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UNIVERSITY OF
CAMBRIDGE

NOTICES

Calendar

8 June, *Saturday*. End of third quarter of Easter Term.
 14 June, *Friday*. Full Term ends.
 19 June, *Wednesday*. Scarlet day. Congregation of the Regent House at 2.45 p.m. (Honorary Degrees) (see below).
 25 June, *Tuesday*. Easter Term ends. Discussion by videoconference at 2 p.m. (see below).

Discussions (Tuesdays at 2 p.m.)

25 June
 9 July
 16 July

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

19 June at 2.45 p.m. (Honorary Degrees)
 26, 27, 28 and 29 June (General Admission)
 18, 19 and 20 July

Discussion on Tuesday, 25 June 2024

The Vice-Chancellor invites members of the Regent House, University and College employees, registered students and others qualified under the regulations for Discussions (*Statutes and Ordinances*, p. 111) to attend a Discussion by **videoconference** on Tuesday, 25 June 2024 at 2 p.m. The following items will be discussed:

1. Report of the Council, dated 21 May 2024, on the demolition of derelict buildings on the North West Cambridge Estate (*Reporter*, 6742, 2023–24, p. 598).
2. Report of the Council, dated 4 June 2024, on the term of office of the Chancellor and the High Steward (p. 634).

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

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

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

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

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

Honorary Degree Congregation, Wednesday 19 June 2024

The Vice-Chancellor wishes to inform members of the University that regrettably Sir Roger Norrington is not now able to be present at this Congregation to be admitted to an honorary doctorate.

Stipends of the holders of clinical academic offices and payment for clinical responsibility from 1 March 2024

24 May 2024

Agreement has been reached on the salary arrangements for Consultant clinical academic staff with effect from 1 March 2024. There is a reduction in the number of pay points from eight to five. The increase from 1 March 2024 is between 6% and 19.6% depending on the consultant's current point on the pay scale.

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

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

The figures currently shown in Schedule II to the Ordinance for Stipends (*Statutes and Ordinances*, p. 687) are replaced with effect from 1 March 2024 and are as follows:

New (2003) Consultant contract:

With effect from 1 March 2024: £99,532, £105,390, £108,390, £118,884, £131,964.

Topic of concern to the University: Change to the Pro-Vice-Chancellorships: Notice in response to Discussion remarks

30 May 2024

The Council has received the remarks made at the Discussion of the above Topic of concern on 30 April 2024 (*Reporter*, 2023–24: 6736, p. 470; 6740, p. 565).

Mr Allen and Dr Astle wish to have more information on the Council's thinking on the evolution of the office of Pro-Vice-Chancellor (PVC). The Council took as its starting point the current position in the University's Statutes and Ordinances and the existing arrangements for the employment of PVCs. At present, external candidates can be considered for these offices. It was always anticipated that Heads of Colleges might be candidates, many of whom are employed by their College but not by the University, and external candidates were considered in 2018. PVCs are not designated as academic staff under Special Ordinance C (i) 1. As they are neither academic staff nor do they undertake research, they are not entitled to sabbatical leave by virtue of the office of PVC. However, because to date almost all PVCs have held that office part-time alongside an academic position within the University, the most common combination being 80% PVC and 20% academic, provision has been made for them to take study leave. A full-time PVC would therefore hold a full-time academic-related position.

Several speakers draw attention to the history of the office, starting with the Wass Syndicate proposals in 1988–89. In the 35 years since then, there have been some significant changes in the HE sector, with financial pressures growing, greater regulation and an increasingly politicised environment. The demands on PVCs are without doubt greater than they were. Nevertheless some things have stayed the same. Dr Astle quotes parts of a Report and Notice describing the office of PVC that were published by the Council in 2002 and 2003. The Council still agrees for the most part with the cited statements, which stress the value of academic leadership, and emphasise the PVCs' role in 'driving strategy and policy development' (rather than being part of the administration). However, the Council has concerns about limiting the pool of talent solely to those within the Cambridge community on the basis that they are already 'deeply familiar with this place', as Mr Haynes suggests. The Council agrees that those appointed to these two offices will need to understand how the University works, including the Regent House's role in the University's decision-making processes, but that can be learnt. It considers the ability (to which Dr Cowley draws attention) to 'deliver results in an environment where authority is derived from influence and persuasion' to be a more important prerequisite, hence its inclusion in the person specification for the current vacancies.

As Professors Penty and Munir observe, there will be compelling candidates for these offices within the Cambridge community, but the University needs to be confident that it is able to appoint the best person for the role, and extending the search to external candidates expands that choice. There is no foregone conclusion that external candidates will be appointed. It agrees with Professors Munir, Penty and Cardwell that there is a step-change in the role of the PVC with responsibility for resourcing, and therefore strong candidates will have a proven track record in programme delivery and operations as well as change management in a large and complex organisation. It wishes to reassure Dr Jones and Mr Allen that the members of the Nominating Committee for the Office of Pro-Vice-Chancellor¹ understand the critical importance of assessing candidates thoroughly so that they make sound nominations. The Nominating Committee is aiming to ensure in a number of ways that candidates have the right experience and skills for these demanding roles, are able to lead through influence and understand the nature of this University as a self-governing institution. These include the details provided in the further particulars, the Committee's briefing of the search firm, interview questions, references and inviting the short-listed candidates to meet a number of representative groups from the University.

Dr Cowley and others query why the vacancies were advertised relatively close to the end dates of the current officeholders and so long after the Council meeting in January at which decisions about them were made. The Council carefully balanced the need for making a timely appointment with the desire to advertise the vacancies externally, given that there will be much to do in a short period of time. After the Council meeting in January, the Nominating Committee agreed to appoint recruitment consultants to secure the best possible field of candidates. This meant going through a tender and appointment process for the consultants. In addition, given the external nature of the search, the Nominating Committee asked for more detailed materials, in particular a full set of further particulars, to help to explain the roles to external candidates. These took time to produce, but will be a useful starting point for drafting future PVC recruitment materials. The vacancies were advertised as soon as practicable after those steps had been completed.

The Council understood that the ballot in January was about employing an additional PVC. Its decision to fill existing vacancies does not increase the number of offices of PVC and is within its current authority. With the benefit of hindsight, the Council accepts that it would have been better to draw attention to its discussions in January, as Mr Allen suggests. It will aim to consider, as part of future discussions, whether to share its views more widely at an early stage, specifically in relation to PVC recruitment but also on other matters. The publication of a Notice on 15 May about the Council's plan to propose a change to the term of the Chancellor indicates its willingness to follow this path.

The Council confirms that, if a person appointed to the office of PVC is to be offered a personal Professorship, the General Board will need to be satisfied that the person is of sufficient academic calibre for such an appointment, before making a recommendation for approval by the Regent House in line with Special Ordinance C (vii) A. 3.

¹ The current membership of the Nominating Committee is the Vice-Chancellor as Chair; Ms Gaenor Bagley, Baroness Morgan of Huyton and Professor Jason Scott-Warren (members of the Council); and Professor Tim Harper and Professor Nigel Peake (members of the General Board). In response to Dr Cowley's comment, the Council has committed to the publication of the special edition of the *Reporter* on the membership of University bodies in June/July each year.

Forthcoming disposal of land at West Cambridge for the Cambourne to Cambridge busway

30 May 2024

The Cambridge West Innovation District (CWID or Cambridge West), previously known as the West Cambridge site, is located on Madingley Road. The original vision for the site as a destination for both academic and commercial occupiers was conceived more than ten years ago, with the concept of an innovation district emerging in recent years. It is a significant multidisciplinary initiative, bringing together academic research, commercial activity, entrepreneurship and public engagement on a large scale to maximise innovation capability and expedite the translation of research into applications of wider social benefit. Following the government's identification of Cambridge as an Innovation City, political support for regional development is strong both nationally and locally. The initiative is expected to boost job creation, infrastructure support and growth in research capability, bringing economic and other benefits. The vision for the site will enable the University to compete with global peers in attracting talent and interdisciplinary research funding. It also offers an opportunity to generate commercial return from the development of commercial research space.

The expansion of the site over the next 10–20 years will require strategic transport planning, in line with the University's sustainability ambitions. The Council wishes to update the Regent House on its negotiations with the Greater Cambridge Partnership (GCP) concerning the proposed Cambourne to Cambridge bus route, which is intended to transit through Cambridge West. The GCP is the local delivery body for the City Deal with central government. Cambridgeshire County Council (CCC) is the body which, amongst other things, enters into contracts on behalf of the GCP. Full information on the project can be found on the GCP website,¹ including a map showing the proposed route.²

The GCP is planning to construct a new public transport route between Cambourne and Cambridge. The GCP plans to submit an application to the Secretary of State for an order under the Transport and Works Act 1992 to authorise the construction, operation and maintenance of the Cambourne to Cambridge scheme after the general election on 4 July 2024.

The route of the Cambourne to Cambridge scheme includes part of the University's land. Normally compulsory acquisition powers would be sought in the order authorising the Cambourne to Cambridge scheme. However, the GCP has agreed not to seek such powers provided an agreement can be reached between the parties, ideally prior or shortly after the order's submission date in July 2024.

CCC will construct two new sections of busway within Cambridge West, one being between the M11 and Ada Lovelace Way and the other being south from Charles Babbage Road and across the Cambridge West Canal. The land in question includes the Atlas Building on Charles Babbage Road, which will be demolished by the GCP as the route is constructed. The building is currently being vacated, with full vacant possession to be complete by April 2025.

The terms will be documented in an agreement that will give CCC the right to option a 125-year lease of the land indicated on the location map below (p. 627), and grant a right to use Charles Babbage Way (carriageway only) as a bus route (also as shown on the location map). There will also be a twenty-four-month works licence agreed, which will run from completion of the lease and will give temporary, conditional occupation of the areas indicated on the location map. Other conditions have been agreed to protect the University's overall control of the site.

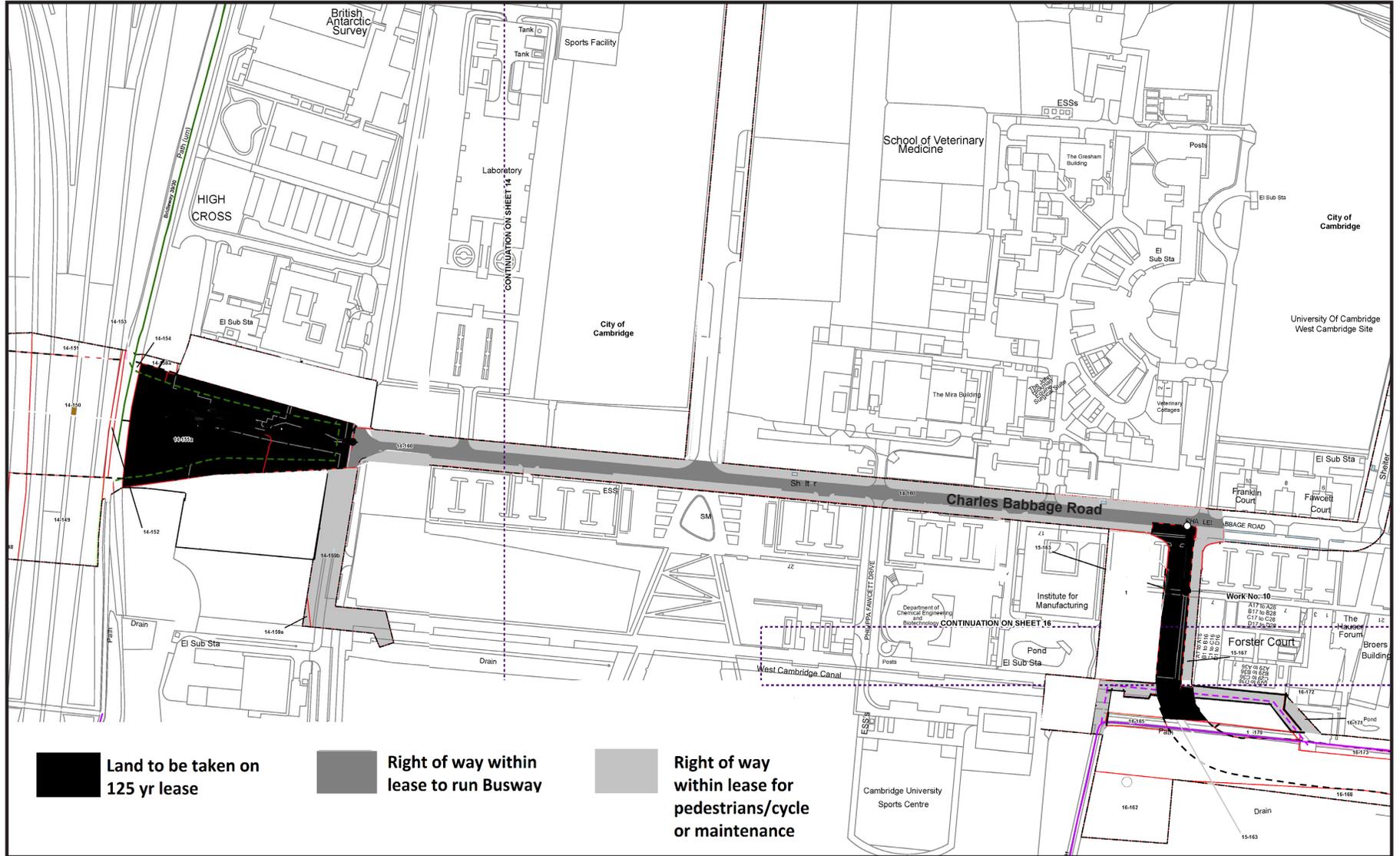
The busway will provide a much-needed and desired public transport option to Cambridge West, alleviating traffic congestion on the A1303 and providing greater sustainable transport options, which aligns with the University's vision for the site. Therefore steps have been taken to actively promote the route through the site. The Finance Committee supports the negotiations with the GCP, which are being monitored by the Estates Committee and the Property Board. Due to the strategic advantages the route brings to the University and Cambridge West, significant financial compensation for the land loss is not expected.

The Council, on the recommendation of the Finance Committee, the Estates Committee and the Property Board, will submit a Grace for the approval of the permanent land disposal once negotiations conclude. However, it is anticipated that there will only be a short period between the finalisation of terms and the submission date in July within which to secure the approval of the Regent House for that disposal. The Council therefore invites members of the University to comment on the plans now, in advance of the publication of the Grace requesting authority to dispose of the land. Please email Estate.Communications@admin.cam.ac.uk with any questions or comments.

¹ See <https://www.gretercambridge.org.uk/sustainable-transport-programme/public-transport-schemes/cambourne-to-cambridge/cambourne-to-cambridge-about>.

² See <https://www.gretercambridge.org.uk/asset-library/Sustainable-Transport/Public-Transport/Cambourne-to-Cambridge/C2C-Project-Update-March-2023.pdf>.

Location plan: Disposal of land for busway



Cambridge University Assistants' Contributory Pension Scheme

30 May 2024

Regulation 5 of the Ordinance on the Contributory Pension Scheme (CUACPS) (*Statutes and Ordinances*, p. 154), and Rule 5 of the Scheme rules permit the rules of the CUACPS to be amended from time to time. Except where the amendment is required to ensure the Scheme's continued approval by the Savings, Pensions, and Share Schemes Office of the Inland Revenue (now HM Revenue & Customs), such changes require the authority of a Grace.

Rule 5 of the rules of the CUACPS further provides that the University shall have the power to amend the rules of the Scheme from time to time provided that the changes have been approved by two-thirds of the Scheme's Trustee (CU Pension Trustee Limited). The proposed changes set out below were considered and approved by the Trustee on 6 March 2024.

As part of the ongoing checks on benefit calculations, the Pensions Office has identified a difference between the current provisions of the CUACPS rules and its administrative practice in relation to the revaluation of deferred pensions accrued before 1 January 2013. The CUACPS actuary has confirmed that this current administrative practice is more generous to members than the application of Rule 50.2(a). The Council is therefore submitting a Grace to amend the CUACPS rules so that they align with the practice of the Pensions Office (see the draft rule change at <https://www.admin.cam.ac.uk/reporter/2023-24/weekly/6744/CPSRuleChange2024.pdf>). The amendment will be backdated to 1 January 2013.

The current rules of the Scheme are available on the Pensions website at <https://www.pensions.admin.cam.ac.uk/cps/scheme-guides-factsheets>.

The Council is submitting a Grace (Grace 5, p. 635) for the approval of this change to the rules of the Cambridge University Assistants' Contributory Pension Scheme with effect from 1 January 2013.

Staff and Students Relationships Policy

With effect from 1 July 2024

The Council and the General Board have approved a revised Staff and Students Relationships Policy, which sets out and strengthens the University's position on personal relationships between staff and students, where these are of an intimate or close personal nature. The Policy has been revised and expanded following a detailed review of the views of the Office for Students and Universities UK, research on staff to student sexual misconduct, practices of other Russell Group universities and a targeted consultation across the collegiate University.

The updated Policy applies to all staff, but particular provisions are set out for those members of staff who have direct or indirect academic responsibilities, or other direct professional responsibilities, in relation to a student, referred to as *relevant staff members*. The revised Policy prohibits relevant staff members from pursuing or entering into an intimate relationship and strongly discourages relevant staff members from entering into a close personal relationship with any student for whom they have any direct or indirect academic responsibilities, or other direct professional responsibilities.

The Policy and associated guidance to support institutions will be launched on 1 July 2024, and further information will be circulated to institutions in readiness for this date. It will replace the existing Personal Relationships between Staff and Students Policy,¹ which has been in place since 2017.

¹ <https://www.hr.admin.cam.ac.uk/policies-procedures/personal-relationships-between-staff-and-students-policy>.

VACANCIES, APPOINTMENTS, ETC.

Vacancies in the University

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

Professorship of Medicine (Honorary Consultant) / Head of the Department of Medicine; informal enquiries: Dr Urvashi Ramphul at Perrett Laver executive search (email: urvashi.ramphul@perrettlaver.com); closing date: 8 July 2024 at 9 a.m.; further details: <https://www.jobs.cam.ac.uk/job/46726/> and <https://candidates.perrettlaver.com/vacancies/>, quote reference: 7259

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

NOTICES BY THE GENERAL BOARD

Language Centre: Committee of Management

With effect from 1 June 2024

The General Board, on the recommendation of the Council of the School of Arts and Humanities, has approved amendments to the membership of the Language Centre Committee of Management. These changes remove the existing class (b) for the Director of the Language Centre (the Director will continue to attend meetings), add a new class (c) for one person appointed by the General Board after consultation with the Academic Secretary, and set limits on the periods of appointment in certain classes.

Regulation 1 of the General Board Regulations for the Committee of Management (*Statutes and Ordinances*, p. 659) has been amended to read as follows:

1. The Language Centre shall be under the general control of a Committee of Management, which shall consist of:

- (a) one person appointed by the General Board who shall be Chair, provided that the General Board shall have power to appoint as Chair a person who is already a member of the Committee in one of classes (b), (c), (d), and (f);
- (b) two persons appointed by the Council of the School of Arts and Humanities; and five persons appointed by the General Board after consultation with the Council of the School of the Humanities and Social Sciences, the Council of the School of the Biological Sciences, the Council of the School of Clinical Medicine, the Council of the School of the Physical Sciences, and the Council of the School of Technology;
- (c) one person appointed by the General Board after consultation with the Academic Secretary;^[1]
- (d) one person appointed by the Senior Tutors' Committee;
- (e) one registered student, appointed by the University of Cambridge Students' Union;
- (f) not more than two persons co-opted at the discretion of the Committee.

Members in classes (a), (b) and (d) shall be appointed in the Michaelmas Term to serve for a period of four years from 1 January following their appointment and shall be eligible for reappointment for one further consecutive period of four years. No member in classes (a), (b) and (d) may serve for more than two full periods of appointment, whether consecutively or otherwise. Members in class (e) shall be appointed in the Easter Term to serve for the academic year following their appointment. Members in class (f) shall serve until 31 December of the year in which they are co-opted.

The Director of the Language Centre shall attend meetings of the Committee.

^[1] The General Board, after consulting with the Academic Secretary, has agreed that this will be the School of Arts and Humanities' Education Quality and Policy Office Liaison Officer until further notice.

Professorship of Mechanical Engineering (1997)

The General Board has been informed by the Board of Electors to the Professorship of Mechanical Engineering (1997) that they have been unable to make an election to this Professorship. Under the provisions of Special Ordinance C (vii) B. 20(a)(ii) (*Statutes and Ordinances*, p. 85) the Board has discontinued the Professorship until 31 July 2024.

NOTICES BY FACULTY BOARDS, ETC.**Engineering Tripos, Parts II_A and II_B, 2024–25: Modules**

The Faculty Board of Engineering gives notice that the modules prescribed for examination in 2024–25, and the mode of examination for each module, will be as listed below.

PART II_A MODULES

*For all modules below the mode of assessment is **examination only**.*

Conditions for candidates: candidates must offer ten modules for examination; candidates may offer only one module from any one of the sets. Students must take at least one, but not more than two, modules from Group E ‘Management and Manufacturing’. Candidates are advised to take note of the conditions of exemption which are set by the professional engineering institutions that accredit the course: <https://teaching.eng.cam.ac.uk/content/accreditation-meng#coe>.

Unit Title

Group A: Energy, fluid mechanics, and turbomachinery

3A1	Fluid mechanics I
3A3	Fluid mechanics II
3A5	Thermodynamics and power generation
3A6	Heat and mass transfer

Group B: Electrical engineering

3B1	Radio frequency electronics
3B2	Integrated digital electronics
3B3	Switch-mode electronics
3B4	Electric drive systems
3B5	Semiconductor engineering
3B6	Photonic technology

Group C: Mechanics, materials, and design

3C1/3P1	Materials processing and design (Engineering)
3C5	Dynamics
3C6	Vibration
3C7	Mechanics of solids
3C8	Machine design
3C9	Fracture mechanics of materials and structures

Group D: Civil, structural, and environmental engineering

3D1	Geotechnical engineering I
3D2	Geotechnical engineering II
3D3	Structural materials and design
3D4	Structural analysis and stability
3D5	Water engineering
3D7	Finite element methods
3D8	Geo-environmental engineering

Group E: Management and manufacturing

3E1	Business economics
3E2	Marketing
3E3	Modelling risk
3E6	Organisational behaviour (IIAM9)
3E10	Operations management for engineers (IIAL8)
3E11	Environmental sustainability and business (IIAL8)

Unit Title

Group F: Information engineering

3F1	Signals and systems (IIAM4)
3F2	Systems and control (IIAL5)
3F3	Statistical signal processing (IIAM1)
3F4	Data transmission (IIAL6)
3F7	Information theory and coding (IIAM5)
3F8	Inference (IIAL4)

Group G: Bioengineering

3G1	Molecular bioengineering I
3G2	Mathematical physiology
3G3	Introduction to neuroscience
3G4	Medical imaging and 3D computer graphics
3G5	Biomaterials

Group M: Multidisciplinary modules

3M1	Mathematical methods
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Group S: Modules shared with Part IIb

4C4	Design methods
4D16	Construction management
4M12	Partial differential equations and variational methods
4M16	Nuclear power engineering

PART IIb MODULES

Conditions for candidates: candidates must offer eight modules for examination; normally candidates may offer only one module from any set; in addition, candidates may take not more than three from the following: 4E modules, 4I1, 4M1–3, 4M23, 4M29 and 4D16 (when running); no candidate who offered any module in Part IIa may again offer the same modules in Part IIb.

Key: c = coursework; p = examination only; p+c = coursework and examination

<i>Unit</i>	<i>Title</i>	<i>Mode</i>
Group A: Energy, fluid mechanics, and turbomachinery		
4A2	Computational fluid dynamics	c
4A3	Turbomachinery I	p+c
4A4	Aircraft stability and control	c
4A7	Aircraft aerodynamics and design	c
4A10	Flow instability	p
4A12	Turbulence and vortex dynamics	p
4A13	Combustion and engines	p
Group B: Electrical engineering		
4B5	Quantum and nano-technologies	p
4B11	Photonic systems	p
4B19	Renewable electrical power	p
4B23	Optical fibre communication	p+c
4B24	Radio frequency systems	p+c
4B25	Embedded systems for the internet of things	c
4B27	Internet of everything	c
4B28	Very large-scale integration (VLSI)	p+c

<i>Unit</i>	<i>Title</i>	<i>Mode</i>
Group C: Mechanics, materials, and design		
4C2	Designing with composites	p+c
4C3	Advanced functional materials and devices	p
4C4	Design methods	p
4C5	Design case studies	c
4C6	Advanced linear vibrations	p+c
4C8	Vehicle dynamics	p+c
4C9	Continuum mechanics	p
4C11	Data-driven and learning-based methods in mechanics and materials	c
Group D: Civil, structural, and environmental engineering		
4D2	Advanced structural design	c
4D4	Digital construction	c
4D5	Deep foundations and underground construction	p
4D6	Dynamics in civil engineering	p+c
4D7	Concrete and prestressed concrete	p+c
4D10	Structural steelwork	p+c
4D13	Architectural engineering	c
4D15	Water management under climate change	c
4D16	Construction management	p
Group E: Management and manufacturing		
4E1	Innovation and strategic management of intellectual property	c
4E3	Business innovation in a digital age	c
4E4	Management of technology	p
4E5	International business	c
4E6	Accounting and finance	p
4E11	Strategic management	c
4E12	Project management	c
Group F: Information engineering		
4F2	Robust and nonlinear control	c
4F3	An optimisation-based approach to control	p
4F5	Advanced information theory and coding	p
4F7	Statistical signal and network models	p
4F8	Image processing and image coding	p
4F10	Deep learning and structured data	p
4F12	Computer vision	p
4F13	Probabilistic machine learning	c
4F14	Computer systems	p+c
Group G: Bioengineering		
4G3	Computational neuroscience	c
4G5	Materials and molecules: Modelling, simulation and machine learning	c
4G7	Control and computation in living systems	p+c
4G9	Biomedical engineering	c
4G10	Brain machine interfaces	c
Group I: Imported modules		
4I1	Strategic valuation (TPE25)	c
4I8	Medical physics	p
4I10	Nuclear reactor engineering	p
4I11	Advanced fission and fusion systems	c
4I14	Biosensors and bioelectronics	c

<i>Unit</i>	<i>Title</i>	<i>Mode</i>
Group M: Multidisciplinary modules		
4M1	French	c
4M2	German	c
4M3	Spanish	c
4M12	Partial differential equations and variational methods	p
4M16	Nuclear power engineering	p
4M19	Advanced building physics	c
4M21	Software engineering and design	p
4M22	Climate change mitigation	c
4M23	Electricity and environment (TPE22)	c
4M24	Computational statistics and machine learning	p+c
4M25	Advanced robotics	c
4M26	Algorithms and data structures	p
4M29	Designed to lead	c
Group S: Modules shared with Part IIa		
4C4	Design methods	p
4M12	Partial differential equations and variational methods	p
4M16	Nuclear power engineering	p
4D16	Construction management	p

Manufacturing Engineering Tripos, Parts IIa and IIb, 2024–25: Modules

The Faculty Board of Engineering gives notice that the modules prescribed for examination in 2024–25, and the mode of examination for each module, will be as listed below.

Key: c = coursework; p = examination only; p+c = coursework and examination

PART IIa MODULES

<i>Unit</i>	<i>Title</i>	<i>Mode</i>
3P1	Material into products	p
3P2	Production material and systems	p
3P3	Product design	c
3P4	Operations management	p
3P5	Industrial engineering	p
3P6	Organisational behaviour	p
3P7	Managing business and people	p
3P8	Financial and management accounting	p
3P9	Industrial economics	p
3P10	Contemporary issues in manufacturing	p

PART IIb MODULES

<i>Unit</i>	<i>Title</i>	<i>Mode</i>
4P1	Induction and enterprise, globalisation and policy	p
4P2	Strategy and marketing	p+c
4P3	Technology and innovation management	p+c
4P4	Manufacturing systems engineering	p+c
4P5	Data and decision science	p+c
4P6	Advanced operations management	p+c
4P7	Production technologies and materials	p+c
4P8	Sustainable manufacturing	p+c
4P9	Leadership and managing people	p+c

REPORTS

Report of the Council on the term of office of the Chancellor and the High Steward

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

1. This Report proposes that the Chancellor, one of the University's highest offices, should serve for a fixed term of ten years, replacing the existing term for life (an incumbent would still have the option to retire before the end of their term). The arrangements for the election of the Chancellor also apply to the election of the High Steward and therefore this change would also affect the term of that office. In addition, a further change is proposed to clarify how the Senate could remove a Chancellor. As these proposals would entail amendments to the University's Statutes, the Regent House is being asked to approve this Report's recommendation. However, members of the Senate are encouraged to give their views at the Discussion of this Report on 25 June 2024 (see p. 624).

2. In March, the Council discussed options for how to make the election of the next Chancellor a success. It agreed that revising the term of office of the Chancellor supported the aim of securing a more diverse field of high-calibre candidates. Although a Chancellor could simply resign when they no longer want to continue in office, a lifetime appointment encourages the expectation of potentially a long term of office which may put off a number of potential candidates. A ten-year term would still encourage long-term commitment to the office but is more likely to encourage a wider field of candidates to stand for

election. Rotating the role more frequently would also permit more frequent introduction of different skills and experience to the office. A ten-year term thus provides a good balance of stability and vitality. Finally, those commenting on recent changes to Senate procedures noted the risk of a 'bad actor' being elected as Chancellor (*Reporter*, 6708, 2022–23, p. 838; 6725, 2023–24, p. 227). The Council also observes that, with a lifetime appointment, a Chancellor could become unable to carry out the duties of the office but be incapable of resigning (or unwilling to do so). Whilst the Senate has the power to remove a Chancellor, taking such public action could be to the detriment of the Chancellor and the University. A fixed period of appointment is therefore a prudent measure to reduce the reputational risks associated with the office.

3. The current wording in Statute states that the Chancellor shall hold office 'until he or she voluntarily resigns or until the Senate otherwise determines'. The opportunity is being taken to clarify how the Senate would make such a determination to remove a Chancellor, by explaining that, in an individual case, it would do so by approving a Grace submitted by the Council.

4. A further proposed amendment to Statute confirms that the term of the Chancellor also applies to the High Steward.

5. The Council recommends that the Statutes of the University be amended as follows, and that these amendments be submitted to His Majesty in Council for approval.

That in Statute A I (*Statutes and Ordinances*, p. 3), Sections 1 and 9 be amended to read as follows:

1. The Chancellor of the University shall be elected by the members of the Senate and shall hold office, in accordance with the laws and customs of the University, for a period of ten years from the date of election unless prior to the expiry of that period the Chancellor voluntarily resigns or the Senate otherwise determines by Grace in an individual case.

9. The High Steward shall be elected by the members of the Senate. The arrangements prescribed by Statute and Ordinance for the election and term of the Chancellor shall apply also to the election and term of the High Steward.

4 June 2024

DEBORAH PRENTICE,
Vice-Chancellor

ZOE ADAMS

MADELEINE ATKINS

GAENOR BAGLEY

MILLY BODFISH

SAM CARLING

ANTHONY DAVENPORT

JOHN DIX

SHARON FLOOD

ALEX HALLIDAY

HEATHER HANCOCK

LOUISE JOY

FERGUS KIRMAN

SCOTT MANDELBROTE

SALLY MORGAN

RICHARD MORTIER

SHARON PEACOCK

VAREESH PRATAP

PIPPA ROGERSON

JASON SCOTT-WARREN

ANDREW WATHEY

MICHAEL SEWELL

PIETER VAN HOUTEN

GRACES**Graces submitted to the Regent House on 5 June 2024**

The Council submits the following Graces to the Regent House. These Graces, unless they are withdrawn or a ballot is requested in accordance with the regulations for Graces of the Regent House (*Statutes and Ordinances*, p. 112), will be deemed to have been approved at **4 p.m. on Friday, 14 June 2024**. Further information on requests for a ballot or the amendment of Graces is available to members of the Regent House on the Regent House Petitions site.[§]

1. That on the nomination of Sidney Sussex College, MARTIN JAMES CHRISTIAN PARKER DIXON, of that College, be appointed a Pro-Proctor for the academic year 2024–25.
2. That on the nomination of Trinity College, BENJAMIN JAMES SPAGNOLO, of that College, be appointed a Pro-Proctor for the academic year 2024–25.
3. That 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 2024–25.¹
4. That on the nomination of the Vice-Chancellor and the Proctors Designate, MARK EDWARD PURCELL, of Pembroke College, be appointed an additional Pro-Proctor for the academic year 2024–25.¹
5. That, with effect from 1 January 2013, the rules for the Cambridge University Assistants’ Contributory Pension Scheme be amended as set out in the Council’s Notice dated 30 May 2024 (p. 628).

¹ Also nominated under Special Ordinance C (iii) 3 for election on 1 October 2024 as Deputy Proctors for the year 2024–25, along with Sebastian Leonard Dundas Falk, of Girton College, and Charles Philip Read, of Corpus Christi College.

[§] See <https://www.governance.cam.ac.uk/governance/key-bodies/RH-Senate/Pages/RH-Petitions.aspx> for details.

E. M. C. RAMPTON, *Registrar*

END OF THE OFFICIAL PART OF THE ‘REPORTER’

REPORT OF DISCUSSION

Tuesday, 28 May 2024

A Discussion was convened by videoconference. Deputy Vice-Chancellor Ms Alison Rose, *N*, was presiding, with the Registrar's deputy, the Senior Proctor, the Junior Proctor and forty other persons present.

Due to time limitations, the Deputy Vice-Chancellor ruled that the twenty-four sets of remarks received by the Proctors ahead of the Discussion be included in the formal record without being read out. Contributions to the Discussion were made as follows:

Report of the General Board, dated 2 May 2024, on the establishment of a Professorship of Social Anthropology

(*Reporter*, 6740, 2023–24, p. 562).

Professor G. R. EVANS (Emeritus Professor of Medieval Theology and Intellectual History), received by the Proctors: Deputy Vice-Chancellor, this is clearly a well-deserved Professorship but, coming so soon after the proposal to grant personal Professorships to the two replacement Pro-Vice-Chancellors currently being appointed, its award raises some constitutional questions. The Regent House is invited to recognise the appropriateness of a named personal Professorship being granted to a Director, in this case the newly appointed Executive Director of the Cambridge Conservation Initiative (CCI), to be held 'without stipend' while she continues to hold that Office. It is to be 'assigned to the Department of Social Anthropology, and placed in the Schedule to Special Ordinance C (vii) 1', qualifying her to hold a Professorial Fellowship in a College.

The convention has been that established Chairs have funding permanently supporting the stipend, whereas personal Professorships may be created only if the holder already has a University Teaching Office and if the additional funding is available to pay a higher salary for the term of a single Office as Professor. In the annual round of Senior Academic Promotions now replaced by a Career Pathway, the list of those to be given Chairs was always accompanied by an assurance that the necessary funding for this purpose had been found. Those awarded personal Professorships chose their own titles once the Regent House had approved the list by Grace. In the case of the present proposal the 'funding arrangements were approved by the Chair of the Resource Management Committee on behalf of the Committee on 27 March 2024'. This Professorship is to be non-stipendiary, so this proposal raises issues of policy about non-stipendiary Professorships being associated with existing offices or posts whose stipend comes not from the University at all, a mere partner of the University: cambridgeconservation.org.

Special Ordinance C (vii) A. 3 permits 'the establishment of a personal Professorship or Professorships' but 'under a University promotions scheme'. Had it been described as a 'single tenure' Professorship this anomaly would have been avoided. That needs adjusting if such a Professorial promotion is to be granted to someone with no existing Office, as this Report proposes.

Nor does it appear to be clear whether a Professorship may 'run concurrently' with a Directorship while the EJRA continues unamended. Where would a University Librarian or Director in the UAS stand in the award of concurrent Professorships? It will be remembered that when it was first proposed to create Directors in the Unified Administrative

Service there was quite a furore until they were made Officers. There was also need to determine whether the substantive Offices of Professor and fixed-term Director might be held together, for example in the Institute of Criminology, but in that case the Directorship was a University Office.¹ A Professor must retire at 67 under the EJRA but the holder of this post of Executive Director of the CCI faces no EJRA.

How many and what kinds of posts should entitle their holders to an added Professorship? The *Statutes and Ordinances* expressly permit a Vice-Chancellor to be granted a Professorship but should that extend automatically to a Pro-Vice-Chancellor or a Director, especially one not holding a University Office? The current Pro-Vice-Chancellor vacancies were advertised as possibly to be associated with a Professorship for an appropriately qualified appointee and it was envisaged that they might be filled on an academic-related basis and offered to external appointees but in that case both posts involved are Offices.

Perhaps the General Board will create Regulations making it clear what the rules are for the creation of Professorships outside the regular run? And while it is about it, perhaps it could revisit Statute C XIII 2, Statute C XV 2, Special Ordinance C (ix–xi)² and make a start on the long overdue task of reviewing the rules governing unestablished academic and academic-related posts and their relationship with University Offices.

¹ *Reporter*, 5746, 1997–98, p. 968.

² And the Notice in response to Discussion remarks on the Joint Report re the grant of affiliated titles (*Reporter*, 6615, 2020–21, p. 538).

Dr W. J. ASTLE (MRC Biostatistics Unit), received by the Proctors:

Deputy Vice-Chancellor, congratulations to Professor Leach on her appointment to the Executive Directorship of the Cambridge Conservation Initiative and on the recommendation of the General Board.

The Report recommends 'that a Professorship of Social Anthropology be established for Professor Leach, to run concurrently with the Executive Directorship'. Does this mean that the Professorship will be established for a fixed term under Special Ordinance C (vii) A. 6¹ (as modified in 2018)^{2, 3} and that it will be held coterminously with Professor Leach's position as Executive Director? If so, the appointment will be for a fixed term, rather than until the retiring age. Previously, the General Board agreed to include information about such terms of employment in Reports like this.⁴ If the appointment is not to be coterminous, presumably the obligation to fund Professor Leach's academic post will fall to the Department of Social Anthropology, should she relinquish the Directorship.

The office is to be held under the provisions of Special Ordinance C (i) 2(b),⁵ which entitles the competent authority (here the General Board) to 'dispense an officer, for sufficient cause other than illness, from discharging the duties of their office for a period not exceeding five years' or 'in exceptional circumstances' and 'with the concurrence of the votes of not less than two-thirds of the whole number of its members... for a period longer than five years'. Presumably, the sufficient cause here is that Professor Leach is to hold the Executive Directorship. But what is the period of dispensation, given that the Professorship is to run concurrently with it?

¹ *Statutes and Ordinances*, p. 81.

² *Reporter*, 2017–18: 6509, p. 678; 6512, p. 750; 6515, p. 820.

³ *Reporter*, 6699, 2022–23, p. 657.

⁴ *Reporter*, 6708, 2022–23, p. 840.

⁵ *Statutes and Ordinances*, p. 75.

Topic of concern to the University: Abolition of Forced Retirement; and Joint Report of the Council and the General Board, dated 14 May 2024, on the University's Retirement Policy and Employer Justified Retirement Age (Reporter, 6741, 2023–24: p. 576 and p. 578).

Abbreviations

EDI	Equality, Diversity and Inclusion
EJRA	Employer Justified Retirement Age
HEP	UK Higher Education Provider
HESA	Higher Education Statistics Agency
Joint Report	Joint Report of the Council and the General Board, dated 14 May 2024, on the University's Retirement Policy and Employer Justified Retirement Age
REF	Research Excellence Framework
RG	Russell Group
RRG	Russell Group HEPs excluding Cambridge and Oxford (as used in the HESA Data Report)
The Review Group	Retirement Policy and EJRA Review Group
Review Group Report / Penty Report /	Report of the Retirement Policy and EJRA Review Group
UTO	University Teaching Officer

Footnote links and other references

Joint Report on the Retirement Policy and EJRA: Reporter, 6741, 2023–24, p. 578

Topic of concern on the abolition of forced retirement: Reporter, 6741, 2023–24, p. 576

Review Group Report (University Account required): <https://www.admin.cam.ac.uk/cam-only/reporter/documents/ejra/EJRAReviewGroupReport2024.pdf>

HESA Data Report (accessible to University staff and Regent House members only from the Staff Hub): <https://universityofcambridgecloud.sharepoint.com/sites/StaffHub/SitePages/Employer-Justified-Retirement-Age.aspx#key-documents>

EJRA information on the Staff Hub (University Account required): <https://universityofcambridgecloud.sharepoint.com/sites/StaffHub/SitePages/Employer-Justified-Retirement-Age.aspx>

Linton *et al* / Review rebuttal article, available at: <https://www.econ.cam.ac.uk/research/cwpe-abstracts?cwpe=2428> or <https://arxiv.org/abs/2405.14611>

Professor R. V. PENTY (Department of Engineering and Sidney Sussex College):

Deputy Vice-Chancellor, I am the Chair of the Retirement Policy and EJRA Review Group and will give the majority of my remarks in that capacity. However, towards the end of this contribution, I will provide some personal reflections.

Firstly I would like to thank the members of the Review Group, and the professional services staff who supported them, for their extremely hard work, attention to detail and good sense in developing their recommendations and for providing their detailed report¹ to explain them, a report described by the vast majority of the members of University Committees that have discussed it as a balanced and diligent piece of work.

As Chair of the Review and mindful of the sensitivity and importance of this review to the University community, I was keen that the Review Group was as consultative as possible and that its conclusions should be backed up by the data.

The Review Group did indeed consult widely – there was an all-staff survey with over 1,000 participants, a survey of retired academics and one for Heads of Institution. We held two town hall meetings in Michaelmas Term, with more than 900 participants, and several focus groups. Opinions were often strongly expressed, some in favour and some against the EJRA, but all were listened to.

In addition the Review Group analysed a vast amount of data, both our own internal HR data and, so that we could compare ourselves with our peers, most of whom do not have an EJRA, with data purchased under contract from HESA. The analysis² is a detailed one but both sets of data give a consistent message – the EJRA results in a very high proportion, approximately half, of vacancies for academic officer positions at Cambridge.

The University uses the EJRA to achieve four stated Aims, namely intergenerational fairness and career progression, succession planning, promotion of innovation in research and knowledge creation, and preservation of academic autonomy and freedom. The next task of the Review Group was to check that it believed that the University's Aims promoted by the EJRA were both legitimate and that the EJRA was a proportionate way of achieving them in the light of the HR, HESA and survey data gathered.

In the case of academic officers, that is those established staff on the 'Research & Teaching' and 'Teaching & Scholarship' career tracks, the evidence is strong that both of these legal tests are met for each of the Aims. Taking into account the data, it then considered carefully whether to recommend to keep the EJRA as it is, to raise it or to abolish it. Clearly there are arguments for each of these options but it believes that the recommendation to raise the age from 67 to 69 is an appropriate balance in mitigating age discrimination against those approaching retirement and allowing a steady flow of vacancies to those earlier in their careers who are seeking the stability of their first permanent academic position. There is strong support from Heads of Institution on the benefit of the EJRA in succession planning and in allowing new research fields to the University to be opened up.

Conversely the Review Group agreed that the EJRA could not be sustained for academic-related University officers. Many of the Aims that the EJRA supports do not apply to them in the same way that they do to academic University officers and in any case the fact that the EJRA does not contribute significantly to creating vacancies amongst this staff group and so cannot be said to be a proportionate means of achieving the Aims.

I mentioned that the Review Group listened very hard to all of the inputs from the different forums from across the University community. One thing that came over loud and clear from both those who support and those who oppose the EJRA is that there is dissatisfaction with the current arrangement for extensions to work beyond the retirement age and on the post-retirement engagement of our academic colleagues. They have much to offer the University if they wish to continue to do so. One clear simple recommendation to improve matters is to allow more than one application for an extension, but the Review Group felt that the University should go beyond this and that there should be further work on simplifying and demystifying the extensions process, including making it easier to apply for grant funding beyond the EJRA, and on identifying appropriate ways in which retired colleagues can continue to contribute more broadly, including in voluntary capacities. I'm grateful to Professor Munir, our Pro-Vice-Chancellor for University Community and Engagement,

for being willing to take on responsibility for making sure this further work happens expeditiously should the Regent House vote to accept the recommendation.

A final comment in my role as the Review Group Chair. The upcoming vote will be an extremely important decision for the University and I would urge members of the Regent House to take it seriously. The Council has stated that it will call a ballot on the matter and I would urge you to vote, but before doing so take the time to consider the issues carefully. It is a complex matter and there many resources, at different levels of detail, on the Staff Hub to help you in deciding whether to support the Review Group's recommendations. As Chair, I hope you will be convinced by the evidence presented.

Moving now to some brief comments in a personal capacity, I was struck by a recent article in the *Oxford Magazine*³ where the author who is now retired, noting that he received a permanent lectureship at 24, sympathised with early career researchers that they now need to do several postdocs before achieving a permanent post at an age, he estimates, of around 35. I suspect his estimate is rather optimistic. In Cambridge the mean age on appointment to a permanent academic position is now over 40 and if the EJRA were abolished this would inevitably rise significantly further. I too was lucky a long time ago to receive my first permanent academic position at the University of Bath at a young age, though I was not quite so precocious as the author. That enabled me to have over ten productive years in the West Country before returning to my current position at Cambridge at an age still less than the University's current mean appointment age for academic officers.

I am grateful for the opportunities that I've received and I still greatly enjoy my academic life in Cambridge. I hope to contribute in a productive way in the years to come, including after the age of 69. However, my career would not have taken the path it did without there being opportunities for early career researchers, such as I was myself over 30 years ago, to develop their career via the appointment to a permanent position. Whilst retirement is starting to loom in the not too distant future for me, I want to make sure that I do not stand in the way of a similar opportunity to be given to someone who I'm sure will go on to achieve much greater things than I, both at and for our University.

I wasn't sure before starting the review what the best conclusion for our Institution should be but, having worked alongside such diligent colleagues who worked extremely hard to gather the data and inputs from staff and to consider it so carefully, I'm now convinced that retention of the EJRA for academic officers, albeit at a slightly higher age, is the best outcome for the health of the University. Not unsurprisingly I will be voting in favour of the EJRA review recommendations when the ballot comes, and I hope the majority of my colleagues in the Regent House will do the same.

¹ See the Review Group Report.

² See the HESA Data Report.

³ Notes from Ivory Flats, Robert Foley, *Oxford Magazine*, No. 465, Second Week Trinity Term, 2024, p. 7 (subscription required).

Professor A. J. FLEWITT (Department of Engineering and Sidney Sussex College):

Deputy Vice-Chancellor, I should begin by noting that I have been a member of the University HR Committee since October 2022, and I am also Head of the Electrical Division in the Engineering Department, but I am speaking here in an entirely personal capacity.

The subject of retirement is clearly one that academics in the University feel strongly about. It is worth stopping for a moment to consider why this is. A clue lies in the corporate title of this institution: 'The Chancellor, Masters, and Scholars of the University of Cambridge'. In other words, the University as an institution is not its buildings, committees, departments or other structures – it is people who make the place, whether students, professional services staff, technicians, cleaners, gardeners, academics or those in the multitude of other roles that make the University work. To very many of us, the relationship that we have with the University is not purely transactional. It is as though we give a piece of our very souls to this place. I know that many staff in a diversity of roles share this feeling, but for the purposes of this Discussion, I am now going to focus on academics who are currently subject to the EJRA. In this context, it should be no surprise that retirement is so emotive for academics. We have before us four recommendations from the EJRA Review Group, and I believe it is important to consider them as a package to make sense of each.

For me, the single most important reason for having an EJRA is the consequence for academic freedom. I know of no other university worldwide that surpasses the academic freedom that we benefit from here. Yes, there are promotion and pay reviews, but fundamentally it is for each academic to decide for themselves what to research without fear for our positions. This allows us all to be risk-takers; to test out ideas that are radical, unpopular, untried or beyond the edge of what might usually be considered 'our fields'. But it is exactly in this type of space that some of the most outstanding research takes place, and Cambridge has a far greater impact on the world than its physical size would suggest because of this freedom. Nothing, however, is without a price, and the necessary consequence of the absence of a review that could lead to the end of employment is the fixed retirement age for academics in tenured posts. I therefore support the recommendation to retain the EJRA and increase it to 69, but only in the context of the other recommendations; I certainly do not think that retirement should be the end of an academic's relationship with the University because someone's ability to contribute to learning and research does not depend on age.

This brings me back to my point that an academic's relationship with the University is not purely transactional, and the University has not had a good track record in recent years of recognising this. In my experience, the Colleges have been much better at valuing Emeritus Fellows in their academic communities. I have been enormously inspired and influenced by the Emeriti in my own College. However, while the University has necessarily 'professionalised' over recent years, it has largely ignored the consequence of this on academics who retire; they suddenly find themselves practically excluded from the University that they have given themselves to, and to which they may have so much more to offer.

The recommendation that an academic can continue to be indefinitely employed on research grants to which they contribute is one positive step, but there is much more to do to improve the current situation, and the final

recommendation that the University should review its post-retirement engagement with academic staff is critical. The University could do so much more, at relatively little cost, to allow academics to contribute to the intellectual life of the University, whether or not they continue with formal employment. We should all hold our feet to the fire in whatever roles we have in the University to ensure that this promise is delivered as quickly as possible. If we get this right, retirement from tenure should not be something to be feared. Rather, it should provide an opportunity to each of us as we pass through retirement to find new, exciting and fulfilling ways to participate actively in the life of this University, and in doing so enhance its ongoing mission to contribute to society through learning and research at the highest international levels of excellence.

Professor Sir Simon BARON-COHEN (Department of Psychiatry and Trinity College):

Deputy Vice-Chancellor, there are five key reasons Cambridge should abolish the EJRA.

First, the EJRA drives our top academics to move to a different university if they want to continue in research beyond 67 years old. The EJRA thus causes a brain drain and this actually begins from at least age 63 when they can no longer apply for a five-year grant. I know of Cambridge Professors who have been approached in their 50s by universities with an email saying 'If you stay in Cambridge, you only have 10 years to do all the research you want to do. We believe you have at least 30 years of research innovation left in you'. The Cambridge EJRA drives our top academics to leave.

Second, we should abolish the EJRA because it is totally out of date. It came out of an era when life expectancy was lower and when discrimination of many kinds was widespread and tolerated. Today we are proud that Cambridge is improving in equality, diversity and inclusion, yet the EJRA contradicts and undermines EDI: there is no equality, diversity or inclusion for academics aged over 67 years old.

Third, we should abolish the EJRA because it doesn't make good business sense, since top academics often bring in significant funding for large research teams. Many senior academics actually create jobs. By driving them away or stopping them applying for grants, Cambridge loses income.

Fourth, we should abolish the EJRA because it undermines innovation, in that innovation can occur at any age. Among the 30 Professors who are forcibly retired by Cambridge each year, many are Fellows of the Royal Society and other learned academies, and have won the highest prizes in their fields, internationally and nationally, for innovation. If you look at the age at which Nobel Prize winners received the Prize, over the decades hundreds were awarded when the recipient was older than 67, and many were in their 70s, 80s and even 90s. And their publication record shows they continue to innovate.

Fifth, we should abolish the EJRA because it may be unlawful. The Penty Report analysed employment data and found that the EJRA creates significant vacancies and concluded that the EJRA is lawful because it is a proportionate way of achieving intergenerational fairness. However, the new paper by Linton *et al* posted on the Economics Department website found that the statistical arguments in the Penty Report do not stand up to robust peer review. Linton *et al* conclude that there is no evidence that the EJRA is a proportionate way of achieving the University's goals of increasing intergenerational fairness.

The EJRA in Cambridge may also be legally challenged because it does not meet any of its three other stated goals, of enabling succession planning (it is very hard to attract academics to move to Cambridge to become the Director of a Research Centre if they know they only have ten years before they are forcibly retired), of promoting innovation in research (it does not promote innovation in academics who are older than 67), or preserving academic autonomy and freedom (it actually removes academic autonomy and freedom from academics who are older than 67).

Oxford lost in a string of Employment Tribunals following the Ewart Report showing Oxford's EJRA was unjustified and disproportionate. The Linton *et al* report is also very serious because it means, under the Equality Act, Cambridge may be discriminating unlawfully against a group of employees on the basis of a 'protected' characteristic.

All other universities in England except Oxford have abolished compulsory retirement because they take the Equality Act seriously, because they don't believe in discrimination of any kind, and because they think retaining and attracting top senior academics is good for their university. We have performance management tools, such as the REF and annual appraisals, and these can be used for academics of all ages. And universities where there is no compulsory retirement find that most academics choose to retire around age 72, with dignity and respect. Being forcibly retired at an arbitrary age does not treat the person with either dignity or respect.

In closing, in the view of many Cambridge Professors, 120 of whom wrote to the Vice-Chancellor last November, the EJRA should be abolished, given that unlawful age discrimination carries huge reputational risk for Cambridge.

Professor M. S. ROBINSON (Emeritus Professor of Molecular Cell Biology and the Cambridge Institute for Medical Research):

Deputy Vice-Chancellor, I officially became an Emeritus Professor at the age of 67 in 2019. Before then, I had successfully applied to continue working beyond the retirement age, contingent upon an Investigator Award from the Wellcome Trust being funded. This grant originally ran until 30 June this year, but I have recently been given a one-year no-cost extension, meaning the grant now runs until the end of June 2025.

For many years I have been making the case to the University that we ought to be allowed to apply for more than one extension. Thus, I was delighted to read, in the recommendations for a Revised Retirement Policy, that 'successful applicants may apply for further extensions'. However, I have now been made aware that I personally won't be eligible to apply for a further extension because as far as the HR Committee is concerned, my current agreement to work beyond the retirement age ends in June 2024, which is three months before the new policy will come into effect. This is in spite of the no-cost extension on my grant. In fact, there is even some dispute about whether I ought to be allowed to take up the no-cost extension at all.

I am therefore in the position that I have a highly prestigious grant from a major funder who strongly believes in a supportive research culture, but the University will not allow me to carry out any further research because of a three-month gap between the end of my original contract and the timing of the new policy. This is despite the fact that the Volunteer Research Charter I signed states that: 'it is expected that the arrangements for your volunteering will cease on the expiry of the Grant or

(if later) the date by which the final report is required to be submitted under the Grant (or any extension of the same)'. I believe that this clearly means that my 'arrangements for volunteering' don't cease until the end of my extended grant, which is 30 June 2025. The fact that this has been denied emphasises how arbitrary these decisions are. I believe that there is a strong chance that there will be reputational damage once Wellcome is made aware of this decision.

I'd just like to make a couple of additional points. First, I have done everything I can not to stand in the way of early career academics, because I strongly support intergenerational fairness. Thus, I no longer get a salary, just my pension. I have downsized my lab so it will soon be just myself, so as not to take up space or to employ talented students and postdocs who could go to younger group leaders. I actively mentor my junior colleagues in various ways, and many see me as a role model because there are so few senior women in my field. My contributions to the research and collaborative environment at CIMR are very strongly supported by the Director, Professor Julian Rayner.

Some people wonder why I want to keep on working, when I no longer get paid and no longer have anybody working under my supervision. I think many here will understand when I say that it is because I love what I do, in the same way that a musician loves to make music, or a painter loves to paint. Science is a huge part of my life, and for a scientist like myself to do original research, we need access to a lab. Otherwise, we just read about other people's research, like a musician going to concerts but not making music, or a painter going to art museums but not painting.

So I really don't see what the University possibly hopes to gain by preventing me from applying for another extension, because I will not be holding up a position for the next generation, and in fact it will have a negative impact on that generation because of the positive role I can and do play to support them. And I am certainly not unique; there are many of us who want to keep on working, without pay and taking up minimal space, both for the sheer joy of doing research and because we feel it is important to act as mentors, including my colleague Professor Paul Luzio, who has also sent comments to this Discussion (see p. 653). Surely this should be taken into account.

Dr N. J. HOLMES (Department of Pathology):

Deputy Vice-Chancellor, I declare a conflict of interest; I am subject to the EJRA and was a member of the Review Group whose report is under discussion, but my remarks are given in a personal capacity.

Today's Topic of concern makes a number of bald statements which I suspect are designed to provoke but are very misleading – 'half-truths' would be generous. The statement is certainly much less balanced than our report which Council commends to the Regent House. We carefully document evidence that our EJRA is indeed achieving legitimate aims. We accept that there are harms from an EJRA policy but also there are benefits. Weighing these against one another is difficult but it is telling that the Group unanimously agreed that the balance falls on the side of retention of the EJRA even though some of our number were initially of the opposite view. In the interests of time, I must focus on only a few issues but I urge people to read the Review Group's report.

In approaching a data comparison to assess whether our EJRA actually changes staff recruitment and demographics, we were mindful that it was necessary to identify those staff which were actually subject to the EJRA. This is easy

in internal HR data but difficult in HESA data. Section 2.1.1 of the HESA Data Report discusses our approach to solving this problem. We believe that we have used the most accurate data we could produce, a filtered dataset which covers more than 93% of the relevant staff cohorts and excludes all staff not subject to the EJRA. I draw your particular attention to this point as comparisons made by others have used cohorts which clearly contained many non-EJRA staff which must weaken the reliability of their conclusions. A group of 14 academics have published a paper on ArXiv,¹ already referred to by a previous speaker, which claims to rebut the data analysis annex to the Review Group report. However, while time will not allow detailed argument, I feel it incumbent on me to point out serious flaws in the ArXiv paper. The first of these is the claim that the same data filter was not applied to all samples. This is simply incorrect. All HEPs were treated identically, as they must be for the comparisons to be valid. Another point made by this paper is entirely correct; the statistical power of the analysis is limited by the fact that Cambridge is the only member of the dataset with its specific EJRA, our annex fully recognises this unavoidable fact. However, we should not fall into the type II error trap of accepting the hypothesis that our EJRA does not produce an effect on vacancies; EJRA is clearly the most likely explanation of the differences documented, even if they cannot all be shown to be statistically significant.

In analysing faculty turnover, it is important to take account of the considerable variances in institutional characteristics. Clearly an institution which is growing rapidly will be recruiting at a faster rate than one which is static or growing slowly. The non-EJRA Russell Group shows significant individual variation over the relevant period, with one HEP not growing at all and others having grown by 63% in the past 7 years; Cambridge student growth was 16% in the same period, just over half the RG average of 29%.² The HESA Data Report demonstrates a number of approaches to adjusting the raw job creation rates to take account of the underlying differences between institutions. Ordinary Least Squares regression of pre-trend data for the 5 years prior to the 2012 change produces the largest reduction in recruitment at those HEPs which abandoned compulsory retirement. However, this suffers from some disadvantages and we prefer the student number adjusted approach (see Figs A9, A10) which produces a considerably lower estimated effect of 1.6% reduction in recruitment rate. This is still very significant in the context of Cambridge's 4% turnover rate for academic faculty, yielding a predicted recruitment reduction of 26 staff per year. This brings me to my second point about the so-called rebuttal. Their argument is flawed in expecting that the EJRA can increase our turnover rate. At Cambridge there was no policy change in 2012, compulsory retirement remained at 67. What happened is that most Russell Group HEPs which abandoned mandatory retirement saw a decrease in their retirement rates when adjusted for growth. Our argument is that because Cambridge grows slowly and is much more dependent on retirement to generate vacancies than other Russell Group HEPs, if we abandon compulsory retirement we will see at least as big a drop in recruitment; in truth the average drop in Russell Group HEPs probably underestimates the likely effect here but we have been cautious in our assumptions.

One of the most difficult tasks was to model the effects which we would see if Cambridge changed its retirement policy. We chose to base our modelling on a published method for estimating the effects of changes in retirement policy³ based on system dynamics, a standard analytical

tool in econometrics and social policy studies. This had the advantage of allowing us to test a variety of possible policy changes with data parameters derived from real HESA data, for example the rate at which faculty at other Russell Group HEPs have chosen to retire at each age since they were free to choose, implemented in the Cambridge data context (for example we used Cambridge age distribution data to estimate how many staff would be at each age point in the future simulations). Opponents of compulsory retirement prefer simple queuing models such as Little's which can be manipulated by basic assumptions. My third comment on the ArXiv paper is that I believe their Little's Law calculations are flawed. They chose 3 years as the increase in average tenure and 27 years as average tenure now. Both figures are dubious, the correct average tenure figure is 23.3 years (see Annex E, Table 3.1) which matches very well 22.9, the figure derived from our modelling.⁴ They then divide their Little's estimate by 4; first on the basis that 50% of academic staff leave other than by compulsion at EJRA age and second on the assumption that 50% of staff will choose to retire at 67 anyway. This division is inappropriate as both factors have already been taken into account, the former in estimating current, and the latter future, average tenure. Thus, even using simple Little's Law calculations I argue that the correct predicted steady-state reductions in vacancies are 11.4% (if tenure increase is 3 years) or 18.2% if our modelled 5.21 years is correct.

It is inevitable that estimations and assumptions will vary. However, I want to draw your attention to Table A6 in the HESA report which looks at three possible sources for estimating the needed parameters for the simulation, including Cambridge survey data. While we consider that model A is the most reliable, all models predict a substantial reduction in vacancies if compulsory retirement is abandoned. So, while we should bear in mind that the prediction of 277 fewer vacancies in the first 10 years is unlikely to be precisely realised, the actual number could be higher or lower but is most unlikely to be small.

We were disappointed in the verifiable data we could obtain from the US experience. To be candid, the effects seem to have been censored. I know that data existed on at least one peer institution's website in 2011 because I have a note of some of it; this has disappeared. Nevertheless, there are plenty of commentaries on the undesirable effects of the abolition of compulsory retirement at US universities. We are also aware of compensatory actions taken by US institutions in response to a lack of vacancies due to increased faculty length of service. Some would be unpalatable here, such as a shift to non-tenure track contracts (mostly seen in less prestigious institutions) and hiring many more tenure-track professors than they convert to tenured. Those with the financial ability have been 'buying' people out of their tenured positions. Many may assume that Cambridge is wealthy enough to afford this solution but if Cambridge were compared with individual US universities, we would be around 41st in a list ranked by endowment.^{5,6} The top 16 had between 3 and 17 times our endowment. In addition, we had a £72m cash operating deficit on academic activities in the last financial year⁷ which is predicted to continue without spending cuts. Furthermore, the costs of 'buy out' are substantial. The financial penalty of being persuaded to retire 5 years before one plans to are considerable and certainly more than the rumoured 3 times gross salary being paid on average (remember to calculate net income).

This brings me to the much misunderstood aim of preserving academic freedom. University officers at Cambridge enjoy an extremely high degree of protection from dismissal and redundancy. In previous Discussions of the Regent House, I have been amongst those arguing against dilution of these protections entirely because of their fundamental role in preserving the independence of thought and speech.⁸ Academic freedom is an illusory concept if your livelihood is dependent on following topics and directions of research which are not only 'acceptable' but carry little risk of failure. However, let me be blunt here, these protections come at a price. The University has a considerable hill to climb if it wishes to remove an academic for underperformance. You may not think that having an automatic retirement age is a fair *quid pro quo* for the strong protections of the Schedule to Statute C but the Review Group saw the connection and I am convinced the abolition of default retirement would, sooner or later, be followed by a renewed attempt to dilute those protections – go back and read the proposals in 2009 and their Discussion.^{8,9}

Finally, I want to touch on intergenerational fairness and innovation. I valued immensely the independence my Lectureship gave me to establish my own research direction when I was appointed. Being responsible for financing and choosing your research group is a heavy responsibility but it comes with an exhilarating level of freedom. I am sure many others will recognise this. I think as many as possible of the current generation of young academics, whether currently employed at Cambridge or not – I wasn't – should have this opportunity too. The authors of this Topic of concern claim that 'Forcing arbitrary retirement at 67 or 69 stops innovation'. Frankly, this is nonsense. We heard from many retired academics who would utterly refute that they are no longer productive and the new staff replacing those retirees will produce their own innovations. Every R&D-based industry knows that you have to maintain a pipeline of new products, investing in things which may never pay off but even when they do, won't for some years. Academia is not so different. It might even be true that we could boost short-term output by retaining many 69-year-olds rather than hiring new blood but in the medium to long term this would be heavily counterproductive.

¹ See Linton *et al.*

² Data from <https://www.hesa.ac.uk>.

³ Larson, R. and M. Diaz (2012): 'Nonfixed Retirement Age for University Professors: Modeling Its Effects on New Faculty Hires', *Service Science*, 4(1), pp. 69–78.

⁴ See the HESA Data Report.

⁵ https://nces.ed.gov/programs/digest/d22/tables/dt22_333.90.asp.

⁶ *Reporter* Special No. 4, Financial Management Information for the year ended 31 July 2021, vol. 152, p. 40: Section I: Endowments.

⁷ *Reporter*, 6731, 2023–24, p. 298.

⁸ *Reporter*, 6171, 2009–10, p. 387.

⁹ *Reporter*, 6164, 2009–10, p. 131.

Dr G. KHALILI MOGHADDAM (Department of Clinical Neurosciences):

Deputy Vice-Chancellor, I am a mid-career Royal Society Fellow at the University of Cambridge. In 2021, I was awarded the RAEng Engineers Trust Young Engineer of the Year and before that a Borysiewicz Biomedical Sciences Fellowship in recognition of my research in the field of Bioengineering.

I would like to express my support for the Review Group's recommendation to raise the retirement age from 67 to 69 as an interim transition period followed by, if circumstances permit, total abolition of the retirement age thereafter.

Raising the retirement age helps balance fairness between generations and career progression. It reduces the negative impact on senior staff who are forced to retire at 67, while still creating enough openings for new recruits. This change ensures that while there will be slightly fewer vacancies, it's within a manageable range. The Review Group expects that raising the retirement age will result in 169 fewer vacancies for academic University officers over the next 40 years, which is a tolerable reduction that supports career progression and fairness between generations.

Furthermore, not adjusting the retirement age could lead to the recruitment of our senior academic retirees by competitor universities. These individuals, with their wealth of knowledge and experience, would significantly benefit our competitors in London and the US, potentially at our expense. By retaining these valuable staff members, we not only safeguard our intellectual capital but also prevent a potential brain drain to other entities.

Specifically, in fields like life sciences, experience is almost as valuable as expertise, especially in any commercial scenario. Senior academics bring a wealth of practical knowledge that is crucial for the success of research projects and commercial ventures. Their deep understanding of fundamental and mission-oriented aspects of life sciences helps bridge the gap between research and real-world applications, driving innovation and economic growth. This directly supports the UK Life Sciences Vision 2021, which aims to make the UK a global leader in life sciences by fostering innovation, addressing major health challenges such as cancer and neurodegenerative diseases, and building a world-leading ecosystem for life sciences entities. By leveraging the expertise of our seasoned academics, we can significantly contribute to this national goal, ensuring that the UK remains at the forefront of scientific and medical advancements.

Our University plays a pivotal role in the Cambridge ecosystem, known for its strong collaboration with industry. Senior academics have established valuable relationships with industry partners, which are crucial for securing funding, driving collaborative research, and ensuring that our innovations reach the market and benefit society. Allowing these senior staff members to continue their work helps us maintain and strengthen these connections. This fosters an environment where academic and commercial interests intersect productively, enhancing our research impact and supporting the University's mission to contribute to societal and economic development.

Finally, the report highlights that losing experienced staff due to the current retirement age leads to a significant loss of corporate memory. Corporate memory refers to the valuable knowledge and history held by our long-serving staff. These experienced staff members understand our University's past decisions and strategies, which helps us stay on course. They can mentor younger colleagues for better succession planning and support our leadership with their deep knowledge and insights.

As a Principal Investigator at the Department of Clinical Neurosciences, I began my journey at Cambridge in 2011 as a student. While I greatly appreciate almost everything about our University, the current retirement policy is a major concern. I have seen how this policy negatively impacted my research collaborations with senior academics. Now, we have a chance to rectify this. Thus, I strongly urge you to consider these strong arguments and support the recommendation to raise the retirement age for academic University officers to 69 as a prelude to total abolishment in the future if circumstances permit. Furthermore, I would like to suggest that we establish a Sage Academy, allowing staff beyond the age of 69 who are willing and able to continue contributing to the University. This way, we benefit from their experience and wisdom for a longer period, enhancing our University's intellectual capital. This change will ensure our University remains globally competitive.

The remarks sent to the Proctors in advance of the Discussion follow below in order of receipt.

Professor T. J. V. ROULET (Judge Business School and King's College):

Deputy Vice-Chancellor, when I was invited to join the EJRA Review Group, I had not yet formed a clear opinion on the policy. I was torn between two contradictory feelings. On the one hand, I could envision my reluctance to retire 30 years from now, leaving behind my colleagues, students, research, and office – a sentiment that might seem odd for a French person, considering our recent national efforts to ensure retirement remains possible at 62. On the other hand, I recognised that without the EJRA, I might not have had the opportunity to grow as an academic and ascend the ladder of this institution, Cambridge.

Our Group's data revealed fascinating insights that highlight why we are so passionate about our work. Unlike other Russell Group universities where most retirees leave between 62 and 65, at Cambridge, 70% of established academics in STEM and 60% in non-STEM subjects retire at 67. This indicates our deep love for our University and how integral it is to our identities. Many retirees expressed feeling depressed and anxious about leaving, as they lost a part of themselves in the process. We heard those voices too.

However, the data also shows that abolishing the EJRA would result in the loss of 12 to 26 new job opportunities annually for the next decade. If we truly love Cambridge, we must be willing to share it with new generations of academics.

Some detractors view the EJRA as an affront to their academic skills and a form of discrimination. In reality, the EJRA is a testament to their contributions to this institution. They have built it so well that talented academics from across the world also want to be a part of it. It does not imply that younger colleagues are more productive – better researchers, better teachers, better citizens – than older ones, but rather that they also deserve a chance to be part of our University. The EJRA is the only solution to create turnover in a university where no one wants to leave.

We must also redefine our perception of retirement: it does not mean ceasing all research and teaching. It simply means vacating an established post. Many retired colleagues continue to contribute vibrantly through their teaching, research, and academic leadership. Their wisdom inspires my work daily. The EJRA process can feel abrupt for colleagues, after years of passionate work. This is an area we need to improve, offering better support for retired academics. Retired colleagues' contributions remain

invaluable, but vacating their official positions will create life-changing opportunities for others.

For these reasons, I fully support the EJRA Review Group's conclusions and hope my colleagues, regardless of age, will share my perspective. A colleague who opposed the EJRA once told me I was 'too young to understand'. I hope to retain that youthfulness until I retire at 69. If we cherish Cambridge, let's continue to share this wonderful place.

Professor K. MUNIR (Pro-Vice-Chancellor for University Community and Engagement, Judge Business School and Homerton College):

Deputy Vice-Chancellor, I am Chair of the HR Committee. The Committee supports the Joint Report's recommendations but these remarks are made in a personal capacity.

My only objective in this Discussion is to highlight the detailed work of the Review Group and to urge staff to make time to read its report and supporting documentation. It is important that members of the University of all ages engage with this topic and, if they are a member of the Regent House, that they exercise their vote in July's ballot. The outcome of that ballot will have a profound effect on the future of the University and its staff. The Review Group was established in February 2023 to review the University's Retirement Policy and Employer Justified Retirement Age. The EJRA currently requires University officers (both academic and academic-related) to retire at the end of the academic year in which they reach 67.

Historically, the University has applied a compulsory retirement age (67 for University officers and 65 for other staff) for many years and reviewed this policy in 2011–12 (resulting in the retirement age of 67 being retained for University officers but abolished for other staff groups) and again in 2015–16. A further review was planned for 2019–20 but was delayed until 2023 due to the Covid-19 pandemic.

The Review Group commenced its work in April 2023 and has worked tirelessly and sensitively to formulate its recommendations within a relatively short timeframe, given the volume of information that needed to be collected and processed. This was with a view to implementing recommendations (if they are approved) by September 2024 to give clarity to those staff who are due to retire at the end of this academic year.

It is evident that the Review Group has considered a large body of information drawn from multiple sources to formulate its recommendations, including seeking the views of staff, retired academics, departments and Schools. It has also collated and analysed internal HR data and external data procured from HESA to model the effects of abolishing or raising the retirement age. The results of that analysis have now been published for staff and members of the Regent House, as has the Review Group's detailed, and in my view, very rigorous report.

Apart from its recommendations on retirement age, the Group also advises that other related matters are considered by the University, with a view to implementing changes as soon as possible. These include improving processes around extensions and grant funding, and improving the relationship between the University and retired academics, many of whom continue to make important contributions to academic life. Should the Regent House wish, I would be happy to take this work forward.

I would like to thank the members of the Review Group for their time and dedication in this matter and staff for their patience in enabling the Review Group to take the necessary time to consider this important topic with the scrutiny and care that it deserves.

Professor N. M. PADFIELD (Emeritus Professor of Criminal and Penal Justice and Fitzwilliam College):

Deputy Vice-Chancellor, I suspect that this is the first time that I have 'spoken' in a Discussion despite having worked for many decades within this University. I am moved to do so by a sense that the voices of 'people like me' may be drowned out in the debate, particularly by the assumptions underlying the current challenge to our retirement rules. I retired in 2022, happily 'forced out' by the retirement age. I am now 69. I continue to supervise, to lecture and to research. I am fortunate in my pension.

Let me simply challenge all four assertions of the case for change, which says the EJRA fails because

1. 'Innovation suffers'. Nonsense. Academics can innovate at any age (if their health allows it). Freed from the burden of academic management, I am now free to innovate, to think, to write and to support other people's research, in exciting ways.
2. 'Succession planning fails'. Succession planning is not great in this University, I agree, but let's not blame the EJRA for this. In fact, allowing people to stay on to an unpredictable retirement date would make planning much more difficult.
3. 'Intergenerational fairness is not achieved'. The risks that, in allowing older academics to stay on (indefinitely?), many younger colleagues would lose the security of a tenured lectureship, as well as other jobs and opportunities, have been well calculated. The proposers of the Topic of concern suggest that forced retirement disproportionately harms women. I wonder. It may instead 'free' many women from the burdens of University administration (which, yes, women do probably still take on disproportionately, at all levels). There is much to worry about in relation to fairness in employment and pension rules (appointment and promotion criteria, for a start), but the EJRA is not the main source of the problem. There is also no evidence that allowing people to stay on in their posts indefinitely will reduce the scourge of academic bullying, of which women are probably still disproportionately victim.
4. 'Academic freedom'. There is nothing 'destructive' about this policy. A mandatory retirement age provides a civilised and fair way of easing out senior academics in favour of younger and more junior rising stars. It does not stop us oldies from working.

I urge the University, and those who work in it and for it, to think very hard indeed, and to look for real evidence, before they make any changes to our current rules. There will always be hard cases but an EJRA makes good sense to me.

Ms A. M. HOCKADAY (Trinity Hall):

Deputy Vice-Chancellor, I am Master of Trinity Hall, but I write in a personal capacity. I have considered the Review of the University's EJRA carefully, weighing the various considerations and have concluded that I support raising the EJRA to 69 for academic officers.

I believe that this change best supports intergenerational fairness, acknowledging the contribution of older colleagues and the fact that lifespan has increased but preserving opportunities for younger and early career researchers to have a chance of a secure academic position.

It has been said that any retirement age bears particularly unfairly on women whose careers may have been interrupted or taken longer to establish. This may well be true, and is a

phenomenon I recognise, but I believe removing the EJRA is the wrong way to tackle it. Better to address this through fair recruitment and progression, better support for flexible working and work/life balance so women's careers progress well and equitably from early on.

What the Review has demonstrated, meanwhile, in relation to gender and ethnicity, is that the profile of academics being recruited is more diverse than those retiring and so it has helped to improve the diversity of the academic community and the gender pay gap, albeit slowly. Removing the EJRA would be detrimental to further improvement, which would affect women of all ages.

The case for retaining the EJRA is also strongly supported in my mind by the issues of academic freedom and research refreshment and innovation. Even with the EJRA, turnover in Cambridge is low compared to other academic institutions and other organisations. It's not to say that staff approaching retirement don't innovate or continue to produce important research, but removing the EJRA would undoubtedly reduce the opportunity to bring new people and new thinking into the academy.

There are important matters of principle and law involved. But it is also worth considering practical details as well. Removing the EJRA would reduce the number of advertised academic positions each year by an average of 17 per year for the next 40 years. Raising the EJRA to 69 limits the impact to an average of four fewer posts per year for the next 40 years, and still has the advantage of acknowledging the contribution and changing lifespan of older academics.

For the retiring academics affected each year by any EJRA, it is very important that the Review's recommendations about clarity of the extensions process and better communication about ways to continue to contribute are acted on.

In summary, I believe the Review is carefully balanced. I support all the recommendations, in particular the recommendation to raise the EJRA to 69 for academic officers.

Professor Dame Winifred Mary BEARD (Emeritus Professor of Classics and Newnham College):

Deputy Vice-Chancellor, I must start with an apology. When I retired from the University in September 2022, I vowed that I would play no further part in its governance. I had no intention of interfering from the sidelines. But I have gone back on that vow for one simple reason. There were very strong grounds for having a voice of the retired heard on a review group considering policies surrounding retirement. So, I agreed to join the Review Group and I am now speaking in support of its recommendations.

This may sound like self-congratulation – but the Group really did work with tremendous care over many months, we considered data from inside and outside Cambridge, and we listened hard to the many shades of argument, opinion and anxiety, that there are around the EJRA. We concluded, as the report lays out in detail, that there are several reasons for retaining a Retirement Age (albeit with some significant adjustments). For me, the crucial issue is intergenerational fairness. The figures obtained, and carefully analysed, make it absolutely clear that the EJRA has a major impact on the creation of vacancies for academic staff, in a career structure with significant 'entry problems'. To put it bluntly, I could not now look precarious early career scholars in the eye if I did not publicly support this proposal to retain an EJRA.

But the EJRA is not the be-all and end-all of this. And please don't let's treat it as if it were. Equally urgent in my view – and this is specifically recommended in the report – is the need for the University to take a wider look at the whole question of retirement and its processes, in the face of changes of many different types: from changing demography and changing career aspirations to changing pension arrangements. What do we imagine retirement is? What part in the University might the retired play? And what might the University do for them?

There is a tremendous opportunity here for the University to get ahead of the game, and to use the discussion of the EJRA as a prompt to think harder about the nature of our community in general, and of the role of the retired within it. I'm optimistic that within our grasp there is a different, and better, version (for everyone) of that role.

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

Deputy Vice-Chancellor, the Council has decided that the call for a Discussion on a Topic of concern this afternoon should be joined together with the Joint Report, making a single item.¹ That conveniently draws attention to the fact that the Joint Report's recommendations do not include simply abolishing the EJRA. Why not? There is now no age-limit for membership of the Regent House as the University's governing body. How does that sit with a forced retirement of those who are University officers at 67 or even the proposed 69?

The burden of proof that Cambridge's EJRA should continue lies on those who want to keep it. The Joint Report continues to rely on four 'justifications' to try to make discrimination against University officers on grounds of age lawful under the Equality Act of 2010. It now approves in addition the notion of the Penty Review Group that the EJRA will 'ensure the long-term research competitiveness of the University'. A consultation on the creation of a new 'Research Career Pathway' has been completed but not yet acted on.² It is rumoured that something of the sort is to be put to the Regent House soon but it can hardly have been possible for the Review Group to be confident in a view that dismissing experienced researchers could be expected to bring in newcomers guaranteed to make the University more competitive in research.

In any case, that is not the angle being most actively pressed. The invitation to an 'online briefing' to be held on 4 June 'aimed at postdocs and early career staff' gives a 'brief background' to the recommendations in the Joint Report. It includes some 'modelling figures' and the statement that if the EJRA were abolished 'the career prospects of younger research staff and early career academics would be significantly impacted as a result'.³ That can hardly be established before that Research Career Pathway is laid before the Regent House for its consideration. In any case the thirty or so annual forced retirements of UTOs hardly create enough vacancies to make a 'significant' difference to the prospects of the thousands of aspiring academics and researchers. The posts are advertised as vacancies with no stated preference for 'internal' candidates.

The (now published) data on which the Review Group relied included answers to questions which strongly suggest points in the outcome were planned when the questions were framed. Respondents were asked whether they agreed with the aims of the EJRA. Whether or not they did they could then continue, so as to rate whether those aims were 'met' when 'applied to academic University officers' and

then when ‘applied to academic-related University officers’. That gave little scope for critical responses about the aims of the EJRA or its effect upon the careers of UTOs.

An all-staff email was sent round on 16 May, the day after the publication of the Joint Report we are discussing. It is signed by Professor Penty, Chair of the Review Group. He sums up ‘the review group’s key findings’, relying on statistical assertions, for example that ‘over the past ten years, on average 49% of new academic vacancies in the University arose as a result of the EJRA’ and a prediction that abolition of the EJRA would mean 27.7 fewer posts for ‘early career academics’.⁴ I am confident speakers this afternoon will put those to the test. It is of enormous importance that this one-sided presentation of dubious statistics is not allowed to be repeated unchallenged by expert statistical testing. An online statement already offers some.⁵

The four dissenters

Four partial dissenters to the Joint Report are listed. That is sufficiently unusual to encourage rethinking of its proposals if the reasons they give for dissent carry weight. Do they? The dissenters find ‘the presentation of data in the Report’ to be ‘sometimes simplified to the point of bias’.⁶ They are critical of the fact that ‘the Report is silent on the interaction between the EJRA and the University’s distinction between Established and Unestablished staff’. This goes to the fundamental justification of the EJRA, which is that University officers hold posts which continue to exist to be filled when they vacate them, while unestablished posts do not, and the number of offices is fixed. On this rest the arguments about ‘succession planning’. Meanwhile unestablished academic posts and unestablished externally-funded fixed-term research posts proliferate.

The principal Penty Review recommendations are that the EJRA should be retained for academic officers and removed for academic-related officers, and the age of enforced retirement raised by a couple of years. The resulting focus on UTOs seems pretty determined. It should be realised that any extensions granted beyond the forced retiring age will take a UTO into a new post-retirement unestablished employment contract with no way back. There would be no way for a forced retiree to gain a new UTO post. ‘EJRA-applicable University officers who have retired but are seeking re-employment in any capacity may be considered for vacancies in line with the University’s usual recruitment processes’ but solely for academic-related or assistant posts:

otherwise, they will remain in scope of the Retirement Policy and their re-employment will be subject to the same approvals process and criteria as a request to continue working beyond the retirement age.⁷

The justifications for the proposed ending of forced retirement for academic-related officers while retaining it for UTOs seemed to the dissenters to need better explanation. It certainly does. It makes one wonder whose are the powerful voices who do not want it abolished for UTOs while removing it for academic-related officers. Sides are clearly being taken.

The dissenters share a concern about the threat of litigation. That was expressed in a concluding note to a judgment on 22 June 2023 in which the then Commissary Lord Judge said that were the Cambridge EJRA to be found unlawful or discriminatory, future litigation about the EJRA might result in findings of wrongful dismissal. He concluded that ‘beyond injustice to individuals, the reputational damage would indeed be massive’.⁸

The historical record

It is good to have the Review Report and its supporting documents made accessible by URL link. Given the risk that such links may cease to ‘work’ over time, I hope provision will be made to ensure that they are not lost to the historical record. It is important to ensure that the Review may conveniently be referred to in the future.

Abolition of the EJRA would require changes to the University’s internal legislation, as do the recommendations for amendment in the Report, where Annex B lists them, with links to the current wording.

¹ *Reporter*, 6742, 2023–24, p. 595.

² <https://www.hr.admin.cam.ac.uk/researcher-reward-and-progression-consultation> (University Account required).

³ <https://www.pdoc.cam.ac.uk/employer-justified-retirement-age>

⁴ All-staff message from the Chair of the Review group, dated 16 May 2024, https://universityofcambridgecloud.sharepoint.com/:w:/t/sites/StaffHub/_layouts/15/doc2.aspx?sourcedoc=%7B56D0E01E-A32C-430A-8E26-260C9740EF9F%7D (University Account required).

⁵ See Linton *et al.*

⁶ *Reporter*, 6741, 2023–24, p. 580.

⁷ At paragraph 7.5.1 of the Revised Retirement Policy at Annex A of the Joint Report (*Reporter*, 6741, 2023–24, p. 585).

⁸ The Commissary in response to a representation made by Professor Ross Anderson.

Professor J. A. CROWCROFT (Department of Computer Science and Technology and Wolfson College):

Deputy Vice-Chancellor, young people are being told that jobs are created by the EJRA. The EJRA does not ‘create’ jobs or opportunities for young academics. This is misleading and based in a zero sum game model.

Productive people bring income from teaching, from being in a REF return, and from research grants overheads, whether at the start or end of their career.

The new minted academic doesn’t replace a seasoned one, she brings her own research agenda and resources. New minted academics will lose years of potential work, just as the seasoned are, if the EJRA persists: it is the very opposite of opportunity.

Professor P. J. N. BAERT (Department of Sociology and Selwyn College):

Deputy Vice-Chancellor, in comparison to other universities, the University of Cambridge has a poor record when it comes to discrimination. Female students were not able to graduate until the late 1940s – several decades after other English universities. Now, in relation to age discrimination, the University is yet again refusing to move with the times, more than a decade after other universities have accepted the Equality Act 2010 (which bans age discrimination) and abolished compulsory retirement.

The Penty Report is flawed. As has been pointed out in detail in a research paper¹ evaluating the Penty Report, its models, predictions and conclusions are highly problematic. Contrary to what it claims, the Penty Report does not provide evidence that the EJRA ‘ensures intergenerational fairness and career progression’. As the Penty Rebuttal shows, the effects might well be the very opposite. I would urge Council to read the Penty Rebuttal carefully before preparing its response to this Discussion.

In addition, the Penty Report is incomplete and misleading in a variety of ways, its evidence sometimes contradicting its own conclusions. I will give a few examples.

In relation to ‘staff sentiment’, the Penty Report finds that more staff members want to abolish the EJRA for academics than retain it (p. 25), which is contrary to its recommendation to retain the EJRA. Furthermore, the Penty Report fails to specify the percentage in favour of abolishing the EJRA amongst the academic University officers who are affected by the EJRA. There is reason to assume that this number is significantly higher. During one of the town hall meetings, I asked for this percentage and was told by Professor Penty that he did not know this offhand. But this number was also not in the report.

In relation to ‘intergenerational fairness and career progression’, the research presented suggested that, for academic University officers most vacancies go to people external to the institution, whereas most academic-related posts tend to go to people internal to the University (p. 19). So even if the numbers reflecting vacancies lost by abandoning the EJRA were correct (and they are clearly not, as the Penty Rebuttal shows), the EJRA for academic posts would not be a proportionate measure to serve intergenerational fairness and career progression within the institution itself. The authors of the Penty Report must be aware of the contradiction when they go on to suggest that it is seeking ‘to contribute to intergenerational fairness in the wider University sector too’ (p. 30). However, what Cambridge does in this regard is negligible in the context of the wider university sector and cannot be seen as a proportionate measure to justify the EJRA. Interestingly, according to the Penty Report, the EJRA is far more likely to serve the function of creating intergenerational fairness and career progression for academic-related posts, but this is precisely the category for which the University wants to abolish the EJRA so how is this logical? In sum, retaining the EJRA cannot be seen as a proportionate measure to obtain this aim.

The claim that the EJRA ‘enables effective succession planning’ is wrong. We have all come across colleagues who take up positions elsewhere or take early retirement. Anyone who has been Head of Department knows that this in itself does not lead to ineffective succession planning. Other universities can do it – Harvard, Princeton, UCL, Imperial, and countless other universities. Furthermore, the evidence provided in the Penty Report in relation to this aim is incomplete: for instance, how can we attribute any weight to the statement under ‘staff survey responses’ that ‘the most popular response was that it assisted to a significant degree (240 of 1018 responses)’ (p. 20) if the same report does not provide any information about the precise wording of the other categories, nor the number of responses for each? In the same context, other evidence is presented in a misleading fashion. For instance, in relation to the ‘survey of Heads of Institution’ it is misleading to write that it was ‘essential or assisting to a significant degree in 21 out of 54 responses, but being of no assistance, (sic) according to 12 responses’ (p. 20). By leaving out the category ‘limited to moderate’ (which I presume received 21 responses and together with ‘no assistance’ would have given 33 out of 54) and not providing precise figures, the Penty Report wrongly suggests an imbalance in favour of the view that the EJRA enables effective succession planning. The opposite was the case. The Penty Report then infers from these findings that for ‘many, but not all, departments’ it would be ‘useful’ to have a compulsory retirement for planning purposes – that is clearly a *non sequitur*.

The claim that the EJRA promotes ‘innovation in research and knowledge creation’ seems to rest on the prejudicial premise that ‘older’ people are unable to generate innovative research. In this context, one of the findings of the Penty Report is that newly appointed academics invariably pursue different research projects from those whom they replace – this is self-evident. But it is clearly wrong to equate mere differences in research interests with intellectual innovation. And, of course, changes in research topic similarly apply in any given academic career. Most importantly, the data presented by the Penty Report shows, by a substantial margin (480 vs 270), that staff did not think the EJRA supported this aim.

As for the fourth objective, it is surely false to claim that the termination of someone’s academic post (this is basically what the EJRA means) amounts to the ‘preservation of their academic autonomy and freedom’. It is also wrong to suggest, as the Penty Report does (p. 36), that, without the EJRA, it is likely that other forms of performance management would be introduced.

Most astonishingly, the Penty Report seeks to impose compulsory retirement on academics, while at the same time it recommends abolishing it for ‘academic-related’ (i.e. administrative) staff. The rationale provided does not make sense: on the whole ‘academic-related staff’ tend to leave or take early retirement anyway, so this is apparently why they can stay on if they wish. So, we have age-related discrimination combined with discrimination that is exclusively targeted at academics. Interestingly, in the survey more staff wanted to abolish, rather than retain, the EJRA for academic University officers, whilst more staff wanted to retain, rather than abolish, the EJRA for academic-related staff (p. 25) – precisely the opposite of the Penty Report’s recommendation!

The way in which the Penty Report has been communicated to members of the University does not sit well with me. It comes across as propaganda whose aim is to direct the vote. The various bullet points in the emails that were sent out mistakenly suggest that these are indisputable facts; the rebuttal document has shown how problematic these ‘facts’ are. It is also interesting to see the concerted effort on behalf of the University to appeal to early career academics by wrongly implying that their interests are different to those with established positions. It is important for the academic community within this university not to fall into this trap. The academics should stand united and refuse to be treated as second-class citizens within their own institution.

For the record, I welcome the Penty recommendation to abolish the EJRA for academic-related staff. I want it abolished for both academic University officers and academic-related staff.

I trust Council will respond in detail to the points made by me in this Discussion and that it will consider seriously whether to submit a Grace inviting the Regent House to approve the recommendations of the Joint Report.

¹ See Linton *et al.*

Professor R. A. FOLEY (Emeritus Leverhulme Professor of Human Evolution, Department of Archaeology and King's College):

Deputy Vice-Chancellor, I retired in 2020, so to that extent I do not have skin in the game. I am sure others will address the legality in terms of the age discrimination of the policy, but I would like to provide a longer-term perspective on the issue of the EJRA in the context of its impact. The Penty Report, and the encircling information emerging from the central elements of the University, have framed the issue in terms of a conflict between the interests of the University and younger academics, and those of older academics. The argument of the University is that retention of the EJRA benefits the first two, abolition benefits the last. The aim, no doubt, is to draw up the battle lines for a vote.

However, this creates a misleading picture of the interests of each group. For the University, it seems to be a matter of job creation for early career academics underpinned by financial considerations. This, though, ignores other significant costs. Cambridge, like other universities, must benefit from the recruitment of senior academics from other universities taking prestigious and important chairs. Such people are likely to be in their fifties, perhaps early sixties, but it is unlikely that many will be attracted to a post which not only ejects them at 67 – now 69 under the proposals – but also curtails most of their research activities (applying for grants, recruiting Ph.D. students) several years before that. This is a major loss directly as a result of the EJRA. Not only that, but senior academics already holding posts in Cambridge will – indeed already do – go elsewhere in order to keep their research alive. These people are, of course, among the most productive. And there is also the penumbra effect – older academics may or may not keep attracting grants, but even without them they maintain the reputations of their departments and so attract younger colleagues and students by upholding that key REF parameter, the research environment.

Turning to the second group, academics who are at much earlier stages of their careers, the implication of the report is that it is in their interests to keep the EJRA. However, this reflects an outmoded idea of the life history of academics in earlier or middle stages of their career. Many of my generation were appointed to permanent lectureships in their mid-twenties. This – certainly in the sciences – is now seldom the case. Now, two, three, four postdocs are quite the norm. This means that a permanent job, if it comes at all, does so around 35 to 40.

This may seem remote from the EJRA but is in fact directly related to its unfairness. Academics of my generation probably had tenured careers of about forty years. Those entering or in their careers now will have this reduced to around thirty. Combine this with lower salaries, impossibly higher house prices, vast extended mortgages, later starts for families, and reduced pensions, and the sharp cut-off at even 69 is a major deterrent to an academic career, even more so in the context of longer and healthier lifespans. The EJRA is completely at odds with the actual life history of a younger academic, and no more in their interests as for those approaching retirement now.

For the third group, older academics with retirement looming, many are indeed keen to see the intergenerational fairness which the EJRA claims to protect. The evidence that it does so is far from clear¹ and there are probably equally if not more effective ways of improving the opportunities for early career researchers. Speaking for myself, there were many aspects of the job that I was

happy to give up, but the impact of not being able to apply for grants or take Ph.D. students not just at retirement but in the run-up to it has been considerable. Telling people a decade older than me still fully engaged with their institutions and research that I can no longer apply for grants is met with disbelief.

Tailoring and tapering the end of career pathways is the only fair way forward, satisfying both those who want to retire, those who are still going full blast, and those in between. The EJRA fails completely in this respect, and can hardly enhance Cambridge's reputation as a good employer.

The problem lies in the unwillingness of those in charge of the University to think imaginatively, humanely, and practically about how a career should end. No one is suggesting that we older academics should continue until we are carried out in a box, but the EJRA is a blunt instrument that does little to repay loyal service, does not actually work in the interests of the institution, and stores up future costs for younger academics.

Extending the EJRA to 69 for academics and removing it for academic-related does not solve the problem. Council should abolish it, start afresh, and give serious thought to creating and supporting a balanced demography of UTOs, with more flexible end-of-career trajectories.

¹ See Linton *et al.*

Dr M. J. CRISP (Department of Engineering and Downing College):

Deputy Vice-Chancellor, as a recent appointee to an established academic post which only became available through the retirement of a colleague, I wish to make a remark in support of the recommendations of the Review Report.

I have been employed by the University through a range of temporary contracts since 2009, and since 2016 as an Unestablished Lecturer, Associate Professor and Associate Professor (Grade 10) on two fixed-term five-year contracts. I am grateful for the support I have received from my Department, but without succession planning which made it clear that an established post was likely to become advertised during my second term, I would have left. Had the number of available posts been as low as suggested by this report, I would likely have not accepted the original fixed-term post. In my case succession planning has been successful. Many peers on temporary contracts left to find permanent posts elsewhere and will not contribute to this discussion. The Review Report notes that it is not possible to evaluate accurately how many fixed-term staff leave due to limited opportunities for progression, although it is quite possible that there would be no greater proportion of turnover in these posts if all had the opportunity of an established post.

An argument against the EJRA is that academics close to retirement age are not able to apply for long grants or supervise Ph.D. students lasting beyond their retirement date. I can empathise with both situations – unestablished academics face exactly these challenges while trying to gain research independence and set up a research group. The standard five-year contract only allows one year to recruit Ph.D. students whose Ph.D. may last four years. With contract extensions and renewed unestablished posts, this can happen multiple times to the same academic early in their careers. At the same time they will be competing for a small number of established posts, face uncertainty as to whether their post will be extended, and likely be at a point

in their lives where many desire to put down roots and start a family. All of this stifles academic freedom in early career academics (they need to consider re-employment prospects) and contributes to intergenerational unfairness, a situation which will become worse without the EJRA due to the reduction in available established posts. I fear that departments may seek to increase the use of unestablished posts which are almost exclusively taken up by early career researchers to generate turnover, cover teaching needs and plug research gaps generated by the lack of available established posts.

One hopes that retirement for all of us will be unavoidable, the question is when and at whose choice. The fixed conditions set by the EJRA allow planning of the process years ahead by both the academic and department to cause least disruption and generate a steady flow of opportunities for the next generation of academics.

Dr N. F. LÄUBLI (Department of Chemical Engineering and Biotechnology and President of the Postdocs of Cambridge Society):

Deputy Vice-Chancellor, the discussion around Cambridge's EJRA, even prior to the publication of any data or reports by the working group (of which I was a member), has unfortunately been publicly dominated by a focus on its age discrimination as well as the challenges associated with the current retirement practices. While the discriminatory effect cannot and should not be disregarded, it is important to highlight that the inherent purpose of the EJRA is to balance this impact with the broader aims of the University as whole, including its aim to ensure intergenerational fairness and career progression, which is why I support the proposed changes to the EJRA.

To ensure an appropriate and critical evaluation of the EJRA, the working group reviewing the EJRA consisted of members from across the University, including two union representatives. This has been essential to permit a balanced analysis of its aims and impact, through the consideration of various data including staff surveys as well as legal advice. Hence, it is worth highlighting that, alongside everyone else's inputs, the arguments and suggestions made by opponents of the EJRA have also been considered, evaluated and discussed in detail.

While there might now be attempts to cause scepticism about the data-informed findings and suggestions brought forward by the Review Group, it is important to recognise that some of these attempts might be based on misleading comparisons. For example, the impact of the EJRA at Cambridge has repeatedly been compared to Oxford, despite data showing that, in contrast to Oxford, Cambridge's EJRA is responsible for nearly 50% of the created vacancies, as outlined in Annex E of the Review Report, which was a major factor considered in the often-referenced Tribunal cases at Oxford. In addition, Cambridge's EJRA supports different aims than Oxford's, making a direct comparison questionable. Furthermore, in contrast to other Russell Group universities, student numbers at the University of Cambridge are significantly more stagnant, limiting the financial possibilities to create additional established positions. And similarly, Cambridge would not be able to afford the retirement incentives on which various US universities rely to ensure sufficient staff turnover rates.

The proposed changes to the EJRA are accordingly not only founded in data but also based on extensive deliberations and discussions. This, in line with the other proposed adjustments and in contrast with media reports,

also includes the proposed removal of the EJRA for academic-related officers as the application of a fixed retirement age is not justified given the proportionally low number of vacancies created by it.

A commonly mentioned alternative to the EJRA is the use of performance management, to which I personally would not be opposed. However, its suggestion, though possibly in good faith, fails to consider the associated difficulties and complexity. While performance management might be feasible in some Departments or Faculties, depending on the field, a fair assessment of performance can be substantially more challenging or nearly impossible. Furthermore, if performance or output were deemed to be insufficient, efficient subsequent actions would likely require the adjustment or removal of the unique protections provided by the Schedule to Statute C. This in turn seems highly unlikely, given that such a removal or adjustment, and the associated weakening of their position, would need to be approved by the members of the Regent House themselves.

Finally, it must be emphasised that large portions of the currently ongoing discussions do not directly reflect the general views nor proportions of the University's different communities. For example, while intergenerational fairness is an important aspect of the EJRA, the more than 4,000 postdocs and early career academics at the University are generally, and understandably, less invested in the ongoing debates, given that the vast majority of them will not have the opportunity to participate in the ballot. Moreover, involvement might be limited by the current lack of career prospects, with many great researchers and academics moving to industry, which would only be further accelerated through the abolition of Cambridge's EJRA for academic officers, potentially harming Cambridge's long-term perspective and performance.

To summarise, the retirement age reflects an important trade-off to the unique independence and academic freedom offered by Cambridge's established academic posts, with alternatives having been considered by the Review Group yet justifiably determined as unfeasible.

Professor S. M. ANSARI (Judge Business School and St Edmund's College):

Deputy Vice-Chancellor, going even 'beyond' statistical arguments and models, I argue that there is a fundamental moral issue at stake in arbitrarily firing people regardless of their contribution because the calendar flips to a certain age or the work clock strikes a specific number. This is being a slave of clock time rather than being task- and need-driven.

Most of us support the University's goal of creating opportunities for more job creation and believe in intergenerational justice but in a day where humans are living longer, forcibly retiring people at 67 or 69, regardless of their ability and willingness to contribute is morally untenable even if people contend and wrestle about models and their predictions, or reach mixed conclusions.

The issue here is fundamentally a matter of fairness and justice. You cannot discount people simply because of age (one can think of older patients, etc.) and regardless of their desire to work hard and contribute.

I find myself performing at the highest level of my career but am already induced to look for jobs even if retirement is not at the cusp because I know that eventually I will be arbitrarily booted out. This is most unfortunate because I am very happy with being here and serving to the best of my abilities.

At the end of the day, we need to value the contributions of seasoned academics, whose wisdom and experience are irreplaceable assets to the intellectual community at Cambridge and beyond. Moreover, true job creation for younger scholars should be founded on ‘expanding’ opportunities for new academics, *not* by unjustly displacing dedicated individuals who have devoted their lives to advancing knowledge, and still desire to do so. Clearly, we can collectively develop better and more just means for more job creation than employing such a crude, inhumane and arbitrary tool.

In a world of increasing divisions, perhaps a more collaborative and joined-up approach is in order at Cambridge, rather than create unnecessary divisions with an ‘us versus them’ approach. A cost of £7 million even if accurate is hardly material in the bigger scheme of things to justify creating such divisions, conflict, and forcing many high contributing members to seek jobs outside Cambridge when they are at the peak of their careers.

Professor R. RAU (Judge Business School):

Deputy Vice-Chancellor, age discrimination is illegal in the UK unless the University can make a case that the EJRA is proportionate in its aims of achieving intergenerational fairness, effective succession planning, innovation in research and knowledge creation, and preserves academic autonomy and freedom. Along with several other senior members of the University, I am one of the authors of a paper that analysed the findings of the Penty Report.¹

The central claim of the analyses in the Penty Report is that introducing the EJRA has increased the rate at which Cambridge creates faculty positions. The University has been drawing on the Penty Report to make the claim that the EJRA aims to provide more lectureship opportunities to postdocs and junior colleagues. Since the EJRA has been in place for over a decade, and since the Penty Report advocates increasing the retirement age to 69, one wonders how the EJRA would be able to provide more lectureship opportunities to junior staff.

One possible answer to this puzzle is the ‘succession planning’ that is the second goal of the EJRA. What is sauce for the goose is also sauce for the gander. Senior faculty also have the ability to plan for their careers. The University seems to be assuming that productive senior academics will hang around waiting patiently for the axe to fall at 69. An active senior academic, presumably the kind of person the University will not want to lose, will leave for greener pastures well before reaching 60, let alone 69. So it is indeed likely that by forcing out senior people who have no hope that there will ever be reform of the EJRA policy at Cambridge, more positions open up at the top.

Coming back to the first goal, it is unlikely however that juniors currently at Cambridge will benefit. Senior positions at Cambridge are advertised globally and there is no guarantee that a junior academic at Cambridge will be promoted to a senior position vacated by someone else. If Cambridge’s goal is simply that old academics must leave to make room for junior academics worldwide, one wonders why senior administrators are spared from a mandatory retirement. Surely, they should all be willing to help worthy junior administrators worldwide succeed to their desirable senior positions?

Turning to the third goal, the Penty Report fails to provide a single piece of evidence on how forcing people to retire promotes innovation or knowledge creation in any sense. Do other Russell Group universities lacking EJRA lag behind in innovation as a consequence? Finally, the last

goal is especially bothersome. Not only does the Penty Report fail to provide any evidence whatsoever in support of the claim that an EJRA preserves academic autonomy and freedom, but the fact that any extension to retirement age would be subject to a decision by administrators in itself provides an additional way to potentially stifle academic freedom, e.g., ‘drop that claim or your extension might get rejected’. I note that the implicit argument here is that since there is no performance management system at Cambridge except for a mandatory retirement at 67 or 69, you are free to do whatever research you want. Unfortunately, employment tribunals have ruled that a lack of ability to set up a performance management system is not an adequate reason to institute an EJRA. I would thus vote for the University to abolish the discriminatory EJRA in its entirety.

¹ See Linton *et al.*

Professor N. J. GAY (Department of Biochemistry and Christ’s College):

Deputy Vice-Chancellor, on 27 September 2021 the judgement of an Employment Appeal Tribunal (EAT) relating to the case of Professor Paul Ewart, a Professor of Physics at Oxford University was published.¹ The EAT dismissed Oxford University’s appeal and upheld the judgment of his Employment Tribunal that he had been wrongfully dismissed under Oxford’s EJRA policy. They went further:

In Professor Ewart’s case, a statistical analysis showed the rate of vacancies created by the EJRA was trivial (2–4%); ...the ET found it had not produced sufficient evidence to show the EJRA could contribute to the realisation of the legitimate aims; further finding the discriminatory impact was severe, and not significantly mitigated by the extension provisions, the EJRA was not shown to be proportionate.

Since then, a further five Employment Tribunal cases from Oxford have also concluded that the EJRA is unlawful on the same grounds.

It was only by chance in June 2022 that this EAT decision came to my attention and I immediately wrote to the Pro-Vice-Chancellor for Community and Engagement, Professor Kamal Munir as follows:

Given that nearly a year has elapsed since this EAT judgement was published I am surprised and disappointed that the University has not instituted an urgent review of the EJRA policy. In fact I flagged this issue to both your predecessor Prof. Ferran and the Vice-Chancellor in 2019 when I was still on the Council.

Initially, I received a response of warm words and vague promises followed by silence. By November I was becoming exasperated by the lack of action and renewed my correspondence with Professor Munir:

I am disappointed that no action has been taken on this issue yet despite 6 months having elapsed since I brought it to your attention. There is the clearest of mandates from the Regent House decision in 2012 that the policy be reviewed biennially (see EJRA report 2012)² ‘(d) Regular review. It is proposed that the continued application of a retirement age for University officers (as well as the age itself) shall be reviewed biennially and that its impact and other relevant factors, including *legal*, financial, and pension-related developments, shall be regularly monitored.’ (my emphasis). It is disgraceful that successive PVCs and the UAS have abrogated their

responsibility to keep the policy under review and the Regent House informed of developments.

I would also point out that the Employment Appeal Tribunal is a superior court of record having the same legal authority as the High Court. Given that the objectives of the Cambridge EJRA are almost indistinguishable from those of Oxford, it is clear that the policy is unlawful and must be reviewed as a matter of urgency.

You should be aware that I am not the only one who is concerned about this issue and that there are procedures in the University's Statutes and Ordinances to counteract obstruction of this kind by the senior administration.

To this message I received no reply but the pressure was building on a reluctant UAS with a Topic of concern Discussion taking place in January 2023. Soon after this event, the Council agreed to review the EJRA. It was clear from the outset what the conclusion would be – retention of forced retirement – because the membership of the Review Group was carefully chosen to include those in favour of the policy. In fact, there was one EJRA sceptic, but they resigned when the overwhelming partiality of the membership became apparent. As to the terms of reference, these were carefully constructed to sidestep the most important issue, the lawfulness of the policy and the legal advice obtained has not been published, with threats of legal professional privilege being used to gag the Council members who have seen it. This advice is our advice – the Regent House's – and it is disgraceful that it is being withheld from the constituency that it affects and who will take the final decision in a ballot. It is likely however to be similar to the Counsel's opinion from 2018,³ updated to take account of the case law that now exists.

The central issue though is whether there is sufficient evidence that the EJRA is achieving the potentially legitimate aims such as 'intergenerational fairness'. The analysis of the Penty Review claims that the policy is responsible for creating 45% of the vacancies that have arisen in Cambridge but our analysis, which can be found in the EJRA rebuttal, and will be explained in detail by others, show the Penty Report to be deeply flawed and factitious. The actual vacancy creation rate we have calculated is 3%, the same as that accepted by the Ewart EAT and deemed to cause very severe age discrimination by the Honourable Mrs Justice Eady DBE.

Two years have now elapsed since I raised this issue with Professor Munir and I simply cannot understand why so much time, effort and reputational capital is being spent to uphold a policy that is evidently unlawful and damaging to the University. Flexible thinking is a hallmark of a successful academic and I am pleased to admit that I have changed my mind on the EJRA because the benefits envisaged in the 2012 report have simply not come to pass. What we should now concentrate on is a new policy that both nurtures young academics and provides a framework for retirement that does not include unlawful compulsion.

I want to finish by quoting the words of the Commissary, the late Lord Judge, when he was asked to adjudicate the dismissal of my late friend Professor Ross Anderson:

There is a prospect that the Cambridge EJRA may be regarded as discriminatory and unlawful, and if nothing else, the university authorities should be urgently seeking independent advice to ensure that it is not.

If it is, then immediate action is needed to remedy the potential consequences to the officers of the University who would be affected by any discriminatory age provisions. This would go beyond merely reputational

damage: it would, unless the Cambridge EJRA were upheld, result in a case or cases of what would amount to wrongful dismissal. Beyond injustice to individuals the reputational damage would indeed be massive.

The arrogance of our senior administrators is placed into sharp focus by the contempt they have shown to a former Lord Chief Justice of England. Although they have obtained new legal advice, they keep it secret so no one can see whether Lord Judge's concerns have been satisfied.

¹ https://assets.publishing.service.gov.uk/media/6151f054e90e077a3078f960/The_Chancellor_Masters_and_Scholars_of_The_University_of_Oxford_v_Professor_Paul_Ewart_EA-2020-000128-RN.pdf.

² *Reporter*, 6249, 2011–12, p. 347.

³ See the remarks on the Topic of concern on forced retirement made on 24 January 2023, *Reporter*, 6685, 2022–23, p. 310.

Dr L. JOY (Faculty of English and Homerton College):

Deputy Vice-Chancellor, I write as a mid-career academic who served on the EJRA Review Group. From the start of the process, it was clear that there are powerful arguments about fairness on both sides of the debate, and the Group sought to keep all the various factors in view throughout its deliberations. There is no one solution that will feel like a fair outcome to all members of the community, but I feel that the core recommendation of the Group – to retain the EJRA for academic officers but to make it possible for academic officers to work for several years longer than is currently the case – is the fairest way to share the University's resources and to balance the interests of the different generations.

Those who have sought to enter academia in recent years have sought to enter a profession that is very different in kind to the one facing those who entered it several decades ago. Competition for those aspiring to secure a first academic job is unprecedented. Many scholars spend years trying in vain to land a permanent position. Often the route into the profession entails years of precarity on low pay with little or no security. Today's recent Ph.D. graduates are in many cases saddled with debts from undergraduate tuition fees (which were not a consideration for the generation of academics who are currently close to retirement) and the costs of investing in postgraduate study when funding is scarce. Persevering in the face of this kind of precarity takes a significant toll. There are material ramifications, such as in relation to access to housing and the viability of starting a family. The costs are in many cases too great to be worth it. I am sure we can all bring to mind the names and faces of brilliant young scholars who would have made an exceptional contribution to the University had they been able to secure that first job, but, defeated by the odds, chose another path instead.

We owe it to the generations coming up behind us to make it easier than it currently is for talented people to gain a secure foothold in the University. We owe it to the world of research to make it possible for our early-career scholars to channel their time and energy into producing first-rate work and not instead ploughing their efforts into the fight to subsist. The data indicates that abolishing the EJRA would make it even harder to secure a first academic job. It would be even harder than it already is because there would be even fewer jobs than there currently are, and the competition for these jobs would be even fiercer. I find the thought of the intergenerational inequality entailed in this unconscionable.

For those early- and mid-career academics who are fortunate enough to have secured an academic job, the intense difficulties don't end there. Factors such as the constant pressure to publish, the demands entailed in meeting high student expectations, the challenges involved in responding to the mental health crisis all mean that the role of an academic has changed beyond all recognition. The pressures on academics at every stage of their career are already relentless. Abolishing the EJRA would result in the necessary introduction of a form of performance management that previous generations of academics have been spared. To impose this additional source of scrutiny, bureaucracy, and anxiety on a generation of academics who are already working to, and often beyond, capacity would yet further compound the pressures that academics are under. I not only fear that this measure would seriously jeopardise academic freedom, but I also fear that it could have profound consequences for people's mental health, could be detrimental to the culture of the workplace, could exacerbate existing inequalities, and could render the profession an ever-less appealing and fulfilling one to belong to. This would in turn affect the quality and diversity of the people who enter the University and the quality and diversity of the work that takes place in it.

When I joined the University in 2000, it was a markedly less diverse community than it now is. I am heartened by the progress that the University has made on this front, but there is still more work to be done. The gender and ethnicity pay gaps are one reflection of this. While the EJRA is by no means the only relevant factor in promoting diversity, the data shows that younger cohorts of staff tend to be more diverse. The EJRA plays an important role in enabling the University to fulfil its aspirations in relation to diversity, and I fear that abolishing it is not commensurate with these aspirations.

During the review process, two arguments in favour of abolishing the EJRA weighed particularly strongly with me. One relates to the implications of the EJRA on eligibility for research funding, particularly in STEM subjects, during the final years of being in post. The other relates to the ways in which the EJRA might disproportionately disadvantage those who have taken career breaks, for example for the purposes of caring for others. I think these are both important considerations, and we need to find better solutions in relation to each. It seems to me absolutely right that those who may still have years of world-class research ahead of them should be able to compete for the funding to carry it out, irrespective of age. And it also seems to me vital that we find ways to ensure that it is possible for people to take time out where it is necessary for them to do so without this prejudicing their overall careers. I am confident that a solution can be found to both of these problems through the extension scheme. If the Regent House votes to retain the EJRA, then I think it must be a priority for those who review the eligibility criteria of the extension scheme to ensure that the scheme provides a real solution to these concerns.

As is true for all those who served on the EJRA Review Group, I have spent a considerable amount of time over the past year thinking about the different issues that are at stake in the settling of this question. It has become abundantly clear that the University does not currently do enough to make sure that those who are post-retirement, and who wish to, can continue to make a meaningful contribution which is properly valued. Thought clearly needs to be given to how the University can better provide for its retired staff. I do not feel, though, that those wrongs would be righted were we to deprive upcoming generations

of the professional opportunities and freedoms that have been enjoyed by previous generations. I therefore support the findings of the Review Group, and I urge the University to carry out further work to find alternative ways to ensure that retired members of our community can continue to contribute to the University in ways that benefit us all.

Professor O. B. LINTON (Faculty of Economics and Trinity College):

Deputy Vice-Chancellor, I would like to see the EJRA abolished as I think it is discriminatory. In order to legitimise the explicit age discrimination the policy encapsulates, it should be shown to be a proportionate means of achieving intergenerational fairness, but what is intergenerational fairness? It is defined by our University to mean sacking older academics to give jobs to younger ones even when those older academics are still willing to work. In fact, as Cambridge recruits on the world market the new hires are most likely currently living in a different country, so the policy effectively gets rid of our colleagues living and working here to benefit some as yet unknown person living in some unknown country. I see no sense in such a policy, and I doubt that any company or government defines their objectives in that way. Cambridge is going out of its way to distort its own stated mission (the mission of the University of Cambridge is to contribute to society through the pursuit of education, learning and research at the highest international levels of excellence) in order to support this unlawful policy.

At the Faculty of Economics this academic year we have had ten vacancies to fill: one is due to retirement, three are due to a new taught Masters programme we have introduced, and six are due to lateral movers, that is, people who have left the University before retirement to seek employment elsewhere. We have so far been successful in filling eight out of ten vacancies, but it has been a lot of work on everyone's part. The uncosted person hours that recruitment consumes nowadays could and should be taken account of in any proper analysis (certainly, the head hunters beloved by the University charge a high price for their services). I should also say that all the recruitments we have made have come from far away places, such as North America, Hong Kong, Japan, Switzerland – no-one has been recruited directly from CB post codes. In addition, our experience is that the new hires are more expensive in terms of their salaries and research packages (not to mention visa costs) than the people they are replacing. This is because Cambridge has to compete on the world market and it is the world market where pay rates are determined. We either pay competitive salaries or we do not hire quality academics. Looking ahead, we will be paying more and more for new hires relative to our current budget that is based on existing staff. In that sense our current staff are a great deal! So please don't force them to retire or leave early to seek employment elsewhere.

When the coalition government abolished the national default retirement age in 2011, they provided an economic impact assessment whose central prediction was that it would bring £2.5 billion benefit per year to the UK economy by increasing the aggregate labour supply through allowing people who were willing and able to work on and contribute to society instead of living off benefits. Most employers at the time were happy with this legislation and did not bend over backwards to force their employees to quit working at an arbitrary time point as did Oxford and Cambridge Universities. We are now going through a period that has been called the Great Resignation

following Brexit and the pandemic in which employers are desperate to find and keep skilled employees, so the Cambridge EJRA is completely against the spirit of the age in retaining this discriminatory policy that forces academics (and only academics) onto their pensions when they are willing and able to work.

In order to justify the explicit discrimination of the EJRA, you would think that a high standard of evidence would have been provided, but the Review Group's report was unable to provide credible statistical evidence, in our view.¹ They claimed to show that the Cambridge EJRA substantially increased academic vacancies in comparison with the other Russell Group universities over the period 2012–21. They also claimed using the same methods that the EJRA has no substantial effect on academic-related staff and thereby proposed abolishing the EJRA for academic-related staff. Both arguments were based on the same flimsy statistical fiction that this was a natural experiment with one patient receiving a treatment and 22 patients receiving a placebo. This is just not strong enough evidence to propose such a severe discrimination. I was also expecting to see in the Review Report an investigation of how the other 22 universities in the RRG have adapted to the non-default retirement era, a sort of best practice exercise, but no such analysis was carried out; it is as if the authors had made up their mind before they embarked on this study that abolition of the EJRA was not on their table.

In the end, the report predicts that there would be 13 fewer academic appointments per year (across all fields) in the absence of an EJRA in comparison with the current EJRA at age 67, when the system is in steady state, i.e., after 40 years. This number is based on a method that is not validated on any data (although this could have been tried and would have almost certainly failed). Taking their analysis at face value, this is a pretty small number and hardly a major contribution to intergenerational fairness! It is around about 15% of the current annual vacancies they report and similar to the number of vacancies that Economics has been trying to fill at Cambridge this year. Relative to the total number of vacancies at the 10,000 or so universities worldwide, this represents a negligible contribution. The report also shows in its Annex E the count of established academic staff at Cambridge over the last ten years, which has increased by around 1% per year; if this growth were to continue it would more than offset any shortfall in vacancies were the EJRA to be abolished. So the University could continue to provide the same opportunities to the global educational elite in the absence of an EJRA.

¹ See Linton *et al.*

Professor A. GUILLÉN I FÀBREGAS (Department of Engineering and Trinity Hall):

Deputy Vice-Chancellor, although I had a very clear viewpoint about this, by speaking to colleagues both in the Sciences and Humanities, my views have somewhat changed. Still, a number of points remain:

- Rather than compulsory retirement, part-time options could be explored for those who are clearly active in research. With 50% (or less) of a Professorial salary, the University could easily find the funds to initiate the hiring of a new Assistant Professor. There would be countless benefits in terms of mentoring, teaching, supervision, grants for both academics (part-time Professor and new Assistant Professor).

- The report written by the EJRA Review Group dismisses the idea of part-time, as it is claimed to be covered by the current retirement policy. The current policy states that one can move part-time *before* the EJRA, rather than after: 'If a University officer wishes to work reduced hours and draw part of their pension for a period before full retirement then they can apply for flexible retirement'. I believe that exploring the flexibility of part-time options (within the established post) for those that are intensely active in research after a certain recommended retirement age would be helpful. Conversely, academics who are not intensely research active would not be eligible. One could design a procedure with criteria similar to the various promotions, with recommendation letters involved if needed.
- I understand that abolishing the EJRA or pushing it forward by a number of years may ultimately put the University in further financial strain. Perhaps it would be more transparent to be upfront with this and explain the financial implications related to the various policies, rather than justifying the motivational aspects of the original EJRA policy, which are not objective and subject to interpretation.
- Keeping the EJRA does discriminate by age across some University collectives, including established vs unestablished and academic-related (if the EJRA is abolished for academic-related staff).

In summary, I believe that the EJRA should be abolished for those who are intensely research active (with an appropriate procedure). For those who are not, the EJRA should be retained.

Dr J. P. GARDNER (University Librarian and Selwyn College):

Deputy Vice-Chancellor, I am the University Librarian but am giving the following remarks in a personal capacity. For transparency, I should also record that I was a member of the EJRA Review Group and hold an academic-related office currently subject to the EJRA.

I would also like to acknowledge the many different perspectives on the EJRA within collegiate Cambridge, and the time given through the review process to listen to that range of voices both from Review Group members at different career levels and through the range of qualitative and quantitative data considered, including surveys, town hall meetings and focus groups.

The Review Group concluded with the recommendation that the EJRA be retained for academic officers, but that it should be raised to take effect at the end of the academic year that they reach the age of 69. This recommendation was made after very careful consideration of the data. Nearly 50 per cent of all academic vacancies are directly attributable to the EJRA according to HR data, with these vacancies creating opportunities for earlier career academics. If the EJRA were abolished, modelling predicts that the 70 or so annual academic vacancies would reduce to ~40 a year over the next ten years. The career prospects of more junior research staff and early career academics would be significantly impacted as a result.

The Review Group's report acknowledges that many outstanding academics wish to work beyond the age of 67. Some of the Group's recommendations – for example, raising the current retirement age from 67 to 69, and permitting academics to apply for more than one fixed-term extension to work beyond retirement – are intended to

mitigate some of the EJRA's impacts on those required to retire against their preference. The issue of intergenerational fairness was a significant factor in the Group's conclusions.

The data tells a very different story for academic-related officers, where I am perhaps most qualified to comment. The Review Group found little evidence that the EJRA's aims were legitimate, or proportionately applied, for established academic-related staff. It is the case that many of the stated EJRA aims do not apply to academic-related University officers in the same way as they do for academic University officers. The primary focus of academic-related roles tends not to be teaching and research and the EJRA aim of preserving academic freedom does not apply. Further, the number of vacancies generated by the EJRA is limited for academic-related staff (as captured in Table 2.2, Annex E of the Review Group Report). Therefore, the arguments around proportionality could not be made.

The law enables employers to operate a compulsory retirement age if they can demonstrate that it fulfils legitimate aims in a proportionate manner. It is a sensitive topic and has real world impacts on individuals as well as institutions. In its conclusions, the Group sought to listen, reflect, and consider with care the balance of benefits of the EJRA, such as intergenerational fairness, with the individual impact on those required to retire against their preference. The balance is not a simple one, but the Group concluded with a clear and shared view that the EJRA remained an important way of preserving the unique freedoms and protections afforded to established academic staff at Cambridge.

Dr W. J. ASTLE (MRC Biostatistics Unit):

Deputy Vice-Chancellor, the Joint Report states that 'if the EJRA were abolished at Cambridge, there would be significantly fewer permanent jobs available to more junior academics' which 'would in turn impact on the availability of offices for earlier career academics at the University and within the sector'.¹ The Review Group estimates that the revised EJRA it proposes will cause about twenty more vacancies in University academic offices to arise per year than were the EJRA to be abolished.²

Unestablished academic and research staff have been invited to a 'town hall' on 4 June 2024, with the Pro-Vice-Chancellor for University Community and Engagement and the Chair and a Research Associate member of the EJRA Review Group. The webinar will provide an 'opportunity for postdocs and early career academics to discuss proposed changes to the University's retirement age and how this could affect them'. Although the University no longer makes appointments to the office of University Lecturer, the website of the Postdoc Academy³ carries an advert for the event, reading:

Are you interested in pursuing a lectureship and/or long-term career at the University? Hear more about how a review of the EJRA aims to provide more lectureship opportunities.

The University's online databook reports that in 2021–22⁴ it employed 4,000 research staff and 301 unestablished academic staff.⁵ Assuming, very conservatively, that these staff work for the University in unestablished posts for an average of five years before they find employment elsewhere or employment in an established post at Cambridge and that all the additional academic vacancies due to retention of the reformed EJRA are filled by internal applicants, retention can hope to help at most 2.5% of the University's precariously employed staff into stable academic employment.

Precarious employment at Cambridge is a serious problem.⁶ More than 70% of the University's academic and research staff are employed on an unestablished basis. Although the retention of the EJRA may lead to some shuffling of individuals between different terms of employment at the margins, it will have a negligible effect on the proportion of academic labour that is performed by staff in permanent academic posts. The elimination of precarious employment in the University requires a much more ambitious plan than retention of the EJRA.

At least, we should be arguing for reform of the national system for funding higher education. Part of the money presently distributed to universities competitively by the UKRI (and the research charities) to support short-term research posts needs to be reallocated to institutions directly, to allow them to create permanent positions. The Council has been asked before whether the University makes representations to the government in support of such a policy, but it has failed to answer.^{6, 7} Given the Council's expression of concern about the number of permanent jobs available to junior academics, what plans does it have to address the problem, which is orders of magnitude greater than the twenty posts per year that might or might not be lost by abolition of the EJRA?

¹ Joint Report, para. 11 (p. 579).

² See the Review Report, p. 15.

³ <https://www.postdocacademy.cam.ac.uk>, homepage banner, accessed 27 May 2024.

⁴ The most recent year for which data are published.

⁵ https://tableau.blue.cam.ac.uk/#!/site/InformationHub/views/databook_2021-22/1_1StaffHeadcountwithineachUniversityIns titutionasat31stJuly?iid=2, accessed 27 May 2024 (University Account required).

⁶ Cambridge UCU Cambridge Researchers Survey, <https://www.ucu.cam.ac.uk/cambridge-researchers-report-highlights-pay-pressures-job-insecurity-and-a-culture-of-overwork/>, accessed 27 May 2024.

⁷ See Dr Kell's remarks, *Reporter*: 6535, 2018–19, p. 379 and 6613, 2020–21, p. 489.

⁸ See Dr Astle's remarks, *Reporter*, 6635, 2021–22, p. 105.

Professor J. P. LUZIO (Emeritus Professor of Molecular Membrane Biology, Cambridge Institute for Medical Research and St Edmund's College):

Deputy Vice-Chancellor, I wish to comment on the recommendation that more than one extension beyond the EJRA should be permitted under Section 7 of the University's Retirement Policy.

When the EJRA was first introduced it was possible to apply for a Voluntary Research Agreement (VRA), to continue research without being paid a stipend from the University, and such agreements were renewable. This was especially useful to those of us whose research requires the securing of grant income and use of laboratories. The existence of this arrangement was one of the reasons I found it easy to vote in favour of an EJRA at that time.

As Annex A paragraph 2.9 of the Review Group Report makes clear, matters changed in 2016 when the separate VRA procedure was brought within the Retirement Policy, with individuals 'permitted to choose whether an extension was paid or unpaid'. VRAs were no longer renewable, although those of us in the fortunate position of already holding one were permitted to renew, subject to appropriate research funding being in place. Whilst I appreciate the new recommendation 'that more than one extension beyond the EJRA should be permitted', I cannot understand why no distinction is made in the Retirement Policy between those wishing to continue research with pay from

those who are happy to take their pension but willing to work voluntarily. In the brief statement published in the *Reporter* on 21 September 2016,¹ I could see no reason given for the change but I suppose it could have been for administrative simplicity or because of some unstated legal advice. What the change did allow was the introduction of a much harsher regime for stopping those wishing to continue beyond a single VRA, even if they had the support of their Head of Department to do so.

Although the new recommendation will allow more than one extension, I am concerned that it does not undo the single procedure and set of criteria for those wishing to continue either paid or unpaid. They are clearly not the same situation, however much the University states that they are. My colleague Professor Margaret Robinson FRS has made an eloquent contribution to this Discussion (p. 639) explaining how harshly HR are interpreting the proposed new arrangements in her case, in not allowing her to apply for a further unpaid extension, based on the end date of her current unpaid agreement being June rather than September. This may fit administrative rules but I cannot see how it is in keeping with that part of the University's mission which is to contribute to society with research at the highest levels of international excellence. Society as a whole tends to value voluntary contributions from those who have retired. For those retired academic University officers who are still able to contribute to and/or lead research in an unpaid capacity, that may well be their most useful voluntary contribution. Such a voluntary contribution shouldn't be cut short for reasons of administrative convenience, although personally I would have no problems with it being subject to an appropriate form of performance review.

I recognise that the Review Report does have a brief section (5.4.3) on retired academics but it is strangely one-sided in describing the benefits they enjoy and challenges they may bring, without any real comment on the valuable contributions they can make. The Report recommends a review of the issue in all its facets, which seems like a hard kick into the very long grass. The matter of how best to harness the voluntary contributions of the University's retired academics is more urgent than that. The urgency would still be there if the EJRA was abolished and we fell into line with other universities, since many academic University officers may well choose to retire from paid employment by their late 60s if they were still able to apply for grants and undertake research. Whilst I favour the separation of administrative procedures for those wishing to continue unpaid research beyond retirement from those who wish to continue being paid, I also have a growing feeling that the University is finding ever more tortuous ways to defend its EJRA. Given that all but one of the other English universities do not have an EJRA, I suspect that if we don't abolish it now, we will be back reviewing and discussing it again before many more years have passed.

¹ *Reporter*, 6435, 2016–17, p. 2.

Mr R. S. HAYNES (University Information Services):

Deputy Vice-Chancellor, I am a Senior University Computer Officer based in the University's Information Services, and a long-standing UCU member.¹

This current Topic of concern has of course been helpfully raised in response to the recent Joint Report. With thanks to the Review Group who shared its report and to those who raised this Topic of concern, it is worth recalling the context of the previous and directly related Topic of concern (7 December 2022) and subsequent Discussion (24 January 2023) regarding forced retirement,² which gave initiative to this Review and Joint Report over the course of around a year and a quarter.

Although the very strong showing in the previous Topic of concern was overwhelmingly arguing clearly against the EJRA – calling for the abolition of the EJRA and officially requesting this change by the end of that academic year (i.e. before 30 September 2023) – we somehow missed that target and are now rushing to ensure we do not lose other colleagues and opportunities to put right what we now agree is wrong – that is, the EJRA in its present form is not fit for purpose.

Curiously, the remaining differences about how to make it fit for purpose seem puzzling by comparison, however not insurmountable. In the succeeding year, along with the Review process there were related events which helped shed further light on key concerns:

Oxford's former EJRA policy, which was later adjusted (and substantially the same as the current and later as the now proposed adjustments in Cambridge), led to losses in at least eight challenges to their forced retirement cases, in both the Employment Tribunal and their internal Appeal Court. This was based on rigorous statistical analysis of Oxford and Cambridge EJRA-related data, initially by their noted statistician Dr Daniel Lunn.

When this analysis was refused admission in the cases, the combined data was reanalysed by Professor Paul Ewart, the physicist who reached the same statistical conclusions and who subsequently won his Employment Tribunal case.³ The same analysis was not permitted in the early single case which was unsuccessful, but was to all eight successful cases. The published results, which have legal implications for Oxford and Cambridge, clearly indicate that the EJRA has only contributed trivially to job availability, and so cannot be a proportionate means to permit age discrimination. It does not meet the formal requirement for objective justification – and so, literally, is unjustified (and not lawful).

The Tribunal commented that 'there can hardly be a greater discriminatory effect in the employment field than being dismissed simply because you hold a particular protected characteristic' and that the University could only show that such a policy was a proportionate means of achieving any of the intended legitimate aims if it was 'so obvious that [the University] barely require evidence at all'.³

Regrettably, the data and analysis used in the EJRA Review Report is neither fully open, nor completely available for all – nor even only for members of the University – to inspect, to follow fully the steps taken to achieve the results being offered, nor is it internally free from contradiction with the resulting conclusions. The expressed limitations on full disclosure or transparency unavoidably means that we are asked to accept conclusions without the ability to follow the model choices, analysis steps, or reproduce results – and onlookers within and without the University would be forgiven for thinking this was a 'take our word for it' approach, rather than an objective justification.

A graph in the HESA Data Report⁴ even indicates that Cambridge has been worse at creating jobs than most other UK Universities, and certainly worse than the Russell Group. So the target job availability we are considering has been in a shrinking pool.

Feedback from Cambridge's UCU branch has included agreement with the Review Report's helpful acknowledgement that career progression for internal staff is largely not resolved by the EJRA, including with the majority of new vacancies said to be filled by external candidates, and at a later age (40+?) than normally considered early career staff.

It also is good that the Review Report acknowledges that the EJRA has not significantly improved diversity, or the gender or ethnicity pay gaps, e.g. in academic officers. While the removal of the formal aim of equality and diversity is regrettable, the analysis from Dr Lunn (Oxford) indicates that Cambridge's EJRA has not resulted in significant improvement in the proportion of female academics at the University (worse than the rest of the Russell Group), which connects with long-running UCU concerns and campaigns. For reference, Cambridge UCU has asked about plans for carrying out an equality impact analysis of the EJRA, and has offered to help.

Concerning the considerations of the USS pension scheme, while it is good to see acknowledgement of the results of UCU's long-running industrial action taken to reverse the damaging changes to USS, the other campaign issues around harmful inequality, workloads, pay, and casualisation (including of retired staff who continue to work casually and at low pay) remain concerns for the wider/deeper impact of the EJRA. It is worth noting that the long and painful USS campaign was also made much worse by the unwillingness to share data and analysis kept unnecessarily secret from the vast majority of members who were directly affected.

In support of such evidence and clear concerns, Cambridge UCU also passed a motion, carried at an Ordinary General Meeting (8 February 2024), to call for 'Ending Age Discrimination and Forced Retirement (EJRA) at Cambridge'.⁵ This motion followed well-established national UCU policy, opposing the EJRA (from its beginning) and affirmed that:

- Age discrimination is harmful, personally and communally, as is all other unlawful discrimination.
- The current inconsistency of targeting only University Officers is unjustifiable.
- The existing practice of making a request to the termly meetings of the Retirements Committee, for working beyond retirement age, yields patchy, inconsistent, and politically influenced results.
- The unintended consequences of the EJRA, including earlier-age (e.g. 62) refusal of research grants and funded projects for Investigators, results in severe damage to the wider community, including for younger researchers, and undermines the stated strategic aims intended by the EJRA.
- Only a complete ending of the EJRA is justifiable, and can be fairly and consistently administered.
- The abolition of the EJRA would not justify a change to the standard of tenure granted to established posts under the Schedule to Statute C nor would it justify the introduction of 'performance-management' of academic staff.

It would only seem right and prudent and fair now to include the option for the abolition of the EJRA as a clear

choice in the forthcoming ballot, to provide the option for us to move on from this flawed policy in any form, and before legal challenges and community disharmony erode us further.

As a query to HR and Council, can we confirm that the abolition of the EJRA will be a clear choice on the ballot?

¹ University and College Union, <https://www.ucu.org.uk>.

² *Reporter*, 2022–23: 6679, p. 180 and 6685, p. 304.

³ See <https://www.agediscrimination.info/case-reports/2019/12/20/ewart-v-university-of-oxford>.

⁴ See 'Figure A1: Job creation rate', HESA Data Report (p. 30).

⁵ <https://www.ucu.cam.ac.uk/motions-carried-at-cucu-ordinary-general-meeting-8-feb>.

Report of the Council, dated 14 May 2024, on a University Code of Practice on Freedom of Speech

(*Reporter*, 6741, 2023–24, p. 587).

Professor G. R. EVANS (Emeritus Professor of Medieval Theology and Intellectual History), received by the Proctors:

Deputy Vice-Chancellor, this Report grapples with the increasing complexities of creating a Code of Practice on Freedom of Speech, as required under the Higher Education (Freedom of Speech) Act (2023). It attempts to update and bring into a single document the three existing University-level documents about freedom of speech: the University Statement on Freedom of Speech, the Code of Practice on Meetings and Public Gatherings on University Premises, and the University Free Speech Principles, while protecting the University's existing position.

The Office for Students launched a consultation ending on 26 May 2024 about its own new guidance on free speech requirements. From August it is to provide a 'new free-to-use complaints scheme' for 'students, staff and visiting speakers who believe there have been restrictions on their lawful free speech'.¹

That will require complainants to exhaust internal complaints procedures first so Cambridge will need to ensure that its own complaints procedure is appropriate. It is important that the Code of Practice should be 'brought to the attention of new students at registration and new staff during induction' and that they should be reminded of it 'annually' and encounter reference to it 'in other University documentation as appropriate', with all 'relevant staff' receiving 'appropriate training', but it is optimistic to expect its terms to become firmly lodged in every head, especially those of 'decision-makers'. So a robust internal complaints procedure may well be needed.

Complaints to the Office of the Independent Adjudicator for Higher Education must be made by a student and do not expressly include freedom of speech or freedom of belief complaints. However its latest Annual Report² records a rising number of complaints in this area, and it notes that it has engaged with ongoing developments around the Higher Education (Freedom of Speech) Act 2023, with a focus on promoting clarity for students about complaints involving free speech. It had received only ten such complaints in 2023. However, it is concerned that 'having two different routes for complaints relating to freedom of speech through our Scheme and the OfS scheme once established could be confusing for students' and hopes that it will become clear 'how the schemes will work together'. Cambridge, offering the preliminary stage to its own students, will need to ensure that it is made clear how and where they may take a complaint further.

On 16 May Advance HE published its own Guidance on a further aspect of freedom of speech, that of ‘Protected Beliefs in Higher Education’. This covers matters which have gained a new sharpness as a result of the Gaza conflict, the widespread student encampments in support of Palestine and complaints of antisemitism in universities. It includes advice for institutions on the circumstances in which it may be tempting to make a ‘decision to interfere’ with an exercise of free speech including speech about ‘protected beliefs’.³

The University:

encourages its staff, students and visitors to engage in robust, challenging, evidence-based and civil debate as a core part of academic enquiry and wider University activity, even if they find the viewpoints expressed to be disagreeable, unwelcome or distasteful.

So far ‘as is reasonably practicable’, the University offers a ‘very high level of protection for the lawful expression of viewpoints and for speech in an academic context’ thus defined. But how far may ‘challenge’ go and what forms may it take beyond simple utterance of opinions?

Speech and action may not easily be separated. When Cambridge’s pro-Palestine encampment moved from King’s College to the Senate House lawn it was promptly ‘dismantled’ when negotiations were agreed, as reported on 17 May.⁴ Was there a ‘decision to interfere’ or was none needed in the event? *Varsity* reported an episode on 21 May when a separate group, King’s Cam for Palestine (KC4P), ‘disrupted a panel discussion at King’s College’⁵ and another on 23 May when ‘Workers from Lion’s Yard and the Grand Arcade staged a walkout’ in ‘solidarity with the Cambridge for Palestine (C4P) encampment’.⁶ If police were to be involved in any ‘decision to interfere’ the University or a College would normally have to invite them in but this happened in a public place. Oxford University called in the police when Oxford Action for Palestine (OA4P) forced its way into the University Offices on 23 May. Seventeen arrests were made, for aggravated trespass and assault. Cambridge may face equivalent difficulties, though the encampment outside the Old Schools did not apparently seek to get in.

The revised Cambridge Code claims to cover not only all members, staff and students of the University, who are in various forms of contract with it, but also visiting speakers and all other persons invited or otherwise lawfully participating in University activities on University premises. This last is a legacy of Education (No. 2) Act 1986 s. 43. It covers ‘premises over which the University

of Cambridge exercises control, whether indoor or outdoor’. Excluded from the new Code are ‘purely commercial meetings or events on University premises’. Protests may present new definitional challenges, especially where the protesters include non-members and non-employees of the University as is said to be happening.

The draft we are discussing states that ‘no individual will be subjected to disciplinary sanction or other less favourable treatment by or on behalf of the University because of the lawful exercise of freedom of speech or academic freedom’. It is recognised that employees sometimes fear reprisals. ‘Local barons’ (as they have several times been called in Discussions) may exercise control over the careers of those they line-manage in Departments and Faculties. Protections are listed as ‘including but not limited to’ matters where some protection for critics may be relevant, such as ‘programme development and approval’; ‘processes for admission, appointment, reappointment and promotion’ and ‘processes for facilitating research’. ‘Admission’ is of course a College matter and in any case each College will have to take its own decision about the form of Code it chooses to adopt.

Some further clarification is needed. ‘The University does not enter into non-disclosure agreements related to complaints about sexual misconduct, bullying or harassment’ but are there other circumstances in which it may do so? What would they be? The University ‘has processes in place to identify and manage any risks to freedom of speech or academic freedom arising from the terms of certain overseas funding’. What are permissible terms of agreements on ‘funding from endowments, gifts, donations, research grants and contracts, and educational or commercial partnerships’?

¹ <https://www.officeforstudents.org.uk/news-blog-and-events/press-and-media/ofs-proposes-new-guidance-on-freedom-of-speech/>.

² <https://www.oiahe.org.uk/resources-and-publications/annual-reports/>.

³ <https://advance-he.ac.uk/knowledge-hub/protected-beliefs-higher-education> and <https://www.hepi.ac.uk/2024/05/16/advance-he-ceo-alison-johns-how-our-new-guidance-on-protected-beliefs-will-help-on-free-speech-issues/>.

⁴ <https://www.varsity.co.uk/news/27648>.

⁵ <https://www.varsity.co.uk/news/27679>.

⁶ <https://www.varsity.co.uk/news/27687>.

COLLEGE NOTICES**Elections****St John's College**

Elected to a Fellowship under Title E from 1 September 2024:

Marta Grzeskiewicz, B.A., *G*, M.Sc., *UCL*

Elected to a Fellowship under Title B from 1 October 2024:

Dorian Gangloff, B.A.Sc., *British Columbia*, Ph.D., *MIT*

Elected to a Fellowship under Title E from 1 October 2024:

Rachel Bryan, B.A., M.Phil., Ph.D., *JE*

Catherine Bradley, B.A., M.St., *Oxford*, Ph.D., *T*

Sidney Sussex College

Elected into a Bye-Fellowship with effect from 22 May 2024:

Roberta Dessi, M.A., *DOW*, Ph.D., *CAI*

Maura Malpetti, B.Sc., M.Sc., *Vita-Salute San Raffaele*, Ph.D., *SID*

Chris Truscott, M.A., M.Sci., Ph.D., *R*

Vacancies

Sidney Sussex College: Deputy Senior Tutor; tenure: part-time (70% FTE) from 1 September 2024; salary: £52,815–£63,029 pro rata; closing date: 24 June 2024 at 12 noon; further details: <https://www.sid.cam.ac.uk/about-sidney/vacancies/deputy-senior-tutor-70-fte>

EXTERNAL NOTICES**Oxford Notices**

St Hilda's College: Tutorial Officer; tenure: from 1 September 2024, part-time (0.8 FTE equivalent) with the possibility of increasing to full-time; closing date: 24 June 2024 at 12 noon; further details: <https://www.st-hildas.ox.ac.uk/vacancies/tutorial-officer>

Worcester College: Fixed-Term Stipendiary Lectureship in Law; tenure: one year from 1 October 2024; stipend: £20,325–£22,624; closing date: 21 June 2024 at 12 noon; further details: <https://www.worc.ox.ac.uk/about/vacancies/fix-term-stipendiary-lecturer-in-law>

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