

PRIME MINISTER

E.F.
cc ~~Reyn~~ Unit
+ P-a.
R2C6
20/5

ACADEMIC TENURE: VOTE IN THE LORDS

You will wish to know that the Government lost the vote in the Lords this afternoon on Lord Jenkins' amendment. The vote in favour of the amendment was 152 - 126.

The terms of the amendment are to insert in Clause 173(2):

"To ensure that academic staff have freedom within the law to question and to test received wisdom, and to put forward new ideas and controversial or unpopular opinions without placing themselves in jeopardy of losing their jobs or privileges they may have at their institutions."

I attach the Clause in the Bill so you can see the effect of the amendment.

DES have already issued a line on the vote as follows:

"The Lord Chancellor in his speech indicated very clearly that it was the Government's intention to bring forward amendments to the Bill to ensure that academics had proper freedom to do their work and that they are not dismissed merely on account of their views. The Government is in discussion with the Vice Chancellors, and in fact this week withdrew amendments at the Vice Chancellors' request dealing with these matters. Discussion with the Vice Chancellors will continue and the government will bring forward amendments at a later stage."

I do not imagine you will have any difficulty with this line. It commits the Government to bring forward further amendments either to the Jenkins' amendment itself or to other parts of this section of the Bill. This seems right because the terms of the Jenkins' amendment look very wide and could offer major

opportunities for getting round the abolition of tenure. DES' present intention is to move the further amendments in the Lords.

Content to note the action already taken and in hand?

Yes not

PG

19 May 1988

KAYADO

(a) the amount of compensation agreed or awarded in respect of that purchase, together with any interest payable by the Board in respect of that compensation in accordance with section 11 of the Compulsory Purchase Act 1965; and

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1965 c. 56.

5 (b) the amount of the costs and expenses incurred by the Board in connection with the making of the compulsory purchase order.

Academic tenure

10 173.—(1) There shall be a body of Commissioners known as the University Commissioners (in this section and sections 174 to 178 of this Act referred to as “the Commissioners”) who shall exercise, in relation to qualifying institutions, the functions assigned to them by those sections.

The University
Commissioners.

(2) In exercising those functions, the Commissioners shall have regard to the need—

JENKINS

AMENDMENT

15 (a) to enable qualifying institutions to provide education, promote learning and engage in research efficiently and economically; and

(b) to apply the principles of justice and fairness.

(3) The following are qualifying institutions for the purposes of this section and sections 174 to 177 of this Act, namely—

20 (a) any university or other institution to which, during the period of three years beginning 1st August 1987, grants in aid are or have been made by the Universities Funding Council, or by the Secretary of State acting on the advice of the University Grants Committee;

25 (b) any constituent college, school or hall or other institution of a university falling within paragraph (a) above; and

30 (c) any institution not falling within paragraph (a) above which is authorised by charter to grant degrees and to which, during the period of three years beginning 1st August 1987, grants are or have been made by the Secretary of State.

(4) Schedule 9 to this Act shall have effect with respect to the Commissioners.

35 174.—(1) The Commissioners shall exercise the powers conferred by section 175 of this Act with a view to securing that the statutes of each qualifying institution include—

Duty of
Commissioners.

(a) provision enabling an appropriate body, or any delegate of such a body, to dismiss any member of the academic staff by reason of redundancy, whether or not in pursuance of a scheme established for the purpose;

40 (b) provision enabling an appropriate officer, or any delegate of such an officer, acting in accordance with procedures determined by the Commissioners, to dismiss any member of the academic staff for good cause; and

45 (c) provision establishing procedures determined by the Commissioners for hearing and determining appeals by any members of the academic staff who are dismissed or under notice of dismissal, whether or not in pursuance of such provision as is mentioned in paragraph (a) or (b) above.