actions with which both parties would agree and which would limit interaction between the two parties. Each meeting will be minuted and the minutes agreed with those present as a correct record (or any disagreement noted), at which point any other record of the meeting will be destroyed.

7.3. When or before inviting the Respondent Student to a meeting, the Facilitator must:

- (a) provide sufficient information to enable the Respondent Student to understand the nature of the complaint, including a summary of the complaint, the identities of those involved and the place and time where the described behaviour occurred;
- (b) inform the Respondent Student that there does not need to be any response to the complaint and that no adverse inferences may be drawn from the Respondent Student's failure to attend for interview or otherwise participate in this procedure;
- (c) warn the Respondent Student that the University may be required to provide as evidence in any subsequent criminal investigation or proceedings in a court of law information regarding the complaint, including any admission made in the course of this procedure (or any subsequent disciplinary proceedings) and that any admission made in the course of this procedure may also be used as evidence in University disciplinary proceedings;
- (d) remind the Respondent Student that it is not normally necessary to bring a legally qualified supporter to any meetings during this procedure. However, Respondent Students may access and use legally qualified supporters at their own cost.

7.4. Where the Respondent Student declines to cooperate with the process, the Facilitator may continue with the consideration in the absence of the Respondent Student's cooperation. The Facilitator will aim to provide the report to the Head of OSCCA within four weeks of the complaint being referred for consideration, but some cases may require longer, in which case the Facilitator will keep the Reporting Student and the Respondent Student updated.

⁵ The form is available on the OSCCA website: <http://www.studentcomplaints.admin.cam.ac.uk/reporting/>

⁶ *Statutes and Ordinances*, p. 219.

- 7.5. On receipt of the Facilitator's report, the Head of OSCCA may:
- (a) refer the report for consideration by a Misconduct Panel under paragraph 8; or
 - (b) reach a decision regarding the report under paragraph 8 without reference to the Misconduct Panel.
- 7.6. The Head of OSCCA will normally refer a report involving sexual misconduct to the Misconduct Panel.

8. Determining the outcome of the complaint

8.1. If the report is referred to a Misconduct Panel, the Registry will appoint three members of the University, one of whom shall be a Student, to serve on the Misconduct Panel.

8.2. The Head of OSCCA or the Misconduct Panel shall consider the complaint and the report prepared by the Facilitator.

8.3. Having considered the complaint and the report, the Head of OSCCA or the Misconduct Panel (by a majority decision) may:

- (a) propose one or more of the resolutions set out in paragraph 9;
- (b) dismiss the complaint because it is considered to be without merit, or vexatious, frivolous, or malicious;
- (c) decide that no further action should be taken under this procedure;
- (d) with the consent of the Reporting Student, refer the complaint for consideration under the University's disciplinary procedures in accordance with paragraph 10.

8.4. The Reporting Student and the Respondent Student will be notified in writing of the decision of the Head of OSCCA or the Misconduct Panel within four weeks of the Head of OSCCA receiving the Facilitator's report.

8.5. If the Reporting Student is dissatisfied with the decision of the Head of OSCCA or the Misconduct Panel under paragraph 8.3, the Reporting Student shall have the right to request a review of that decision in accordance with the Procedure for the Review of Decisions of University Bodies.⁷

9. Resolutions

9.1. The Head of OSCCA or the Misconduct Panel may propose a resolution to the complaint, which may include (but are not limited to) the following:

- (a) that the Respondent Student will agree to abide by a conduct agreement issued by the Head of OSCCA. A conduct agreement may include an undertaking by the Respondent Student to refrain from contact with the Reporting Student for a specified period of time. A record of the agreement will be retained by the University. If the agreement is breached then this breach can be investigated and sanctioned under the Student Disciplinary Procedure.⁸ In addition, the agreement may also be taken into account if a further complaint is made against the Respondent Student under this procedure;
- (b) with the prior approval of the relevant body, that the Respondent Student will take a period of intermission from study;
- (c) that the Respondent Student will attend behaviour awareness training or workshops.

The relevant body for the purpose of the consideration of a request for intermission will be the [Board of Graduate Studies⁹ for applications concerning graduate students¹⁰] <Postgraduate Committee for applications concerning postgraduate students>¹¹ and the Examination Access and Mitigation Committee concerning other students.¹² Approval may be granted by Chair's action on behalf of the relevant body.

9.2. The proposed resolution will only stand if the agreement of both the Reporting Student and the Respondent Student are obtained. The Facilitator will facilitate the process of reaching agreement between the Reporting Student and the Respondent Student and will issue written confirmation of any agreed resolution(s) to them.

9.3. If attempts at reaching an agreed resolution are unsuccessful the Head of OSCCA, with the Reporting Student's consent, may refer the complaint for consideration under the University's disciplinary procedures in accordance with paragraph 10.

9.4. If there are grounds to believe that the Respondent Student has failed to comply with the terms of an agreed resolution, the Head of OSCCA shall determine whether the original complaint and/or the alleged breach of the agreed resolution should be referred for consideration under the University's disciplinary procedures in accordance with paragraph 10.

10. Disciplinary proceedings

10.1. Where the Head of OSCCA or the Misconduct Panel refers a complaint for consideration under the University's disciplinary procedures, it will be referred, with the consent of the Reporting Student, to the Student Discipline Officer or the University Advocate, depending on whether the described misconduct took place before or after 1 October 2019. The Head of OSCCA will provide information on the relevant disciplinary procedure, including the timeframe within which the Reporting Student and Respondent Student will be notified in writing of a decision about whether or not to invoke disciplinary proceedings.

10.2. All relevant material, including the report of the Facilitator and the decision of the Head of OSCCA or the Misconduct Panel will be made available to the relevant disciplinary body.

⁷ *Statutes and Ordinances*, p. 219.

⁸ *Statutes and Ordinances*, p. 193.

⁹ See the regulations for the Board of Graduate Studies, *Statutes and Ordinances*, p. 119.

¹⁰ See the General Regulations for Admission as a Graduate Student, *Statutes and Ordinances*, p. 448.

¹¹ The text in angular brackets will replace the text in square brackets from 1 October 2020.

¹² See the regulations for Allowances to Candidates for Examinations, *Statutes and Ordinances*, p. 247.

11. Reporting

11.1. An annual report of complaints considered under this procedure will be made to the Council, the General Board, and the Colleges, in which references to individual cases will be made anonymously.

11.2. The Head of OSCCA will be responsible for the regular review of this procedure.

Appendix - Policy on the use of personal information under the Informal Complaint Procedure for Student Misconduct.

A copy of this appendix is to be provided to the Reporting Student and the Respondent Student at the earliest contact.

1. The overall purpose of processing personal data in the context of the consideration and resolution of complaints under this procedure is to decide what steps can appropriately be taken in response to such complaints. Personal data will be disclosed only to those persons who need to see such data for the purposes of preparing a report following receipt of a complaint, or determining or recommending a resolution, or deciding what other steps can appropriately be taken. Such persons may include the Head of OSCCA, the Pro-Vice-Chancellor (Education), the Secretary of the Senior Tutors' Committee, the Academic Secretary, members of the Misconduct Panel, the Facilitator, solicitors in the University's Legal Services Office, the University Advocate or Student Discipline Officer (or other relevant officer), and Officers or Reviewers appointed under a University complaint or review procedure. Documentation generated in the course of the consideration of a complaint under the procedure may not be disclosed in full to the Reporting Student and the Respondent Student except in so far as is reasonably necessary to conduct and to progress a fair consideration of the complaint, or where a person has explicitly consented to the disclosure of personal data to the extent that the data relate to her or him.

2. (a) The University shall share the Informal Complaint Form, the Facilitator's report and agreed actions for resolution, with the Respondent Student's College Senior Tutor (if the Respondent Student is a member of a College) so that the Senior Tutor is aware of the complaint and able to assist in providing support. In some cases, a Reporting Student's written consent may also be sought to disclose information to the following:

- The Respondent Student's Head of Department or equivalent
- The Respondent Student's Supervisor (for research students)

(b) Where relevant, the University shall also share this information with internal bodies (for example, a fitness to practise committee), regulatory bodies (for example, the Disclosure and Barring Service), professional bodies (for example, the General Medical Council), or other organisations with whom the Respondent Student may be connected, where it is appropriate to do so (for example, where the Respondent Student holds a position of responsibility for children or vulnerable adults).

3. Where formally requested to do so by one or more of the bodies listed in paragraph 2(b), or where the University considers that someone may be at significant and immediate risk of harm, the University may disclose information received through this procedure to the police. When initiating a consideration, the Facilitator will inform the Respondent Student in writing that information about the case will be provided to the police if formally requested by the police or if the Head of OSCCA considers that there is an immediate and significant risk to the Collegiate University Community. Unless there are exceptional reasons related to the case, the Head of OSCCA will normally inform the Reporting Student of the intention to report the matter to the police and give reasons before doing so.

4. The Facilitator's report will normally be released to the Reporting Student and the Respondent Student, but the minutes of any individual meetings will not usually be disclosed with the report. If the matter subsequently becomes the subject of disciplinary proceedings, all materials relating to this procedure will form part of the evidence in those proceedings and can therefore be expected to be disclosed to both sides in full.

5. Following completion of the procedure, the Facilitator's report and a record of the outcome, including any conduct agreement entered into by the Respondent Student, will be retained securely in accordance with the University's retention policy. This information will be used for the purposes of responding to any complaints regarding the application of this procedure as well as for compiling anonymous statistics regarding its use. Further, where any complaint is subsequently submitted under this procedure in respect of the same Respondent Student, giving the University reasonable cause for concern regarding an emerging pattern of potential misconduct, this information may be taken into account by the Group, Head of OSCCA or the Misconduct Panel, as appropriate, in reaching a decision under the procedure, and may also be provided to the University Advocate, the Student Discipline Officer or other relevant officer if relevant for the purposes of conducting disciplinary proceedings or referral for consideration under another procedure.

6. Nothing in this policy is intended to prejudice any rights of access to personal data which any person may have under the General Data Protection Regulations or otherwise.

7. If there are any questions or concerns about this policy, please contact the Head of OSCCA in the first instance.

ANNEX B

By inserting the following in the Schedule to the Procedure for the Review of Decisions of University Bodies (*Statutes and Ordinances*, p. 219, as amended by Notice on 12 February 2020, *Reporter*, 6577, 2019–20, p. 337):

The following decisions made under the Informal Complaint Procedure for Student Misconduct:

- Decisions made under paragraph 6.4 not to refer the complaint for consideration under that procedure
- Decisions made under paragraph 8.3 to determine the appropriate action following consideration of the complaint

Matters relating to pay restraint and the University's post-COVID-19 recovery plan: Notice from the Council

21 July 2020

Certain decisions, taken at the Council's meeting on 15 June 2020, were announced in the Vice-Chancellor's message to staff on 16 June 2020.¹ In brief these were as follows:

- **To limit reward and progression schemes for the year 2020–21.**

The University will limit the use of its reward and progression schemes for the academic year 2020–21. The following schemes will now not run: Professorial Pay Review 2020; Grade 12 Contribution Reward Scheme 2021; University Senior Lecturer Contribution Reward Scheme 2021; and Researcher Increment Scheme 2020–21.

A more limited version of the Grade 1–11 Contribution Reward Scheme 2021 will run, with applications only open to assistant staff in Grades 1 to 5 – they will only be able to apply for one-off single contribution payments. The costs of these payments will be met by the central Administered Fund for the 2020–21 exercise.

Current reward and progression schemes – those already launched – will continue to their conclusion, including the Professorial Pay Review 2018 and the Researcher Increment Scheme.

- **To introduce a voluntary pay reduction scheme for staff earning over £100k involving a pay cut of 10 per cent of total remuneration for a period of six months.**

The University will introduce a voluntary temporary pay reduction scheme, over six months, for senior University staff whose total remuneration exceeds £100k annually (*pro rata*), asking them to consider a reduction of 10% in total remuneration.

The Council, at its meeting on 20 July 2020, gave further consideration to a number of these measures in the context of wider discussions around the University's post-COVID-19 recovery plan.

Pay restraint

At its June meeting, the Council had asked the HR Committee to review a number of matters, including how the University might continue to exercise restraint on recruitment beyond 31 July 2020, and whether, as an alternative to cancelling the Academic Careers Pathways 2021 promotions exercise, it would be possible to run a 'titular' promotion exercise through which a staff member's title is upgraded, even if not their remuneration.

The key decisions on pay restraint were as follows:

- **To not run a titular-only Academic Career Pathways (ACP) promotion exercise whereby staff would receive the title but not the pay increase.**

The HR Committee examined the merits, issues and risks of running a titular-only ACP promotion exercise. While recognising that there were arguments for adopting the proposal, including supporting academic staff whose research productivity had been compromised since the lockdown had been introduced, legal advice has suggested that a titular-only scheme would be hard to implement on equal pay grounds. There has also been strong feedback from staff representatives that receiving titles without a rise in salary would be perceived as unfair and create significant morale problems across the University's workforce.

The Council stressed that automatic incremental progression through service-related points would continue for all eligible staff (including academic staff).²

- **To continue the programme of recruitment restraint until 31 July 2021.**

The recommendation to Council was based on a review of how recruitment restraint had worked over the past few months, including discussion with, and feedback from, groups considering exceptions to the general pause on recruitment. A new version of the Recruitment Protocol has been produced as a result of this review, with a number of important updates, including the exemption from the exercise of all externally funded posts. The new protocol, valid from 1 August 2020 until 31 July 2021, is available at https://www.hr.admin.cam.ac.uk/recruitment_protocol_2020_21. It will be kept under review and will be subject to a full review before 30 April 2021, when a decision will be taken as to whether it should continue, either in its current form or a different form.

- **Further details relating to the Voluntary Pay Reduction Scheme for those whose total remuneration exceeds £100k.**

It was agreed that those staff who wished to contribute to the scheme, which would involve a suggested 10 per cent contribution over a period of six months to help the University mitigate the financial impacts of COVID-19, could do so as follows:

- By donation via the University's payroll giving provider using the online form on the University's website;
- By making a single payment or regular payments via direct donation using the online facility provided by CUDAR or by writing a cheque.

Further details on how the scheme will run will be provided to institutions in due course.

¹ <https://www.cam.ac.uk/coronavirus/news/finance-message-from-the-vice-chancellor-to-university-employees>

² The text of this sentence has been revised for clarity since initial publication in the Advance Notices section of the *Reporter* website on 22 July 2020.

- **To allow exceptional market pay applications, subject to enhanced scrutiny.**

The HR Committee reconsidered its previous recommendation to suspend new Market Pay awards for six months. It concluded that it could be damaging to the University if market supplements could not occasionally be offered to individuals working in a field where specialist skills are scarce and in demand.

The Council agreed the following:

- the current processes for approving these payments should be revised to capture specific details about why the supplement is requested at this time and how it can be justified in light of current pay restraint measures;
- the HR and Remuneration Committees undertake closer scrutiny of requests referred to them for approval;
- those payments which do not currently require Committee approval are to be reported to the relevant Committee so that a fuller picture of these payments can be obtained. As part of the closer scrutiny, the Committee would require retention applications to be supported by evidence of a competing offer.

The Council agreed to keep pay restraint measures under close review.

Recovery plan

The Council received and approved the final version of the University's post-COVID-19 recovery plan, available at <https://www.admin.cam.ac.uk/cam-only/reporter/2019-20/weekly/6587/6587-RecoveryPlan.pdf>. The development of the plan has been overseen by the Crimson Recovery Taskforce, and informed by the work of the seven other taskforces³ and the regular briefing sessions run for key representatives from institutions and Colleges. The plan has an initial focus on continuing the work to return to on-site activities in a safe and secure way, with a range of longer-term projects tailored specifically to meet both the challenges and opportunities now facing the University and the Colleges. These are aligned with the Priorities Framework⁴ and are collectively focused on delivering:

- An outstanding educational experience;
- Insightful and impactful research;
- Financial sustainability;
- Support for our staff and community;
- Enhanced efficiency and effectiveness.

Implementation of the recovery plan will pass to the formal University bodies with responsibility for each area of the plan. It was agreed that the General Board should have responsibility for the overall coordination and monitoring of the implementation phase, with support from a small project management team. It was also noted that shared decision-making between the University and the Colleges through formal mechanisms such as the Colleges' Committee was vital for the successful implementation of the plan.

³ Covering education, research, people, buildings, digital infrastructure, financial implications, and the Colleges.

⁴ See the Annual Report of the Council for the academic year 2018–19 (*Reporter*, 6573, 2019–20, p. 194).

Courses and Examinations, 2020–21

27 July 2020

As noted in the statement on education in 2020–21 (*Reporter*, 6585, 2019–20, p. 453), the University and the Colleges will be seeking to make appropriate changes to courses to respond to the changing public health situation, and teaching will be delivered by a blend of in-person and online teaching.

These changes will affect the arrangements concerning students in 2020–21. As a result, the Council is seeking the approval of Graces (Graces 20–25, p. 554) to give the General Board the discretion to suspend certain requirements set out in Ordinance and General Board Regulations during that period, should this become necessary. It is also asking for the approval of some temporary additional provisions over the same period (Grace 26, p. 555).

The General Board has asked for this authority in view of the experience of the coronavirus (COVID-19) outbreak in spring 2020 and its impact on courses and examination arrangements. The Council is expecting to receive a draft Special Ordinance designed to provide a mechanism for the temporary suspension of provisions in Ordinance and General Board Regulations, for presentation as a Report early next term. In the meantime, if approved, these Graces will ensure that there is an agile process in place, which is capable of managing a transition into a period of lockdown for education provision if one is announced at short notice by the government.

The Board, acting through its Education Committee, would only use the authority granted by these Graces if it considered it necessary, after consulting with all relevant parties. The General Board would publish a Notice in the *Reporter* confirming its decision to exercise a specific authority. That Notice would either give details of the temporary arrangements or indicate when and how they would be made available.

The discretionary authority would be in place until 31 July 2021 or the approval of the new Special Ordinance. The position would be reviewed in Lent Term 2021, to determine whether an extension of any temporary authority ought to be sought, in the light of the advice available at that time.

Update on report on the advantages and disadvantages of a policy of divestment

27 July 2020

The Council reported in October 2019 that it expected to receive the final report in response to Grace 1 of 25 April 2019 by July 2020 (*Reporter*, 6564, 2019–20, p. 68).

Due to the extended illness of lead author Dr Quigley earlier in the spring and the suggestion that the report undergo a full academic peer review, the Council will now receive the divestment report at its meeting on 21 September 2020. It therefore expects to publish the report shortly after that date.

Regent House Petitions site

28 July 2020

Further to the Council's Notice dated 26 May 2020 (*Reporter*, 6584, 2019–20, p. 449) a new site to help members of the Regent House circulate and sign proposals relating to the University's governance processes is now available to those on the current Roll:¹

<https://universityofcambridgecloud.sharepoint.com/sites/RegentHousePetitions> [Regent House members only]

Detailed guidance and example petitions are available from the Petitions site homepage along with general links to information on the role and powers of the Regent House. Information about the Petitions site and the pdf guidance documents on raising and signing petitions have also been added to the University governance site, which is publicly accessible (see <https://www.governance.cam.ac.uk/governance/key-bodies/RH-Senate/Pages/RH-Petitions.aspx>).

The Petitions site is available only to current members of the Regent House,¹ who should use their University UIS account (crsid@cam.ac.uk) to log in. The site is hosted in the University's SharePoint Online environment; any members who have yet to use their University Microsoft account may need to sync their accounts to gain access to the Petitions site (see <https://help.uis.cam.ac.uk/withdrawn/exol-migration/exol-help/migration-guides/migration-process/check-password-sync>).

¹ The current list (Roll) of members of the Regent House was promulgated on 6 November 2019 and is available at https://www.admin.cam.ac.uk/reporter/regent_house_roll/

NOTICES BY THE GENERAL BOARD

Study leave for holders of certain University offices

8 July 2020

The General Board has agreed to add the following offices to the Schedule of those whose holders may apply for study leave on the same conditions as are laid down in Special Ordinance C (i) 1 for University officers specified in the Schedule to Special Ordinance C (i) 1 (*Statutes and Ordinances*, pp. 72 and 73). The Notice concerning Study Leave for Holders of Certain University Offices (reproduced in *Statutes and Ordinances*, p. 698) has been amended accordingly.

Fitzwilliam Museum
Keeper of Conservation
Senior Assistant Keeper

Hamilton Kerr Institute
Assistant to the Director

Degree of Master of Surgery (M.Chir.)

With effect from 1 October 2020

The General Board has approved changes to the governance and structure of the degree of Master of Surgery (M.Chir.), to take effect from 1 October 2020 for admission from Michaelmas Term 2021.

The M.Chir. Degree is overseen by an M.Chir. Committee. The M.Chir. Degree is currently offered in two pathways: examination by thesis and examination by publication. For neither pathway are candidates formally registered with the University, with access to resources and facilities offered within the collegiate University. There are currently no candidates for the degree.

Following a review of the M.Chir. Degree, the M.Chir. Committee has proposed a number of changes to the pathways for the degree and its governance:

- (a) the M.Chir. Degree by publication route would be discontinued. There are only two candidates on record to have been awarded the degree via this route, and other options are available to eligible candidates who wish to seek a degree through assessment of publications;¹
- (b) the M.Chir. by thesis would remain and the eligibility criteria would be expanded to attract suitable applicants who do not already hold a Cambridge degree;
- (c) candidates for the M.Chir. by thesis would become matriculated students admitted by the Postgraduate Admissions Office – in accordance with the General Regulations for Admission to certain Postgraduate Degrees – and would be members of a College. The M.Chir. Committee anticipates the admission of 5 to 10 students each academic year;
- (d) a fee for the course would be charged for the M.Chir. by thesis. In accordance with the College fees agreement, a proportion of the fee would be retained by the student's College;
- (e) a new pathway of M.Chir. by special regulations would be established in order to continue the practice of allowing medically qualified Cambridge graduates who are working away from Cambridge to submit a thesis for examination. The fee for the M.Chir. by special regulations will align with the fee for the M.D. Degree by special regulations;
- (f) the authority to award the M.Chir. Degree would transfer from the M.Chir. Committee to the Degree Committee for the Faculties of Clinical Medicine and Veterinary Medicine, bringing the approval process in line with the award of other Master's degrees (the M.Chir. Committee would continue to consider other matters in relation to the administration of the degree);
- (g) the current bespoke appeals process would be discontinued; students would be able to access the complaints and appeals mechanisms offered to all matriculated students via the Office for Student Conduct, Complaints and Appeals.

The changes will:

- (a) align the M.Chir. with cognate degrees offered within the Faculty of Clinical Medicine, such as the Doctor of Medicine (M.D.);
- (b) bring about a more robust governance structure for the degree, including mechanisms for appeal against decisions not to award the degree; and
- (c) expand the eligibility criteria for the degree to remove the requirement for a previous Cambridge degree, providing an opportunity for trainee surgeons and clinical surgical fellows to gain valuable experience of research in a clinical or laboratory setting, aligned to the School of Clinical Medicine's Clinical Academic Training Programmes.

These changes were approved by the Degree Committee for the Faculties of Clinical Medicine and Veterinary Medicine on 26 November 2019, the Faculty Board of Clinical Medicine on 21 January 2020, the Board of Graduate Studies on 3 March 2020 and the General Board's Education Committee on 18 March 2020.

The changes to General Board Regulations and a General Board procedure are set out in the Annex. The Council is submitting a Grace for the approval of changes to the Ordinance for University Composition Fees in relation to the degree (Grace 19, p. 553).

¹ Candidates who hold a primary degree from the University of Cambridge have the option to apply for the M.D. (by publication), the Ph.D. by special regulations or, if approved, the M.Chir. by special regulations.

ANNEX

(1) By amending the Schedule to the General Board's Examination Review Procedure (*Statutes and Ordinances*, p. 216) to include the M.Chir. by thesis and the M.Chir. by special regulations.

(2) By amending the General Board Regulations for the degree of Master of Surgery (*Statutes and Ordinances*, p. 499) as follows:

(a) By amending Regulation 1 to read as follows:

1. Any person may apply, in accordance with Regulation 4 below, to become a candidate for the degree of Master of Surgery who

- either* (a) holds a primary degree of the University,
- or* (b) has been admitted:
 - (i) to some office in the University or to a Headship or a Fellowship of a College, *and*
 - (ii) to the degree of Master of Arts under Statute B II 2 or to a degree of the University by incorporation,
- or* (c) holds a medical appointment approved from time to time by the Faculty Board for Clinical Medicine for the purpose,

and also holds

- either* a medical degree giving entitlement to provisional or full registration with the General Medical Council,
- or* a degree recognised by that Council for the purpose of full registration,
- or* a medical degree approved by the M.Chir. Committee for the purpose of candidature.

No person whose candidature has been approved under Regulation 4 shall submit a thesis, or other work approved under Regulation 6, until four years have elapsed since he or she was admitted

- either* to the degrees of Bachelor of Medicine and Bachelor of Surgery,
- or* to the degree of Bachelor of Surgery under Regulation 5 of the special regulations for the conferment of the degrees of Bachelor of Medicine and Bachelor of Surgery,
- or* to a medical degree of another university as defined above.

(b) By replacing existing Regulations 3–14 with the following:

3. In the Michaelmas Term of every second year the Faculty Board of Clinical Medicine shall appoint a member of the Faculty to act as Secretary of the M.Chir. Committee for two years from 1 January following the date of appointment. Subject to the approval of the General Board, the Faculty Board may pay the Secretary a stipend. If either the Chair of the M.Chir. Committee or the Secretary is prevented at any time by illness or other cause from performing any of the duties prescribed in these regulations, the Faculty Board shall appoint some other member of the Faculty of Clinical Medicine to act as a deputy.

4. A person who wishes to become a candidate for the M.Chir. Degree shall submit an application to the M.Chir. Committee. The application shall specify:

- (a) the applicant's proposed subject of study or research, including a plan of the work to be undertaken and an account of the methods to be used;
- (b) the place where the work is to be undertaken;
- (c) the name of a member of the Faculty of Medicine who has agreed to act as the candidate's Supervisor for the research project specified;
- (d) the method of financing the work;
- (e) a letter of support for the application from the intended Supervisor and Head of the Department;
- (f) a fee in respect of an admissions charge for an application for admission as a postgraduate student.

The M.Chir. Committee shall make recommendations on the admission of the candidate to the Degree Committee for the Faculties of Clinical Medicine and Veterinary Medicine. If the Degree Committee approves an applicant for admission to the programme, the applicant shall become a postgraduate registered student.

The Degree Committee shall determine the conditions, if any, of an applicant's registration and shall assign the term from which he or she is to be admitted.

5. A candidate whose application has been approved shall pay the University Composition Fee for the course.

6. The examination for the M.Chir. Degree shall consist of:

- (a) the submission of a thesis embodying the results of the candidate's study or research, which shall be submitted in accordance with the provisions of Regulations 7 and 8;
- (b) an oral examination on the subject of the thesis and the general field of knowledge within which it falls.

By special permission of the Degree Committee, candidates may submit with the thesis published work which they wish the Examiners to consider; such work may be considered by the Examiners at their discretion.

7. A candidate who has paid the relevant fee due under Regulation 5 shall submit to the Degree Committee, not earlier than the end of the first year after approval of the application under Regulation 4 and not later than four years after the date of such approval, unless given special permission by the Degree Committee to delay submission until a later date:

- (a) two copies of the thesis, in a form recommended by the M.Chir. Committee and approved by the Degree Committee;
- (b) two copies of any published work which the candidate wishes to submit under Regulation 6.

8. In submitting their theses, candidates shall state, generally in a preface and specifically in notes or in a bibliography, the sources from which their information is derived, the extent to which they have availed themselves of the work of others, and the portions of the thesis which are claimed as original. They shall also be required to declare that the thesis submitted is not substantially the same as any that they may have submitted for another degree or for a diploma or similar qualification at this or any other university. A thesis, apart from quotations, shall be written in English. The Degree Committee shall have power to specify a maximum length for theses, in consultation with the M.Chir. Committee.

9. Each thesis shall be referred to two Examiners, appointed by the Degree Committee on the recommendation of the M.Chir. Committee. Each Examiner shall make an independent report to the Degree Committee on the thesis. If the Examiners do not agree in their recommendations or if for any other reason the Degree Committee need a further opinion or opinions on the merit of the work submitted, the Degree Committee may appoint an additional Examiner or additional Examiners, provided that not more than one additional Examiner shall be appointed without leave of the Degree Committee. Each additional Examiner so appointed shall make an independent report on the thesis to the Degree Committee. Each Examiner shall receive a fee and shall, if appropriate, be entitled to claim travelling expenses and a subsistence allowance as specified in the Schedule.

10. The Act shall be conducted by the two Examiners appointed under Regulation 9. The Examiners shall jointly examine the candidate *viva voce* on questions connected with the work submitted as well as on other medical subjects and sign a joint certificate of the result. If the Examiners do not agree in their recommendations or if for any other reason the Degree Committee needs a further opinion or opinions on the merit of the work submitted, the Degree Committee may appoint an additional Examiner or additional Examiners, provided that not more than one additional Examiner shall be appointed without leave of the Degree Committee. Each additional Examiner so appointed shall make an independent report on the thesis to the Degree Committee.

11. If, after considering the reports of the Examiners on a candidate's thesis and on her or his performance in the oral examination, the Degree Committee is satisfied that the candidate's work is of the requisite standard for the M.Chir. Degree by thesis, for which he or she is a candidate, the Degree Committee shall communicate its resolution to the candidate and to the Registry who shall publish a notice of the candidate's approval for the award of the degree, specifying the subject of the examination unless the candidate has requested the removal of her or his name from the published list in accordance with a procedure approved from time to time by the General Board.

12. If, after considering the reports of the Examiners, the Degree Committee considers that a candidate's thesis is not of the requisite standard for the degree for which he or she is a candidate, the awarding body may permit the student to submit a revised thesis. A candidate shall not be allowed to submit a revised thesis on more than one occasion.

13. If after considering the reports of the Examiners the Degree Committee resolves that a candidate's work is not of the requisite standard for the M.Chir. Degree by thesis, and if it does not recommend that the candidate be allowed to submit a revised thesis, the Degree Committee shall communicate its decision to the student.

14. A candidate who is not approved for the M.Chir. Degree under Regulation 12, providing the candidate meets the eligibility requirements, may apply to be a candidate for the M.Chir. Degree by special regulations; such application may be made on not more than one occasion, after a period of not less than five years from the date of the applicant's original examination for the Degree.

15. Before being admitted to the degree, a successful candidate examined by thesis shall deposit with the Secretary of the M.Chir. Committee two copies of the thesis in a form approved by the M.Chir. Committee. The Secretary of the M.Chir. Committee shall deposit copies of the thesis in the University Library and in the Medical Library, where they shall be available for consultation and for making copies for interlibrary loan purposes.

16. All the theses submitted by candidates under these regulations who have been approved for the M.Chir. Degree in each academical year shall be considered by the M.Chir. Committee for any prize that is awarded for work done by a candidate for the degree.

(c) By amending the Schedule of Payments to Examiners (*Statutes and Ordinances*, p. 501) to read as follows:

To an Examiner for examining and reporting on a thesis and for taking part in the conduct of an oral examination (Regulation 9): £135.

To an additional Examiner not participating in an oral examination (Regulation 10): £100.

Each External Examiner shall receive in addition travelling expenses, in accordance with Regulation 14 of the regulations for the Ph.D., M.Sc., and M.Litt. Degrees, and the M.Phil. Degree by thesis.

(3) By rescinding the General Board Regulations for the Review of the Results of Examinations for the Degree of Master of Surgery (*Statutes and Ordinances*, p. 501).

(4) By adding the General Board Regulations for the Master of Surgery by special regulations, to read as follows:

MASTER OF SURGERY: SPECIAL REGULATIONS

1. Any person may apply, in accordance with Regulation 4 below, to become a candidate for the degree of Master of Surgery who

either (a) holds a primary degree of the University,

or (b) has been admitted:

(i) to some office in the University or to a Headship or a Fellowship of a College, *and*

(ii) to the degree of Master of Arts under Statute B II 2 or to a degree of the University by incorporation,

and also holds

either a medical degree giving entitlement to provisional or full registration with the General Medical Council,

or a degree recognised by that Council for the purpose of full registration,

or a medical degree approved by the M.Chir. Committee for the purpose of candidature.

No person whose candidature has been approved under Regulation 4 shall submit a thesis, or other work approved under Regulation 6, until four years have elapsed since he or she was admitted

- either* to the degrees of Bachelor of Medicine and Bachelor of Surgery,
- or* to the degree of Bachelor of Surgery under Regulation 5 of the special regulations for the conferment of the degrees of Bachelor of Medicine and Bachelor of Surgery,
- or* to a medical degree of another university as defined above.

2. A person shall not be eligible to proceed to the M.Chir. Degree under these regulations if he or she has been approved for the M.Chir. Degree under the regulations requiring registration as a postgraduate student.¹

3. A postgraduate of the University who has been examined for the M.Chir. Degree under the regulations requiring registration as a postgraduate student,¹ but has not been approved for the M.Chir. Degree, may become a candidate under these regulations after a period of not less than five years from the date of submitting a thesis or a revised thesis, as the case may be, for the M.Chir. Degree.

4. A person who wishes to become a candidate for the M.Chir. Degree shall send to the Secretary of the M.Chir. Committee

- (a) an application on a form obtainable from the Secretary;
- (b) details of the applicant's postgraduate appointments and surgical experience;
- (c) one copy of any published work that the applicant wishes the Committee to consider;
- (d) an application fee as set out in the Schedule.

The M.Chir. Committee shall decide whether or not to approve the applicant as a candidate for the degree, and the Secretary shall inform the applicant accordingly.

5. Except as provided in Regulation 6, a person approved as a candidate for the degree shall submit a thesis specially composed for the purpose, containing original observations which may be based on clinical work or laboratory work or a combination of the two. Each candidate shall send to the Secretary of the M.Chir. Committee, on a form obtainable from the Secretary, an application for approval of the proposed title of the thesis. Such an application shall include an outline of the work on which the thesis will be based, and shall specify the nature of any special branch of surgery in which the candidate is interested. The Secretary shall submit each application to the M.Chir. Committee, which may refer it to one or more referees for their opinion and advice before deciding whether to approve, reject, or suggest some modification of the candidate's proposal. The Secretary shall communicate the M.Chir. Committee's decision to the candidate.

6. In exceptional circumstances a candidate may apply to the M.Chir. Committee for permission to submit a thesis of work which has previously been published. Such an application shall be accompanied by a declaration that the work in question is not substantially the same as any work that the candidate may have submitted for a degree, diploma, or other qualification at this or any other university. The Secretary shall communicate to the candidate the M.Chir. Committee's approval or rejection of the application.

7. A candidate who has obtained the approval of the M.Chir. Committee under Regulation 5 or Regulation 6 shall submit to the Secretary of the Degree Committee for the Faculties of Clinical Medicine and Veterinary Medicine, not later than four years after the date of such approval, unless given special permission by the Degree Committee to delay submission until a later date:

- (a) three copies of the thesis, in a form recommended by the M.Chir. Committee and approved by the Degree Committee, or of published work which the M.Chir. Committee has given the candidate leave to submit under Regulation 6;
- (b) if the thesis is based wholly or partly on work already published, three copies of such work.

8. In submitting their theses, candidates shall state, generally in a preface and specifically in notes or in a bibliography, the sources from which their information is derived, the extent to which they have availed themselves of the work of others, and the portions of the thesis which are claimed as original. They shall also be required to declare that the thesis submitted is not substantially the same as any that they may have submitted for another degree or for a diploma or similar qualification at this or any other university. A thesis, apart from quotations, shall be written in English. The Degree Committee shall have power to specify a maximum length for theses, in consultation with the M.Chir. Committee.

9. Each thesis shall be referred to two or more Examiners, appointed by the Degree Committee on the recommendation of the M.Chir. Committee. Each Examiner shall make an independent report to the Degree Committee on the thesis. If the Examiners do not agree in their recommendations or if for any other reason the Degree Committee needs a further opinion or opinions on the merit of the work submitted, the Degree Committee may appoint an additional Examiner or additional Examiners. Each additional Examiner so appointed shall make an independent report on the thesis to the Degree Committee. Each Examiner shall receive a fee and shall, if appropriate, be entitled to claim travelling expenses and a subsistence allowance as specified in the Schedule.

10. A candidate may be examined *viva voce* by the two Examiners appointed under Regulation 9. The two Examiners shall sign a joint report on the candidate's performance in the examination. If the Examiners do not agree in their recommendations or if for any other reason the Degree Committee needs a further opinion or opinions on the merit of the work submitted, the Degree Committee may appoint an additional Examiner or additional Examiners. Each additional Examiner so appointed shall make an independent report on the thesis to the Degree Committee.

11. The Degree Committee shall consider a candidate's thesis or published work and the reports of the Examiners thereon at a meeting.

12. If, after considering the reports of the Examiners on a candidate's thesis and on her or his performance in the oral examination, the Degree Committee is satisfied that the candidate's work is of the requisite standard for the M.Chir. Degree by special regulations, for which he or she is a candidate, the Degree Committee shall communicate its resolution to the candidate and to the Secretary of the Postgraduate Committee, who shall publish a notice of the candidate's approval for the award of the degree, specifying the subject of the examination unless the candidate has requested the removal of her or his name from the published list in accordance with a procedure approved from time to time by the General Board.

13. If, after considering the reports of the Examiners, the Degree Committee considers that a candidate's thesis is not of the requisite standard for the degree for which he or she is a candidate, the awarding body may permit the student to submit a revised thesis. The communication conveying such a recommendation by the Degree Committee shall contain the names of those present and voting, and shall be accompanied by the reports of the Examiners. A candidate shall not be allowed to submit a revised thesis on more than one occasion.

14. If after considering the reports of the Examiners the Degree Committee resolves that a candidate's work is not of the requisite standard for the M.Chir. Degree by thesis, and if it does not recommend that the candidate be allowed to submit a revised thesis, its resolution to that effect, with the names of those present and voting, shall be communicated to the Postgraduate Committee together with the reports of the Examiners and the Degree Committee shall communicate its decision to the student.

15. The payments to be made to the Secretary of the M.Chir. Committee, and to referees and Examiners, shall be as prescribed in the Schedule to these regulations.

16. A candidate who has been approved for the degree of M.Chir. shall be qualified to proceed to the degree. No fee shall be payable on admission to the degree.

17. A successful candidate shall deposit in the University Library and the Medical Library a copy of the thesis or other work submitted in a form approved by the M.Chir. Committee.

18. All the theses submitted by candidates under these regulations who have been approved for the M.Chir. Degree in each academical year shall be considered by the M.Chir. Committee for any prize that is awarded for work done by a candidate for the degree.

¹ See Regulation 8(b) of the general regulations for certain postgraduate degrees and other qualifications ([p. 000]).

SCHEDULE

Payments to Examiners

To a referee (Regulation 5): £45.

To an Examiner (Regulation 9) for examining and reporting on a thesis and for taking part in a *viva voce* examination if required to do so: £135.

To an additional Examiner not participating in an oral examination (Regulation 10): £100.

Each External Examiner shall receive in addition travelling expenses, in accordance with Regulation 14 of the regulations for the Ph.D., M.Sc., and M.Litt. Degrees, and the M.Phil. Degree by thesis.

Other payments

Application fee (Regulation 4): £1,866.

REPORTS

Report of the Council on the construction of a new freezer store at the Cancer Research UK Cambridge Institute

The COUNCIL begs leave to report to the University as follows:^[1]

1. The Cancer Research UK Cambridge Institute on the Cambridge Biomedical Campus became a part of the School of Clinical Medicine in 2013. It has identified a need for additional space for -80°C freezers. At present, some samples are stored off site. The proposed new freezer store will allow samples to be returned to site, saving money and improving access to the samples.

2. It is anticipated that a future project will repurpose the current freezer store to create much-needed additional laboratory, write-up and office space.

3. The construction will be an extension to the existing energy centre that is located to the rear of the Institute's main building.

4. The work will be undertaken in one phase and will create 240m² gross internal area of new space. The new space will be split over two floors. At ground-floor level a new radioactive store, a general storage area and a

carpenter's workshop will be created. These will replace facilities currently housed in temporary structures. At first-floor level there will be two rooms housing freezers and a third room for general laboratory consumables storage. A new lift and stairs will serve the first floor.

5. The estimated cost of the work is £1,644,000 and will be funded by Cancer Research UK.

6. A planning application was submitted in May 2020 in order to keep to the programme for the development of the project whilst the publication of the *Reporter* was suspended. Subject to the granting of planning permission, it is hoped to commence works in September 2020.

7. A map showing the location of the Institute is provided below. Drawings of the proposed scheme are displayed for the information of the University at <https://www.prao.admin.cam.ac.uk/capital-planning/plans-and-drawings>.

8. The Council recommends:

- I. That approval be given for the construction of a new freezer store for the Cancer Research UK Cambridge Institute.
- II. That the Pro-Vice-Chancellor (Strategy and Planning) be authorised to accept a tender, within the available funding, for the building and all associated works in due course.

1 July 2020

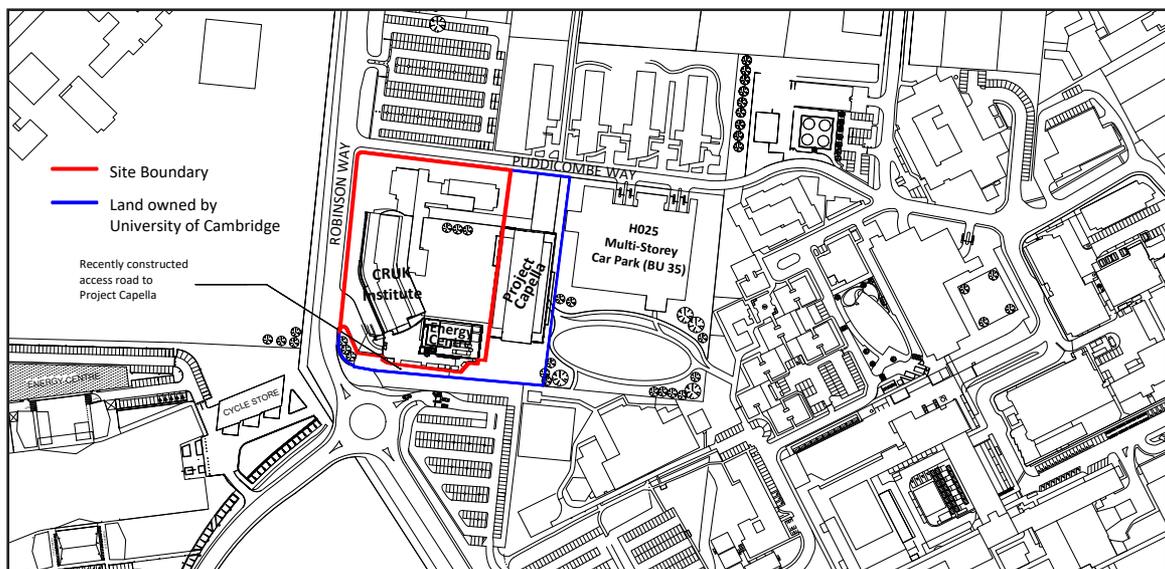
STEPHEN TOOPE, *Vice-Chancellor*
MADELEINE ATKINS
GAENOR BAGLEY
R. CHARLES
STEPHEN J. COWLEY
SHARON FLOOD
ANTHONY FREELING

NICOLAS GAY
DAVID GREENAWAY
JENNIFER HIRST
FIONA KARET
CHRISTOPHER KELLY
PHILIP KNOX
MARK LEWISOHN

EDWARD PARKER HUMPHREYS
RICHARD PENTY
ANDREW SANCHEZ
MARK WORMALD
JOCELYN WYBURD

^[1] This Report was originally published and circulated as an Advance Notice on 1 July 2020 and was listed for Discussion on 14 July 2020 in accordance with a revised Notice of Discussion that was also published as an Advance Notice on 1 July. The Report is reproduced here in accordance with Regulation 2 for the *Cambridge University Reporter (Statutes and Ordinances, p. 103)*; the Discussion remarks and response are published on pp. 566 and 534 respectively.

Location plan: Cancer Research UK Cambridge Institute



First-stage Report of the Council on a University of Cambridge Solar Farm at Lord's Bridge

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

1. In this Report the Council is seeking approval in principle for the construction of a solar farm on University-owned land to the east of Lord's Bridge, Cambridge Road, Barton.

2. The area of land proposed is Grade 3 farmland currently farmed by a tenant farmer under three separate agreements and a small, vacant, pony field, adjacent to the Mullard Radio Astronomy Observatory. A plan of the site is shown below. The planning application will be for a solar farm of up to 22MW, with the facility to generate up to 11MW being constructed in phase one. If the scheme proceeds, the electricity generated will be supplied, via a private wire connection, to the West Cambridge site to supply University buildings on the site with low-carbon electricity. The plans accommodate the retention of radio telescope structures that cross the proposed site.

3. The University is committed to reducing emissions from fossil fuel consumption and has adopted a Science Based Target to reduce its energy-related (scope 1 and 2) carbon emissions to absolute zero by 2048 with an aspiration to become zero-carbon by 2038. A desk-based survey has calculated that a solar farm of 22MW would generate approximately 22,875,000 kWh per year or 19% of the University's 2019 electrical consumption (reducing 5,847 tonnes of CO₂e¹ of emissions from grid-sourced electricity per year).

7. The Council recommends:

- I. That approval in principle be given for the construction of a solar farm at Lord's Bridge, Cambridge Road, Barton.
- II. That the Director of the Estates be authorised to apply for detailed planning permission in due course.

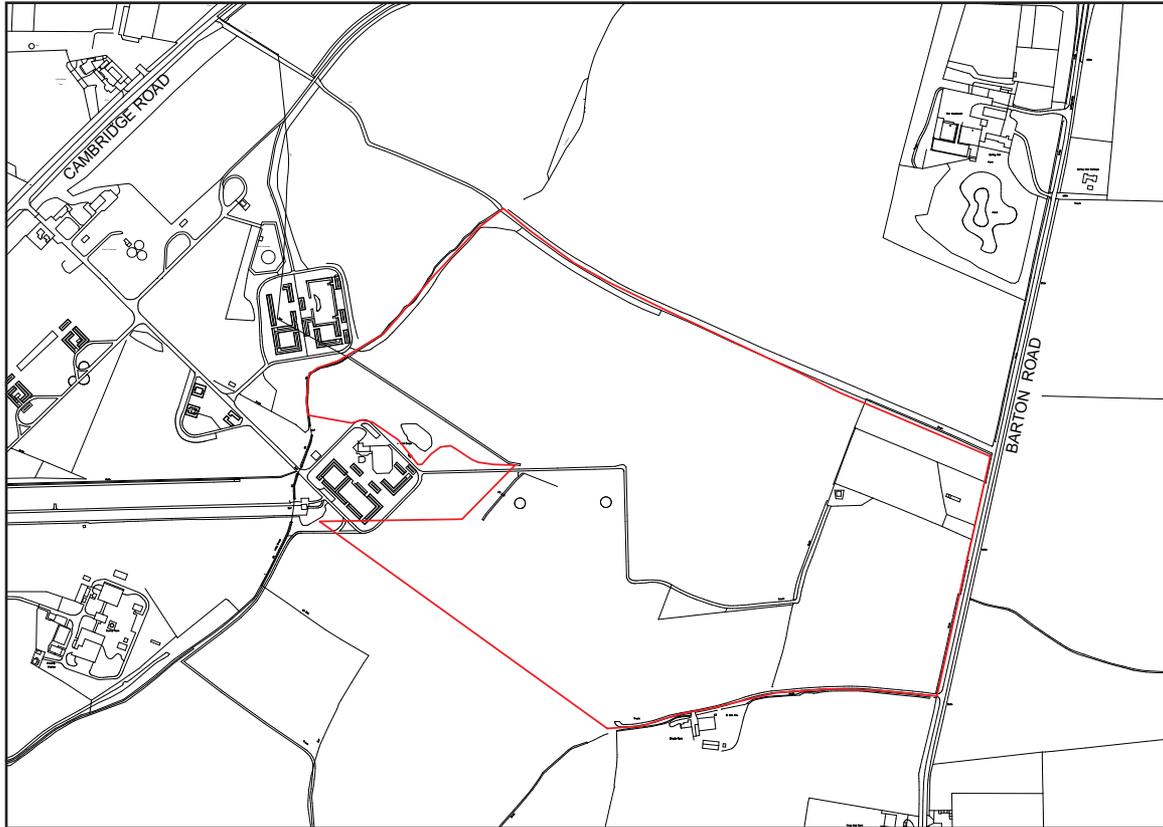
29 July 2020

STEPHEN TOOPE, *Vice-Chancellor*
 MADELEINE ATKINS
 GAENOR BAGLEY
 R. CHARLES
 STEPHEN J. COWLEY
 AASTHA DAHAL
 SHARON FLOOD
 ANTHONY FREELING

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 PHILIP KNOX
 MARK LEWISOHN

BEN MARGOLIS
 RICHARD PENTY
 FREDDIE POSER
 ANDREW SANCHEZ
 JASON SCOTT-WARREN
 MARK WORMALD
 JOCELYN WYBURD

¹ Carbon dioxide equivalent; this is a method for measuring carbon footprint, based on global warming potential as calculated by the Intergovernmental Panel on Climate Change.

Location plan: proposed University of Cambridge Solar Farm**GRACES****Graces submitted to the Regent House on 29 July 2020**

The Council submits the following Graces to the Regent House. A ballot on Grace 5 (academic titles) has already been called by the Council (see p. 532); and unless they are withdrawn or a ballot is requested in accordance with the regulations for Graces of the Regent House (*Statutes and Ordinances*, p. 105), Graces 1–4 and 6–30 will be deemed to have been approved at 4 p.m. on Friday, 7 August 2020.

1. That notwithstanding the Ordinance on the Proctors and Pro-Proctors, on the nomination of Churchill College, JOHN KENNETH FAWCETT, of that College, be appointed a Pro-Proctor for the academic year 2020–21.¹
2. That notwithstanding the Ordinance on the Proctors and Pro-Proctors, on the nomination of Clare College, MARK STEPHEN SMITH, of that College, be appointed a Pro-Proctor for the academic year 2020–21.¹
3. That notwithstanding the Ordinance on the Proctors and Pro-Proctors, on the nomination of the Vice-Chancellor and the Proctors Designate, GEMMA LUCY BURGESS, of St Edmund's College, be appointed an additional Pro-Proctor for the academic year 2020–21.¹
4. That notwithstanding the Ordinance on the Proctors and Pro-Proctors, on the nomination of the Vice-Chancellor and the Proctors Designate, FRANCIS KNIGHTS, of Fitzwilliam College, be appointed an additional Pro-Proctor for the academic year 2020–21.¹
5. That the recommendations in paragraph 13 of the Joint Report of the Council and the General Board, dated 18 March 2020, on the titles and structure of academic offices (*Reporter*, 6582, 2019–20, p. 419) be approved.²

¹ Regulations 3 and 4 of the Ordinance on the Proctors and Pro-Proctors require the Graces concerning these appointments to be submitted in Easter Term, but all Graces are being published outside Easter Term in line with the timetable published on 27 May 2020 (*Reporter*, 6584, 2019–20, p. 450). Dr Burgess and Mr Knights are also nominated for election as Deputy Proctors under Special Ordinance C (iii) 3 along with Mr Gordon Chesterman, of St Edmund's College.

² See the Council's Notice, p. 532.

6. That the recommendations in paragraph 13 of the Report of the General Board, dated 17 March 2020, on a University Senior Lecturer dual career pathway (*Reporter*, 6582, 2019–20, p. 428) be approved.³
7. That the recommendations in paragraph 5 of the Joint Report of the Council and the General Board, dated 23 June 2020, on a revised fitness to practise procedure (*Reporter*, 6586, 2019–20, p. 478) be approved.
8. That the recommendations in paragraph 4 of the Joint Report of the Council and the General Board, dated 23 June 2020, on a revised fitness to study procedure (Procedure to Support and Assess Capability to Study) (*Reporter*, 6586, 2019–20, p. 487) be approved.
9. That the recommendations in paragraph 10 of the Joint Report of the Council and the General Board, dated 23 June 2020, on revised probationary arrangements for academic and academic-related staff (*Reporter*, 6586, 2019–20, p. 495) be approved.
10. That the recommendations in paragraph 9 of the Report of the Council, dated 23 June 2020, recommending provisional allocations from the Chest for 2020–21 (*Reporter*, 6586, 2019–20, p. 512) be approved.⁴
11. That the recommendations in paragraph 4 of the Report of the Council, dated 23 June 2020, on the period of appointment for members of the Audit Committee (*Reporter*, 6586, 2019–20, p. 515) be approved.
12. That the recommendations in paragraph 8 of the Report of the Council, dated 23 June 2020, on the investment of bond proceeds held for income-generating projects (*Reporter*, 6586, 2019–20, p. 515) be approved.⁵
13. That the recommendations in paragraph 4 of the Report of the Council, dated 23 June 2020, on changes to Special Ordinance concerning Congregations (*Reporter*, 6586, 2019–20, p. 518) be approved.⁶
14. That the recommendations in paragraph 8 of the Report of the Council on the construction of a new freezer store at the Cancer Research UK Cambridge Institute (p. 534) be approved.⁷
15. That the recommendations in paragraph 8 of the Report of the General Board, dated 23 June 2020, on Senior Academic Promotions (*Reporter*, 6586, 2019–20, p. 519) be approved.⁸
16. That the recommendations in paragraph 4 of the Report of the General Board, dated 23 June 2020, on the establishment of certain Professorships (*Reporter*, 6586, 2019–20, p. 523) be approved.
17. That the recommendations in paragraph 9 of the Report of the General Board, dated 23 June 2020, on the authority to award doctoral degrees (*Reporter*, 6586, 2019–20, p. 524) be approved.⁹
18. That Regulation 1 of the Ordinance on the Roll of the Regent House (*Statutes and Ordinances*, p. 104) be amended to read as follows:¹⁰

1. On the first weekday in October the Registry shall publish a list of the names which it is proposed to place on the Roll of the Regent House for the ensuing year. At the time of publication of the list the Vice-Chancellor shall publish the date by which any member of the University may raise an objection in writing to the inclusion or omission of any name. The decision of the Vice-Chancellor regarding any such objection shall be final.

19. That the following amendments to the Ordinance for University Composition Fees (*Statutes and Ordinances*, p. 149) be approved, to take effect from 1 October 2020:¹¹

(i) by amending Regulation 1(b) to read as follows:

(b) Students undertaking research leading to the M.D. Degree and the M.Chir. Degree shall pay a fee for the course.

(ii) by amending Table 4A to include the fee for the M.Chir. Degree, which will be set at the same level as the M.D. Degree.

³ See the Council's Notice, p. 532.

⁴ See the Council's Notice, p. 533.

⁵ See the Council's Notice, p. 534.

⁶ See the Council's Notice, p. 534.

¹⁰ The Council is proposing this amendment to remove the requirement to hold a meeting for the hearing of objections to the inclusion or omission of names on the proposed Roll of the Regent House. Members will continue to be able to raise objections in writing by a deadline published in the *Reporter* alongside the preliminary Roll in October.

¹¹ See the General Board's Notice, p. 544.

⁷ See the Council's Notice, p. 534.

⁸ See the Council's Notice, p. 535.

⁹ See the Council's Notice, p. 535.

20. That the insertion of the following new Temporary Regulation in the Ordinance on Entries and Lists of Candidates for Examinations (*Statutes and Ordinances*, p. 249) be approved, to take effect from the date of approval of this Grace until 31 July 2021:¹²

19. Notwithstanding the above regulations, the General Board may in exceptional circumstances revise the dates and the process by which entries of candidates and corrections of those entries are to be made, enrolment is to take place and candidate lists are to be issued by giving notice in the *Reporter* as soon as practicable, after consultation with Senior Tutors and Faculty Boards and other similar bodies concerned.

21. That the insertion of the following new Temporary Regulation in the Ordinance on the Form and Conduct of Examinations (*Statutes and Ordinances*, p. 254) be approved, to take effect from the date of approval of this Grace until 31 July 2021:¹²

19. Notwithstanding Regulation 1, the General Board may in exceptional circumstances revise the dates and the process concerning the form and conduct of any examination or part of an examination by giving notice in the *Reporter* as soon as practicable, after consultation with Senior Tutors and Faculty Boards and other similar bodies concerned.

22. That the insertion of the following new Temporary Regulation in the Ordinance on the Duration of Written Examination Papers (*Statutes and Ordinances*, p. 254) be approved and the original regulation numbered 1, to take effect from the date of approval of this Grace until 31 July 2021:¹²

2. Notwithstanding Regulation 1, the General Board may in exceptional circumstances revise the normal duration of written papers by giving notice in the *Reporter* as soon as practicable, after consultation with Senior Tutors and Faculty Boards and other similar bodies concerned.

23. That the insertion of the following new Temporary Regulation in the Ordinance on the Dates of Examinations and Publication of Class-lists (*Statutes and Ordinances*, p. 252) be approved, to take effect from the date of approval of this Grace until 31 July 2021:¹²

6. Notwithstanding Regulation 5 of this Ordinance and Regulation 4 of the Ordinance on the publication of lists of successful candidates in examinations, the General Board may in exceptional circumstances decide not to publish class-lists in the *Reporter* or otherwise, by giving notice in the *Reporter* as soon as practicable, after consultation with Senior Tutors and Faculty Boards and other similar bodies concerned.

24. That the insertion of the following new Temporary Regulation in the General Regulations for Examiners and Assessors (*Statutes and Ordinances*, p. 256) be approved, to take effect from the date of approval of this Grace until 31 July 2021:¹²

6. Notwithstanding Regulation 7 of this Ordinance, the General Board may in exceptional circumstances waive the requirement for Examiners to attend examinations and to provide a scheme concerning the attendance at examinations, by giving notice in the *Reporter* as soon as practicable, after consultation with Senior Tutors and Faculty Boards and other similar bodies concerned.

25. That the insertion in Chapter III of Ordinances of the following new Temporary Ordinance on the Scheme of Examination for Tripos and Other Examinations be approved, to take effect from the date of approval of this Grace until 31 July 2021:¹²

SCHEME OF EXAMINATION FOR TRIPOS AND OTHER EXAMINATIONS

Notwithstanding the General Board Regulations for the examination concerned, the General Board may in exceptional circumstances revise the scheme for any examination by giving notice in the *Reporter* as soon as practicable, after consultation with Senior Tutors and the relevant Faculty Board or Degree Committee and other similar bodies concerned, provided that the General Board is satisfied that the learning outcomes of candidates are supported.

¹² See the Council's Notice, p. 543.

26. That Regulations 7 and 8 of the Special Regulations for the Conferment of the Degrees of Bachelor of Medicine and Bachelor of Surgery (*Statutes and Ordinances*, p. 490) be amended to read as follows, to take effect from 1 June 2020 until 31 July 2021:¹²

7. Any person who has received the degree of B.Chir. in accordance with these regulations may, not later than twelve calendar months after receiving that degree or such longer period as the Registry shall determine in exceptional circumstances, supplicate for the degree of M.B. in the manner provided for in the regulations for admission to degrees.

8. If at the expiry of twelve months from the conferment of the degree of B.Chir. upon any person in the manner provided for by these regulations (or such longer period as determined by the Registry) no Supplicat in the prescribed form has been received by the Registry for that person to be admitted at a Congregation to the degree of M.B., her or his name shall be included in a list, headed as shown in Schedule D to these regulations, which the Registry shall sign and cause to be posted on a board in the Schools Arcade.

27. That the General Regulations for Admission as a Graduate Student (*Statutes and Ordinances*, p. 448) be rescinded from 1 October 2020.¹³

28. That with effect from 1 March 2020, Regulation 2 of the regulations for Clinical Lecturers (*Statutes and Ordinances*, p. 773) be amended to read as follows:¹⁴

2. Appointments to a Clinical Lectureship shall be for a maximum period of four years excluding any period of leave approved by the General Board under Special Ordinance C (i) 2(a), (b), or (c).

29. That, with immediate effect, the Ordinance on cases of student harassment and sexual misconduct (*Statutes and Ordinances*, p. 222) be amended and retitled as follows:¹⁵

CASES OF STUDENT MISCONDUCT

The Council shall publish and keep under review a procedure for handling cases of misconduct between registered students.

30. That the following new Regulation 5 be inserted in the regulations for the Press Syndicate (*Statutes and Ordinances*, p. 126) and the remaining regulations renumbered:¹⁶

5. The financial year of the University Press shall end on 31 July.

¹² See the Council's Notice, p. 544.

¹³ The Council is proposing the rescission of this Ordinance, which was omitted in error from the Joint Report of the Council and the General Board on the governance of matters for postgraduate and graduate students, the recommendations of which were approved by ballot as amended in December 2019, to come into effect from 1 October 2020 (*Reporter*, 6570, 2019–20, p. 155).

¹⁴ The Council, on the recommendation of the General Board and the Faculty Board of Clinical Medicine, has agreed to change the period of appointment for Clinical Lecturers from four years to a maximum period of four years. The change is being proposed in order to align the period of appointment with new national arrangements for Clinical Lecturers, under which Clinical Lecturer posts end once lecturers achieve their Certificate of Completion of Training (unless a one-year extension is granted). As the national arrangements were revised earlier in the year, this change is being made retrospectively.

¹⁵ See the Council's Notice, p. 536.

¹⁶ Since the approval of Grace 4 of 17 June 2020, advisers for the University Press have established that the date on which the financial year ends should be retained in Ordinance to provide confirmation of the date to tax authorities in the countries in which the Press operates. The Council is therefore proposing the reinstatement of a regulation to confirm the year-end date as 31 July.

ACTA

Approval of Graces submitted to the Regent House on 17 June 2020

The Graces submitted to the Regent House on 17 June 2020 (*Reporter*, 6585, 2019–20, p. 461) were approved at 4 p.m. on Friday, 26 June 2020.

Approval of Grace submitted to the Regent House on 24 June 2020

The Grace submitted to the Regent House on 24 June 2020 (*Reporter*, 6586, 2019–20, p. 529) was approved at 4 p.m. on Friday, 3 July 2020.

E. M. C. RAMPTON, *Registrar*

END OF THE OFFICIAL PART OF THE 'REPORTER'

REPORT OF DISCUSSION

Tuesday, 7 July 2020

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

Written submissions were received as follows:

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

(*Reporter*, 6586, 2019–20, p. 478).

No remarks were made on this Report.

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

(*Reporter*, 6586, 2019–20, p. 487).

No remarks were made on this Report.

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

(*Reporter*, 6586, 2019–20, p. 495).

No remarks were made on this Report.

Report of the Council, dated 23 June 2020, recommending provisional allocations from the Chest for 2020–21

(*Reporter*, 6586, 2019–20, p. 512).

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

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

I also take this opportunity to respond to Dr Cowley's Partial Note of Dissent on the Report.

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

result, the Planning and Resources Committee (PRC), at its meeting of 26 June 2019 and the Finance Committee at its meeting of 10 July 2019 both approved a new, light touch approach (pre-COVID-19) to the planning round based on input to the 2018–19 Planning Round.

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

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

A paper describing a two-stage process to setting the Budget for 2020–21 was presented to, and approved by, PRC at its meeting on 20 May 2020. The focus of that paper was on the process for setting the Budget; the paper did not intend to seek approval for a specific operating deficit. Recommendation 2(i) in this paper, however, gave the impression that such approval was being sought,¹ and this apparent approval was reflected subsequently in the minutes of the meeting, which were themselves approved by the PRC at its next meeting (24 June). This recommendation is inconsistent with the content of the paper, which states clearly and consistently that major decisions on Budgetary items would be taken over the summer planning period² and that significant cost-savings would be included in the final Budget Report presented to Council in October. The confusion over the recommendation in the PRC paper and related minute is regrettable. To be clear, the intention of the PRC paper was not to propose a pre-COVID-19 base budget with a Chest deficit of £43m, or in any way propose to pre-empt difficult operational decisions that still have to be made and the need to reduce the operating deficit of the University.

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

with parallel plans for further income generation, the intention is that these savings will allow the University to generate a sustainable operating surplus.

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

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

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

Paragraph 28: Stage 2 of the Budget process is intended to achieve an acceptable final Budget for 2020–21 for the start of the Academic year.

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

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

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

The Update of 16 April further announced that:

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

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

There was a published expectation on 16 April that:

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

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

At the end of the Easter Term it turned out to be possible – without formally reinstating the regular *Reporter* – to publish

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

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

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

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

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

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

Lack of information about that seems worrying enough when:

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

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

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

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

³ *Statutes and Ordinances*, p. 103.

⁴ <https://www.cam.ac.uk/coronavirus/news/update-from-the-vice-chancellor-16>

⁵ <https://www.admin.cam.ac.uk/reporter/2019-20/weekly/6586/section1.shtml#heading2-5>

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

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

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

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

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

In March 2003, just before Tony Minson was appointed Pro-Vice-Chancellor, an *ad hoc* Finance Working Party (FWP) had published a report¹ because of increasingly large Chest deficits (in those days there was no non-Chest deficit). The FWP had been established a year earlier since ‘Financial forecasts prepared early in 2002 projected a deficit £11.6m in 2002–03, growing to £24m in 2005–06’, or in terms of RPI-adjusted July 2019 money, deficits of about £19.7m and £40.8m respectively. To quote selectively from the report:

The financial problem is chronic, and cannot be allowed to continue, but it is not so severe as to require the University to be damaged as a consequence of financial recovery.

Some of the problems stem from the University’s ‘core plus’ approach to annual budgeting, in which the baseline expenditure from the previous year is rolled forward with the annual addition of ‘New Needs’ but without detailed examination of the spending within the baseline; others from the artificial division of funds between the ‘Chest’ and ‘non-Chest’.

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

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

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

That is the end of the good news; in the three years 2016–19, the cumulative Chest outturn was -£27m. But it is far worse than that. The non-Chest deficit has also spiralled downwards: for 2004–07, 2007–10, 2010–13, 2013–16 and 2016–19 the accumulated non-Chest surpluses were (again in July 2019 money): -£6m, -£9m, £16m, -£8m and -£49m. In 2019–20 the Chest Allocations ‘surplus’ was -£16m and the non-Chest ‘surplus’ was -£24m. As I outlined in my Partial Note of Dissent, in July 2019 the Finance Committee had agreed that, as a minimum, the Chest deficit be no worse than £17m. Hence, I was gob-smacked when I read in the draft Minutes of the Planning and Resources Committee (PRC) meeting of 20 May 2020 that the PRC had

agreed to allocate funding as part of the base budget to meet ‘category 1’ costs as set out in Appendix 2 of PRC 2156, noting that the allowances for additional course costs and soft-funded posts are provisional at this stage.

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

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

- In the Discussion of the Allocations Report on 27 May 2014,² I noted that ‘I am not objecting to the transfer [of £150m into the Capital Fund, with a resultant £8–10m loss in recurrent income from (suitably invested) reserves], in fact I approve it since we have little choice, having failed to put money away for the biofacilities rainy day. I am objecting to the process by which the Council and the Regent House are being asked to approve matters. There are significant changes happening. Less than two years ago, the Capital Plan was based on a maximum borrowing limit of £100m. That was then raised to £150m. Then the University transferred ... a further £150m from reserves. That is a 200% increase in effective ‘borrowing’ from £100m to £300m in less than two years. In my opinion there is very little wriggle room left for unexpected expenditure, and that will happen’ ... and it has with a vengeance this year.
- In the Discussion of the North Range of buildings on the New Museums site on 25 November 2014,³ I noted that (emphasis added) ‘There are ambitious plans for the redevelopment of the Cavendish Laboratories, a possible move of the Chemistry Laboratories to West Cambridge, and re-development of both the Old Press/Mill Lane and New Museums sites. All of this is desirable, indeed highly desirable.

However, *funds are limited, and we cannot always do everything we want; we have to be willing to identify priorities*, *insufficient ducks are lined up*, and the University *should ensure that [it has] the correctly prioritised funds before embarking on the journey* ... but it does not seem to be doing so.

- In the Discussion of the Allocations Report on 12 June 2018,⁴ I noted that ‘A common theme for me is that financial predictions have consistently been too rosy (maybe in the hope of an obtaining approval). Matters need to change, and the quality of forecasts needs to improve. Liam Byrne’s quote of ‘I’m afraid there is no money’, may be putting it too strongly, but the University is facing a period of financial realism’ ... but the University does not seem to have realised that yet.

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

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

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

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

¹ <https://www.admin.cam.ac.uk/reporter/2002-03/weekly/5918/9.html>

² <https://www.admin.cam.ac.uk/reporter/2013-14/weekly/6350/section7.shtml#heading2-13>

³ <https://www.admin.cam.ac.uk/reporter/2014-15/weekly/6367/section11.shtml#heading2-34>

⁴ <https://www.admin.cam.ac.uk/reporter/2017-18/weekly/6511/section7.shtml#heading2-17>

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

(*Reporter*, 6586, 2019–20, p. 515).

No remarks were made on this Report.

Report of the Council, dated 23 June 2020, on the investment of bond proceeds held for income-generating projects

(*Reporter*, 6586, 2019–20, p. 515).

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

Vice-Chancellor, it is worth rereading the Discussion¹ which preceded the Grace of 10 May 2018 for its useful warnings on this plan to use bond proceeds for ‘income-generating projects’. These were given by the two members of the then Council who had dissented from the Report.² Those warnings have been largely borne out by events, which is why these changes are now called for. For the purpose of the present Report is to loosen considerably the constraints which were put on the concept of ‘income-generating projects’ at the time. It seems high-risk for the University to start down what looks like a slippery slope in this expenditure. Will there be further loosening to come?

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

There is a promise that:

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

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

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

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

¹ <http://www.admin.cam.ac.uk/reporter/2017-18/weekly/6505/section12.shtml>

² <http://www.admin.cam.ac.uk/reporter/2017-18/weekly/6502/section8.shtml>

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

(*Reporter*, 6586, 2019–20, p. 518).

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

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

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

The *Reporter* of 18 March announced that:

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

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

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

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

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

That third Grace made changes to the requirements for Supplicats,⁵ to allow for a degree to be conferred ‘on a date and a time to be determined by the Registry’ (who does not have powers to call a Congregation herself), with the only requirement that she has received ‘the necessary

documents’ in time ‘for proper consideration’. That seems to sit lightly to the historic requirements stipulating the content of the assurances to be given (by the College? about the completion of the requirements for the degrees? about the candidate’s residence?). Can one really be sure in present circumstances that a degree will not be conferred without all the proper protections?

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

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

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

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

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

¹ <https://www.admin.cam.ac.uk/reporter/2019-20/weekly/6582/section1.shtml#heading2-5>

² <https://www.admin.cam.ac.uk/reporter/2019-20/weekly/6585/section1.shtml#heading2-5>

³ <https://www.admin.cam.ac.uk/reporter/2019-20/weekly/6585/section2.shtml>

⁴ <https://www.cam.ac.uk/coronavirus/news/update-from-the-vice-chancellor-4>

⁵ *Statutes and Ordinances*, p. 174.

⁶ *Statutes and Ordinances*, p. 69.

⁷ *Statutes and Ordinances*, p. 65.

⁸ *Statutes and Ordinances*, p. 105.

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

(Reporter, 6586, 2019–20, p. 519).

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

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

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

and that:

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

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

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

The Vice-Chancellor noted that:

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

Would such titular ‘upgradings’ be to a substantive office? Special Ordinance C (ii) (under Statute C I 2)³ makes it clear that the promotions being Discussed today certainly are:

[3.](c) Where any Statute or Ordinance provides that a University office shall be divided into grades, whether identified by a number or by a specific title, each grade shall, unless otherwise specified in the relevant Statute or Ordinance, be regarded as a separate University office, and promotion from a lower grade to a higher grade within an office which is so divided shall be regarded as appointment to a different office.

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

When contracts were first introduced for academic staff some of those promoted refused to sign theirs, disliking some of the provisions they contained. They continued to

be paid their previous salaries. I remember pointing out in a Discussion that admission to the new University office was not by signing a contract but by signing the book in the Old Schools. The present Special Ordinance C (ii) still makes that clear:³

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

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

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

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

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

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

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

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

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

¹ <https://www.admin.cam.ac.uk/reporter/2018-19/weekly/6555/section9.shtml#heading2-27>

² <https://www.cam.ac.uk/coronavirus/news/finance-message-from-the-vice-chancellor-to-university-employees>

³ *Statutes and Ordinances*, p. 73.

⁴ <http://www.admin.cam.ac.uk/reporter/2002-03/weekly/5923/29.html>

⁵ <https://gazette.web.ox.ac.uk/recognition-of-distinction-application-procedure-2-to-no-4373>

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

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

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

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

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

¹ Weingart, P. *Impact of bibliometrics upon the science system: Inadvertent consequences?*. *Scientometrics* 62, 117–131 (2005). <https://doi.org/10.1007/s11192-005-0007-7>

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

(*Reporter*, 6586, 2019–20, p. 523).

No remarks were made on this Report.

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

(*Reporter*, 6586, 2019–20, p. 524).

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

Vice-Chancellor, this Report states the following:

In October 2019 the Education Committee established an Enquiry Group to start the review of the work of the Postgraduate Committee. The Enquiry Group considered, *inter alia*, the transfer of the authority to award doctoral degrees from the Board of Graduate Studies (Postgraduate Committee) to Degree Committees.

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

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

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

and:

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

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

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

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

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

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

A candidate refused a higher doctorate will naturally look for an avenue of recourse. A vestigial appeal process was sketched by Oxford. Its Review concluded that disappointed candidates do not have a right of complaint to the Office of the Independent Adjudicator, though it turned

out that that had not been checked with the OIAHE. So would it be wise for the General Board to think through the provisions for the award of the higher doctorates in the light of the present changes? It would be a pity if these most ancient of the University's degrees died out with their present holders for lack of an up-to date means of granting more. Processions for Honorary Degrees could become very short.

¹ *Statutes and Ordinances*, p. 469.

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

REPORT OF DISCUSSION

Tuesday, 14 July 2020

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

Written submissions were received as follows:

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

(*Reporter*, 2019–20; 6585, p. 454; 6586, p. 472).

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

Vice-Chancellor, this Topic of Concern Discussion is intended to 'enable members of the collegiate University to share their views, so that the Council can draw lessons from the comments made, to shape the future management of an emergency on the scale of the current pandemic'. Is that really enough? This may be the story of well-meaning people doing their best in difficult times, but given what has proved to be the wholesale abandonment of the requirements of the University's governance, there must surely be accountability? They admit they have been pretty casual with the University's domestic legislation. The most important 'lesson' is that that must never happen again.

The first question is: What did the 'emergency' which triggered the adoption of the Emergency Management Plan require to be done? The second is: What required it to be done while the Regent House was left in ignorance for months? It is very hard to see how the abandonment of the required weekly appearance of the *Reporter* as the University's organ of official record can have been justified all this time when it has clearly been possible to publish it four times, with a fifth scheduled at the end of this month. Had the *Reporter* made its regular appearance, normal requirements about its contents would have curbed that recklessness.

The lawfulness of the delegation of authority

We are told that the Council 'recognised early on that swift action would be required to enable the University to weather the emerging crisis'. It agreed to grant delegated authority to the Chair of the Council and the Chairs of its committees to take emergency action and decisions. The General Board did the same, for itself and its own committees. This handed a great deal of personal power to the Vice-Chancellor as Chair of both Council and General Board. He has published a series of Updates since March under the heading of University Statements.¹

But the Vice-Chancellor is not the University. After a fierce Discussion on 8 October 2002, it was established by ballot that he is not its Chief Executive either. The powers of the University are ultimately vested in the Regent House, which is certainly 'the University' when it comes to approving matters of governance-change.²

The Regent House may delegate its powers but it does so by Grace. It was never given the opportunity. It seems that its powers were simply seized and handed over indefinitely by the Council and the General Board. The actions and decisions taken – only now being only partially revealed in the still intermittent *Reporter* – have surely gone far beyond what the Council had authority to delegate?

As yet there is not even a published Minute of the important Council 'agreement' to delegate or of anything which its members have approved since. The most recent Minutes of the Council online when this 'delegation' took place were those of July 2019, and those of the General Board were for 17 November 2019. (The General Board meeting of 29 April 2020 is merely noted as having been cancelled. No business for that then?)

Moreover the Council and General Board appear to have been left ill-informed about the decision-making they were 'delegating'. We are told only that 'the Council and the Board were given a flavour of the kinds of decisions that would be taken at their meetings in March'. They also seem to have been easily 'satisfied that the action that was likely to be taken would be proportionate'. 'None of the reports of decisions taken under delegated authority has changed that view', we are told, but those reports, at least as now published in the two late-June *Reporters*, are far from complete.

The Council also 'agreed at its meeting in March that, where there was sufficient time, it would still receive matters for approval at a meeting'. On which matters did the Council directly approve the 'decisions' and 'actions'? The published list of 'decisions' do not make that clear.

The plenipotentiary control of all University affairs seems quickly to have passed into a few hands. But whose? Did even the Council know? Will it please publish in its Notice in reply to this Discussion a full list of the bodies which have been acting under its 'delegation', and their membership?

Disregard for the sovereignty of the Regent House seems evident not only in the decision that today's Discussion should be merely on a Topic of Concern, but also in its timetabling. This is more than two weeks after the fateful Friday afternoon of 26 June when Graces put by Notice, without the normal Report, Discussion, and Notice in response, were deemed to have been approved at 4 p.m. It is more than a week after a further Grace was published on 24 June, also without Report, although it could have been put up for Discussion today. That was scheduled to be approved by 4 p.m. on 3 July.

Yet these were Graces of far too high constitutional importance for it to have been acceptable not to Report on them first. They invited the Regent House retrospectively to approve a mass of decision-making beyond what it had been told about, taken on dubiously delegated authority. Belatedly, awakening perhaps to some worrying potential consequences, the Council says, 'in the interests of certainty for all concerned, the Council believes that it is important to seek the Regent House's approval and ratification of any decisions which were taken in breach of Ordinances or of General Board Regulations'. Is it conceivable that the Grace of 17 June attempting that, repeated on 24 June to cover the additional decisions published in that *Reporter*, would not have been challenged in Discussion?

That the University by Order approves and declares valid as from the time they occurred the actions and decisions taken as set out in the Council's Notice [dated 17 or 22 June 2020] or, notwithstanding that there may be, in the case of any such action or decision, inconsistency or conflict with Ordinances and General Board Regulations, whether as described in the Notice or otherwise.

Rushing it through at the height of examination marking, without even a Council Notice to draw attention to it, made it far from easy to get the signatures for a *non placet*.

The Notice of 17 June makes a weaselly attempt at justification. It says the *Statutes and Ordinances* contain 'no provisions' to 'explain how decisions are to be made in an emergency or what is to happen when the University must react at very short notice to government measures'. It followed, it argues, that those arrangements would 'need to be set aside and alternatives provided'. I suggest that the need for emergency decision-making was foreseen in the framing of the University's 'Emergency Management Plan'.³ But the Regent House was never told about that, let alone asked to approve it.

The purported exercise of the University's degree-awarding powers without a Congregation

The integrity of the University's degree-awarding powers is of enormous importance. Its consistent care to ensure proper award of a *gradus* goes back more than eight centuries. It is essential that this year's graduands may be able to be confident that they actually have a Cambridge degree, but that ultimately depends on whether they were given it in compliance with the University's *Statutes and Ordinances*.

The Regent House has not prescribed any 'conditions' under which admission to degrees may take place without a Congregation. Yet it was admitted in the 'decisions' list of 17 June that on 25 April and 16 May degrees were 'conferred' when 'no Congregation was held'. That is where the second of the Graces published on 17 June for approval by 26 June came in, in an attempt to validate retrospectively the degrees 'conferred by the University', confirming by Order:

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

It remains a question whether those who received them are indeed Cambridge graduates. A third Grace published on 17 June sought approval to changes to the Ordinance on Supplicants effective until 31 December this year, and permitting the conferring of degrees 'in absence on a date and at a time determined by the Registry' but without a Congregation, and with variation of the requirements about the publication of the lists. Again, it will be important whether that will prove valid.

What can be put right and how?

It is all a bit of a mess, isn't it? And it seems it will continue. A 'Statement on key principles for the delivery of education in the 2020–21 academic year' is included in the *Reporter* of 17 June,⁴ on an apparent assumption that whatever 'Taskforce' is currently acting under the Council's and General Board's March delegations continues in authority under the 'emergency' powers and can carry on with similar casualness about the laws of the University. 'We', it says:

will adapt our timetables, teaching methods, course content and locations for delivery of teaching,

and:

By the end of July the University will issue a further statement for current and prospective students; this will confirm if any particular changes are intended to be made to any courses. Any such changes will be notified to current and prospective students through our established processes for making changes to our courses as set out in our Terms of Admission for undergraduate students and applicable contractual terms for postgraduate students.

'Established processes'? Faculty Boards normally give notice in the *Reporter* of syllabus changes, but how can they do that without a regular normal *Reporter*? The 'Terms of Admission'⁵ mentioned surely constitute a student contract, and that will now mean the Competition and Markets Authority may take a view on any breakdown in observance of those 'established processes' for making course changes.

Information for the Regent House about the identities of those taking the 'decisions' was so belatedly asked to approve has remained scant. The Update dated 13 March¹ mentioned 'a dedicated COVID Management Team ... co-chaired by Dr Dan Tucker (Chair of the Advisory Group on Communicable Diseases) and Professor Graham Virgo (Senior Pro-Vice-Chancellor for Education)'. This, the Vice-Chancellor said, was drawing on relevant expertise from across the University and Colleges to agree:

collegiate University communications, handle difficult issues, advise on policies and protocols, and act as a liaison between the University's leadership team and the Colleges.

A Message from the Senior Pro-Vice-Chancellor among the Updates on 16 March mentioned 'amber' and 'red' phases of the emergency decision-making and a Message from the Pro-Vice-Chancellors for Institutional and International Relations (Eilis Ferran) and for Education (Graham Virgo) also dated 16 March, following that 'evening's announcement by the Prime Minister', noted that:¹

The University's senior leadership team will meet first thing tomorrow morning (Tuesday) and provide further direction on what this means for the University, staff and students.

No 'Senior Leadership Team' is known to the *Statutes and Ordinances*, though the expression has begun to appear without clear definition of its membership. In the Annual Report of the Council for 2019 under a heading 'Changes in the University's senior leadership' were listed new Heads of Schools not just the Pro-Vice-Chancellors and the Registry.

If a call for accountability is to mean anything and discourage any future attempt to abandon 'normal governance', the Regent House will need a list of the decision-makers the newly 'empowered' Vice-Chancellor gathered about him from March, who decided what and when, and how it was all recorded. Meanwhile, may the Regent House please be told in the *Reporter* of 29 July when the present abandonment of 'normal governance' is to end?

¹ <https://www.cam.ac.uk/coronavirus/news>

² Statute A III 8.

³ <https://www.governanceandcompliance.admin.cam.ac.uk/audit-regulatory-compliance/emergency-planning/university-emergency-management-plan>

⁴ <https://www.admin.cam.ac.uk/reporter/2019-20/weekly/6585/section1.shtml#heading2-4>

⁵ https://www.cao.cam.ac.uk/system/files/publications/ug_terms_of_admission.pdf

Mr D. J. GOODE (Faculty of Divinity and Wolfson College):
 Vice-Chancellor, impressive, isn't it, how this University can manage a term of online teaching and examining at short notice, and award thousands of degrees remotely, yet the senior officers feel the need to suspend normal governance and any sort of oversight by its governing body – the Regent House – stop producing the *Reporter* regularly, halt all meaningful Discussions, wilfully breach Statutes, Ordinances, and Regulations repeatedly, and then pretend none of that matters by awarding themselves a plenary indulgence.

Dr K. OTTEWELL (Chair of the Board of Scrutiny):

Vice-Chancellor, the Board of Scrutiny welcomes the publication of the decisions taken in response to the coronavirus (COVID-19) outbreak, both on student-related matters and on non-student-related matters.

The Board wrote to the Council's Business Committee on 23 May to raise its concerns with respect to the suspension of the publication of the *Reporter* and the concomitant implications for governance. The Board was concerned that whilst there had been numerous communications from the Vice-Chancellor to staff and students, there had been no account in the form of a Notice to inform the Regent House of the pertinent decisions that have been made under delegated authority and no attempt, by the publication of Graces, to obtain any retrospective authority for those decisions. The Board noted that if the Council believed that no such Graces were needed, then Council should specify by what authority the various actions have been taken. The Board further noted its concern that the longer the suspension of the *Reporter* lasted, the greater was the risk of challenge either to the process or individual decisions taken without the necessary authority.

In order to restore formal communication with the Regent House and to ensure that the integrity of the University's regulations were not open to challenge, the Board requested an edition of the *Reporter* within two weeks, remedying the situation noted above and clearly informing the Regent House of the timetable for reverting to the University's governance procedures.

The Board therefore welcomes the publication of the decisions taken, but it would be remiss of the Board not to note the discrepancy in the fact that *non placets* or amendments to the Graces would have to have been received by 26 June (for student-related matters), when the decisions to which the Graces pertain are not to be 'discussed' as a Topic of Concern until 14 July. This Discussion thus seems nothing more than a placatory gesture towards the Regent House while, in effect, the University's principal governing body has been divested of its role in the decision-making process.

Whilst the Board fully appreciates the necessity for pragmatism during the current situation, this cannot be at the expense of open and transparent governance and also specifically, accountability to Regent House. In due course, the breaches in the University's governance procedures with respect to the rights of the Regent House will need to be revisited and provisions put in place to navigate such circumstances in the future. The Board will be addressing these and other governance issues in its forthcoming Report.

Mr G. P. ALLEN (Wolfson College):

Vice-Chancellor, first, I should welcome the Council's decision, albeit late in the day, to 'do the right thing' by publishing its Notices of 17 and 22 June 2020, the accompanying Graces, and calling this Discussion. Although timing the Discussion after the opportunity to *non placet* either Grace, each bundling together a raft of decisions, had passed suggests that this is a token effort at engaging the self-governing community in the democratic process.

Secondly, I have no doubt that individuals, working under great pressure and often with incomplete information and shifting government guidance, acted with the best of intentions and in the interests of the University, its staff and students. The intention is not to criticise individuals but suggest some thoughts for a lessons learned exercise.

There has been something of a breakdown of communication between the Council and the Regent House, defined by Statute A III 1¹ as the governing body of the University. The Council's short Notice of 18 March 2020 announced the curtailment of Congregations, Discussions, and University Sermons. Yet the Council's subsequent Notice of 9 April 2020, published on 16 April 2020, stated that decisions had been taken, by the Council on 16 March 2020 and by the General Board on 11 March 2020, to make various delegations to the Vice-Chancellor and the chairs of committees.² Why was there a month's delay in announcing those decisions when they could have been included in the Notice of 18 March 2020? Furthermore, the Council's Notice of 9 April 2020 stated the hope that the 'suspension of ordinary committee business and the publication of the *Reporter*, and the consequential hiatus in the University's normal governance processes, will be lifted early in the Easter Term'. The Council remained silent on the matter until its Notice of 26 May 2020³ two weeks before the end of Full Term. Subsequent actions have demonstrated a willingness to make amends for this silence, but only after the end of Full Term.

Turning to the Council's Notice of 17 June 2020, the Council attempts some justification for its actions. First, that the *Statutes and Ordinances* do not provide measures for responding to an emergency such as a pandemic. The *Statutes and Ordinances* cannot be expected to legislate for every eventuality but do provide an enabling framework which can be permissive, given a little ingenuity on the part of the officers. Statute A III 8¹ provides for the Regent House, by Grace, to delegate authority for a matter or matters to the Council or other authority. Taken with the delegations by the Council and General Board, the use of that provision may have provided a more robust structure for decision-making visible to the Regent House. It is clear that the central bodies were thinking about this in March or earlier; we are told in the Notice of 17 June 2020 that the Council and the Board recognised 'early on that swift action would be needed to enable the University to weather the emerging crisis'. Such thinking should have extended to how the University might continue to operate within, not setting aside, its constitution, and subject to periodic review.

The Council goes on to note that no member has made a representation under Statute A IX 1⁴ to seek a review of a decision; that is not surprising since it was only by the publication of the Council's Notices that members became aware of those decisions! The Council's Notice says that 'it is too late to reverse most of those decisions'. This misses the point of raising this matter, which is not to throw a spanner in the works but to ensure that such decisions are properly authorised and that the University is not open to challenge as a result of decisions which the Council concedes 'were or may be in breach of the rules set down in Ordinances and General Board Regulations'.

Finally, I suggest that the decision to suspend publication of the *Reporter* was both unnecessary and a lost opportunity for the central bodies to maintain a formal channel of communication with members of the University. No amount of informal updates from the Vice-Chancellor, conveying decisions and reassurance, can substitute for a publication of record ‘Published by Authority’ with a readership of over 10,000. It is clear that this crisis is far from over and that the University is only beginning to see its far-reaching financial and other implications. It is vital that the University’s response to this situation is developed openly in consultation with the Regent House through the University’s established procedures.

¹ https://www.admin.cam.ac.uk/univ/so/2019/statute_a-section3.html#heading2-3

² <https://www.admin.cam.ac.uk/reporter/2019-20/weekly/6583/section1.shtml#heading2-3>

³ <https://www.admin.cam.ac.uk/reporter/2019-20/weekly/6584/section1.shtml#heading2-3>

⁴ https://www.admin.cam.ac.uk/univ/so/2019/statute_a-section9.html

Report of the Council, dated 1 July 2020, on the construction of a new freezer store at the Cancer Research UK Cambridge Institute

(p. 550; published on the Advance Notices section of the *Reporter* website on 1 July 2020).

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

Vice-Chancellor, the *Reporter* of 27 May mentioned the possibility that use might be made of Advance Notices while regular publication of the *Reporter* was suspended. Here is an example. This Report of the Council, dated 1 July 2020, on the construction of a new freezer store at the Cancer Research UK Cambridge Institute was published by Advance Notice on the *Reporter*’s website on 1 July with a blue link to the text. That fulfilled the requirement for the normal period for consideration between publication of a Report in the *Reporter* and the Discussion of that Report. But it seems undesirable that it should be allowed to set a precedent. Advance Notices do not remain on the record and are taken down when their content appears in the *Reporter*. But in present circumstances that could not be in time for the Discussion scheduled in the same Notice.

In any case the relevant Ordinance clearly needs review, for this does not seem to constitute publication as defined by Regulation 2 of the Ordinance governing the *Reporter*,¹ which states that:

If publication in the *Reporter* of a Report, Grace, Notice, or other matter as required by any Statute or Ordinance is not possible for a period or by a specified date, it shall be sufficient publication for the purpose of the Statute or Ordinance if the Registry causes it to be posted outside the Senate-House and a copy of it to be sent to the Head of each College and Approved Society, the Chair of each Faculty, the Head of each Department, and the Director or corresponding officer responsible for every other institution of the University, with a request for its publication within the institution.

One other point seems worth making, especially in the light of the admissions that those making ‘decisions’ in the name of the University seem recently to have been taking a somewhat ‘after-the-event’ approach to reading its Statutes.

Statute A II 3² says that ‘The University shall have all the powers of a natural person to acquire, manage, charge, deal with, and dispose of property, both real and personal, and to enter into and carry out any transaction relating to its property’.

Statute A III 8³ adds:

Whenever it is provided that an act or thing shall or may be done or determined by the University, it shall be done or determined by Grace of the Regent House unless it is expressly stated that it is to be done or determined otherwise, provided that the Regent House may delegate by Grace to the Council or to another University body or authority to act on its behalf in such matters as it may from time to time determine.

Time was when the Regent House began to hand over its continuing control of projects like this to the Treasurer. I remember making remarks reflecting some concerns about that at the time. Now it is the Pro-Vice-Chancellor (Strategy and Planning) who will be ‘authorised to accept a tender’ by the Grace sure to be published on 29 July. What is proposed is perfectly proper under the Statutes, but I wonder how many members of the Regent House realise that in approving these recommendations by Grace they will be delegating their powers to manage their own property and will not necessarily get any more Reports about next moves?

¹ <https://www.admin.cam.ac.uk/univ/so/2019/chapter01-section1.html>

² https://www.admin.cam.ac.uk/univ/so/2019/statute_a-section2.html#heading2-2

³ https://www.admin.cam.ac.uk/univ/so/2019/statute_a-section3.html#heading2-3

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