

CAFAS Update No 22

14 December 1998

Council for Academic Freedom & Academic Standards

Next Meeting:

Saturday 17 January, 2.00-4.30pm
Room MB307
Birkbeck College
Malet Street
London WC1

Underground: Goodge Street, Euston Square, Euston

Seasons greetings to all. Confusion over the management of education continues to expose corruption, harassment, discrimination, unfair dismissals and scandals over procedures and money.

Over the past year three members of NATFHE's National Executive Committee and a number of branch officers have been dismissed on alleged grounds of redundancy, not to mention thousands of others in all sectors of education who have been forced out of teaching. At the same time the Government is calling for an increase in student numbers. Management claims there is no connection between the fact that union officers who have been active in exposing fraud and defending conditions has nothing to do with the same people being sacked.

Further erosion of academic freedom and standards is apparent in union and CAFAS casework. *The Times Higher Education*

Supplement reports (11.12.98) that Leicester University alone has logged up five tribunal cases for discrimination and a sixth case is pending. The lawyers are busy.

Huge sums of taxpayers' money are being paid to managers who have been forced out following scandals while their victims seldom get more than the statutory minimum.

There are some who believe that education can be run as a business. Research from the USA shows that this project is running into the ground. Graduate teachers are organising unions and faculty are resisting attempts to replace teachers by information technology and to 'commodify' knowledge.

The House of Commons Select Committee for education reported earlier in the year that students and teacher whistleblowers should be able to turn to an ombudsman if they feel their grievances are not being addressed.

The *FHES* reports (11.12.98) that the Government have rejected the idea of an ombudsman for FE, preferring to entrust the task to the FEFC. However Bob Potter's case (*Update 21*) illustrates the reluctance of the FEFC to intervene. College leaders and the Association of Colleges claim their own procedures are sufficient. In some institutions procedures may be sufficient in themselves but how many can claim that the application of the procedures was fair? The unprecedented growth of education cases in the courts would suggest they were not.

REPORTS

S Sengupta

S Sengupta, who has taught in Tower Hamlets, East London, for more than 13 years, is to take Tower Hamlets Council to Industrial Tribunal in April 1999.

Mr Sengupta is claiming racial discrimination and/or victimisation and is represented by the Commission for Racial Equality.

At a preliminary hearing in September 1998, the Industrial Tribunal agreed jurisdiction of continuing discrimination.

Members are urged to show their support by attending the I.T. in April, details of which will be in the next issue of *Update*.

Evelyn Martyres

Evelyn Martyres has won her case of unfair dismissal against Westminster City Council (London) but has lost her claim on racial discrimination and victimisation.

The Remedies Hearing is on 6 January 1999 at 9.45 a.m. at Croydon Industrial Tribunal, Montagu Court, 101 London Road, West Croydon.

Members are urged to attend the hearing in support.

John Giddins

The IT panel meet in closed session on 9th and 10th December to come to a decision. This takes, apparently, up to 4 weeks to be released.

Zoe Hardy

Valerie Goulden

After a successful claim to an Industrial Tribunal of sex discrimination and victimisation by Halton College, Valerie Goulden agreed, in October 1998, to an out of court settlement. The Chair of Halton College Governors has

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written her an unqualified and unreserved letter of apology. Halton College is currently under investigation by the FEFC and the National Audit Office over alleged corruption relating to wrongful funding claims. Both the Principal, Martin Jenkins, and his Deputy, Jenny Dolphin are under suspension. Val's account is below (pages 5 & 6).

THAMES VALLEY UNIVERSITY

Two years ago Tony Blair heralded the "New Learning Environment" provided by Thames Valley University as "one of the most important examples of what the future holds for us in education".

That example included: dramatically increasing student numbers, from 16,000 to 30,000 in three years; centralising and computerising the arrangements for timetabling, disseminating exam results and allocating rooms; introducing flexibility in course selection, so that instead of following set curriculums students were allowed to combine modules freely; and cutting costs by methods which included reducing the number of modules required each year from eight to six.

Staff at other universities may find some of these aspects of the New Learning Environment familiar.

A year after Mr Blair had greeted it with such enthusiasm, the success of the New Learning Environment was evident: over 40% of the Thames Valley students achieved Firsts or Upper Seconds, even though they have on average the equivalent of a grade D and two Es at A-level.

Staff and students, however, did not altogether share Mr Blair's

enthusiasm for the new methods. Students and their parents complained of chaotic timetabling, which left some students without scheduled lectures after two weeks of term, and "shambolic" registration and examination arrangements; while more than 80 staff signed a petition objecting to what they regarded as an instruction to reduce the pass mark from 40% to 30%.

NATFHE spokesman, Dr Martin Roiser, was quoted in the press as saying, "There is a serious dumbing down going on...the university has deliberately lowered standards in order to ensure that students pass their degrees".

Vice-Chancellor, Mike Fitzgerald, reacted angrily to these allegations: the administrative problems had been caused by failings in computer software; students with 30% were able to pass only as part of a "condonement" process; and the university would take libel proceedings against Dr Roiser unless he retracted his "dumbing down" allegations.

Then, in an audacious move, the Vice-Chancellor announced that he had decided to call in the Quality Assessment Agency to confirm that the university's standards were as they should be.

The QAA has this month published its report on Thames Valley. The university's "structures and procedures for safeguarding quality and standards were inadequate", and "a measure of external supervision" university's "structures and procedures for safeguarding quality and standards were inadequate", and "a measure of external supervision" was required "to ensure that there may be confidence in its exercise of its powers to award degrees". The HEFCE has appointed an "external review team" to prepare a rescue plan: a HEFCE spokesman said

that compliance with the plan would be "a condition of future grants".

The Vice-Chancellor has announced his resignation.

Colwyn Williamson

Cambridge

We rumble along at Cambridge. First the promotions process for this year was off, because the General Board had not got the procedures tidied up in time to silence vociferous criticism of their continuing unfairness. Then it was on again because there was an outcry from the many due to retire next year who are still on Lecturers' salaries of £29,000 a year and would like a title before they go, and the concomitant better pension. Then the General Board tried to force through Senior Lectureships as a consolation prize, with secret Special payments to a few favourites at the Vice-Chancellor's personal discretion. The Senate House Notice Board is crowded with calls for ballots from the indignant and unrewarded academic staff of Cambridge. It may all be off again (or on) by the time you read this.

Gill Evans

Investors in People

Julie Sullivan, who works at Investors In People took very seriously my complaints about Doncaster College. She has asked me to come and meet her and the IIP Chief Verifier in January to discuss changes she says she has put into place and to update them on some of the situations in FE and HE which I had written to her about.

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I would like to take with me letters from people who believe that Investors in People have blessed their workplace when in fact there is injustice and inequality in place there. These could be individual letters or even petitions. Or if people wish to write direct, perhaps they could mention my forthcoming visit in their letters to Julie Sullivan (address below).

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*Dr David Heathcote has also undertaken responsibility for Health & Safety

CONSTITUTION

CAFAS' aims are outlined on the membership form. The full constitution can be obtained from the Secretary.

NOTICES

Obituary

Chris Chapman

**16 July 1942 to 4 November
1998**

We sadly report the untimely death of CAFAS member Chris Chapman. We reproduce below Martin Wainwright's and Sir John Maddox's tributes from *The Guardian*, 11 November 1998.

Report Order Form

Title	Authors	Report No.	Price	Number required
The other Plagiarism Case: Mrs Jones & the University of Wales	Michael Cohen & Colwyn Williamson	2	£1.50	
Prospects of promotion: towards a common code of practice	G R Evans	3	£1.50	
Research assessment: as strange a maze as e'er men trod	John Griffiths	4	£1.50	
Upward appraisal	G R Evans and Kevin Moloney	6	£1.50	
The Davies Report: The 'Great Battle' in Swansea	Sir Michael Davies		£4.00 or £3.00 to members	
Raising concerns and handling the consequences in Further and Higher Education	G R Evans	5	£3.00 or £2.50 to members	
Nolan: what you need to know		7	£1.00	
			Total Cost	

Please send to CAFAS Treasurer - 39 College Street, Grimsby DN34 4TN

Your name..... Mailing address.....

 Post Code..... Phone.....
 Please enclose a cheque made payable to CAFAS Date Received...../...../.....
 If you require a receipt please tick this box Date sent...../...../.....

BAD I.T. EXPERIENCES?

Could members who have suffered bad experiences with Industrial Tribunal Chairs and/or with costs awarded against them please send details to Dr Gillian Evans, Faculty of History, University of Cambridge, West Rd, Cambridge CB3 9EF who is collecting information on these as evidence for an inquiry into Industrial Tribunals.

Agenda for 17 January 1999

1. Minutes
2. Matters arising
3. Officers' reports
4. Case reports
5. AOB

There will be an officers' meeting in Room MB307 at 1 p.m.

Informal lunch and chat from 12 noon in the nearby cafeteria, first floor Students Union building, Malet Street. All welcome.

Update deadline: 12 March 1999

Please send letters on any issue, news items and short articles to:

CAFAS Update

7 Benn Street, London E9 5SU
 e-mail: thorpe@lgu.ac.uk
 Tel/Fax: 0181 986 3004
 Disks will be returned.

Items in *CAFAS Update* do not necessarily reflect the views of the Council.

CAFAS ON THE WEB

<http://www.cafas.org.uk>

CAFAS is now on the web via the commercial server of Bournemouth University. The address is <http://www.cafas.org.uk> The cost is £200 plus. Suggestions on what should go in it include: the constitution, the committee, dates and venue for meetings, extracts from Update (with agreement of members concerned).

XYTV

Beverley Doyle of XYTV has been commissioned to prepare a programme on corruption in higher education. Members wishing to contact her direct could do so on: 113 237 1199.

Sex Discrimination and Victimisation

The case began after the college principal received a minor complaint from a student who stated that my teaching was too feminist. It was seized upon, I believe, because I was a major witness at a colleague's tribunal. My initial lack of undue concern vanished quickly as the Principal, Martin Jenkins and Vice Principal, Jenny Dolphin began a partial and selective investigation over the following three months, (procedurally it should have taken four days and been done by my line manager). I was being investigated for 'a suspected over emphasis of feminist ideology'. At the end of the investigation I was informed that the whole of my teaching and pastoral work was to be monitored for one academic year. The line manager was to carry out the monitoring, despite his having no knowledge or experience of the curriculum area I taught. I was A' Level tutor in media, communication and film studies, the line manager's background being hotel management. I was being monitored for 'feminist bias', against no criteria that I could establish despite strenuous efforts. The monitoring was initially to be carried out by one pre arranged visit, following this it was to be on a drop in basis. I was to be given no feedback at all unless the line manager thought there was "a problem", in such case the feedback was to be written and recorded on my file. All this disregarded the fact that the Vice Principal's method of scavenging around selected former students had produced no evidence to support the original complaint.

My attempt to resolve this internally was farcical. The Principal, (His omnipotence), refused to allow me to bring a grievance against himself. I was forced to take out a watery grievance against the Vice Principal only. It was heard by Jenkins et al. His demeanour throughout was arrogant and intimidatory, he reminded me of a deranged peacock, rutting, strutting, spoiling to fight. His intention seemed mainly to be to provoke me, to 'show me'... because he could. He failed. So did the grievance.

I applied to the IT claiming sex discrimination and victimisation. The IT was held in Liverpool in April 1995 and I was successful.

Not, however, end of story. I was still employed at Halton College. Predictably there was no sign of conciliation and no apology for the strain and humiliation. Indeed the college made statements to the press (national and local) which damaged me further. In these reports I was represented as the aggressor to the Principal's "perplexed" concern to protect students, (from being required to think ??).

The college went to appeal and withdrew one week before the hearing. The remedies hearing, held in April 1997, awarded £51,790. This sum included £5000 aggravated damage award because of the "nature of the victimisation", the lack of conciliatory gesture and the press statements issued by the college. £2500 of this was awarded against the Principal personally because of his authorship of the process, his preventing my being able to access the grievance procedure effectively and his failure to attend the hearing - he could not, therefore, be cross examined about his intentions.

By the time of the remedies hearing I had taken redundancy when the opportunity arose. I believed that my future was untenable and my health had suffered a lot. I had been made almost completely paranoid by events. I was very unhappy in work and felt sure

that I was being watched. I did not, (and do not), believe that the Principal had finished victimising me. I believed that if I made any minor mistake it would be grabbed and used to get rid of me. I was always uneasy in work, always half expecting something and I mistrusted students and colleagues. This was not total paranoia, I had received a memo from the Principal following the initial hearing, in which there was a thinly veiled threat to reintroduce the monitoring and I believed that he was perfectly capable of using people to 'spy' on me. I modified the content of the courses to what I considered to be 'safe'. This was a great disservice to the students whom I believe were academically short changed by the modifications.

The saga finally ended in October. I agreed to an out of court settlement of £30,000. I decided to accept this rather than continue to a full appeal. It was more important to me to excise the remnants of an organisation that has shadowed me for four years and can still residually affect my actions. The £30,000 remains substantial enough to acknowledge the hurt, anger and humiliation that made my final two years at Halton so bleak and my mood since leaving unsteady.

In terms of the aims of CAFAS, I believe that I fell victim to ignorance, bigotry and aggression. It destroyed my career but, as my sanity returns, I find that I am happier and more productive than I ever was during the 'frozen years' since incorporation - a time when I and others sought to defend education in the face of a rampant shift towards a business ethic.

I did receive support from Colwyn Williamson at CAFAS who wrote letters to the college and who put me in touch with Francis Beckett who writes for the Guardian and who became involved in the press coverage of the case.

I received a letter of apology from the college, as part of my settlement. This was the first acknowledgement by the college that they had done anything wrong, that they had issued misleading press statements that substantially increased the humiliation I underwent.

The Principal and Vice Principal are currently suspended pending FEFC investigations into business irregularities. Everything that they did to me has happened to them only moreso.

God is good.

Valerie Goulden

Foe of fraud

CHRIS Chapman, who has died of cancer, aged 56, was a distinguished and inventive biochemist who lost his job after exposing scientific fraud at Leeds University and the city's general infirmary. His dogged refusal to let the matter rest — reluctantly, because his first love was research and its practical use within the National Health Service — led to extra protection for whistleblowers and, eventually, his own reinstatement.

It took a punishing toll, however, and lost the health service part of the prime of an unusually co-operative, unselfish mind. In a field notorious for prima donnas, Chapman shared his discoveries in the cutting-edge field of immunassays (purity checks on proteins) and worked overtime to make them cheaply available to NHS hospitals.

Although a socialist to the marrow, he thus became a pioneer of internal income-generation, showing how — handled responsibly — it could save millions by undercutting external suppliers (drug company reps called him "The man who won't buy anything"). But ironically, the pressure for results which was generated by the Thatcher government's embrace of this principle led to the Leeds whistleblowing affair.

Chapman had already privately exposed £10,000-worth of financial irregularities in a joint Leeds University/general infirmary project, when in 1988 he discovered a more serious fraud. A fellow biochemist, Dr Stuart Evans, had made false claims about manufacturing a pure, potentially cancer-curing protein, in the

process wasting large sums of public funds.

The subsequent handling of the affair by Chapman's superiors, Dr Ian Barnes and Professor John Whicher, became a classic of how not to deal with whistleblowing, as well as revealing a world where the boundaries between science and commerce had become blurred. The affair became a national scandal when Chapman was made redundant the day before his 50th birthday — losing pension rights — in a departmental re-organisation.

HE WAS the only one of 200 staff to lose his job. Among indictments was a scathing editorial in *Nature* which underlined the lethal effects of the scandal on academic standards and Leeds' reputation. The furore and several inquiries, including one by the former Labour home secretary Lord Merlyn-Rees, led to Chapman's reinstatement but much about the affair has never been resolved. Merlyn-Rees, who recommended greater protection for whistleblowers, concluded that he could "not be a substitute for a Court of Law", which is what Chapman always felt had been required.

Chris Chapman was the son of a leather chemist and showed an innate stropiness early when he berated farmers in Glastonbury for beating cattle on the way to market. He got into trouble at primary school and put in a lower stream as a "problem"; he was rescued by an educational psychologist who concluded: "There is no need to worry about Christopher. The world needs more like him."

He won a place in the England cross-country team, then graduated in biochemistry from Sheffield University and began at Leeds in 1968.

Chapman was sustained by a love of nature — a colleague considered him the finest lizard-catcher in the world — and his family who loyally backed him through five years when the Leeds affair — as so often with whistleblowers — became close to an obsession. He fought doggedly for Labour in a safe Liberal ward, helped defeat an opt-out attempt by his children's high school and was often seen wildly cycling. He leaves his wife, Sheila, daughter, Sally, and son, Rob.

Martin Wainwright

Sir John Maddox writes: The first I heard of Chapman was by means of a long letter in which he detailed his suspicions of his Leeds colleagues. *Nature* had been reporting and commenting on a number of cases of academic misconduct so it was natural he should have written to us. Yet the charges he levelled at his colleagues were accompanied by such meticulous detail that it was natural to suspect that he was a man with a grudge. In a couple of telephone conversations, he talked much as a lawyer would have done, quoting facts from a dossier of some kind. Eventually he came to London (at *Nature's* expense) for lunch.

Almost immediately, it was plain that he was an honest man: deception by a member of the academic staff had made a monkey of more than a year's experimental work. It was also clear that he had



Whistleblower of NHS fraud . . . Chris Chapman on a demonstration

JOAN RUSSELL

been hurt by the supposition of established academics that a mere technician could have nothing useful to say on the science on which he danced attendance. We promised to investigate further, but meanwhile the university and the NHS trust from which he had been seconded stupidly chose to make him redundant. We protested in a leading article.

Lord Merlyn-Rees resurrected his reputation, but could not undo the hurt.
Chris Chapman, scientist, born July 16, 1942; died November 4, 1998

CAFAS Council for Academic Freedom and Academic Standards

PATRONS: Professors Geoffrey Alderman (Middlesex), Michelle Barrett (City), David Beetham, Leeds, Jennifer Birkett (Birmingham), Noam Chomsky (MIT, USA), G A Cohen (Oxford), J B Deregowski (Aberdeen), Ray Dils (Reading), Michael Dummett (Oxford), Terry Eagleton (Oxford), Chris Freeman (Sussex), John Griffith (LSE), Reuben Hasson (York, Canada), David Howell (Manchester), Richard Hyman (Warwick), J F Lamb (St Andrews), David McLellan (Kent), T J Reed (Oxford), Hilary Rose (Bradford), Steven Rose (Open), James Sang (Sussex), John Saville (Hull), Phil Scraton (Edge Hill), Stan Smith (Dundee), John Westergaard (Sheffield)

CAFAS welcomes widened access to further and higher education. But expansion without a corresponding increase in funding and the attempt to run education on commercial principles have led to standards being undermined and to staff who protest being victimised. Many are too demoralised, or too pressured by inadequate resources, to challenge the decline; others are fearful of redundancies or intimidated by the threat of victimisation.

CAFAS faces the fact that the British educational system is decaying. The Council will not collaborate with the pretence that this is not happening nor will it compromise on the right to say so. The principle of academic freedom enshrined in the Education Reform Act 1988 - that "academic staff have freedom within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions without placing themselves in jeopardy of losing their jobs" - is increasingly under attack, particularly when staff expose instances of corruption and shoddy standards.

- CAFAS
- * campaigns against the decline in standards
 - * defends individuals against victimisation
 - * gives moral support and legal advice
 - * investigates malpractice and publishes findings
 - * seeks to develop a support network with unions and other organisations

Everyone who shares these objectives should join and persuade their local union branch or association to affiliate. Affiliations from students are welcome. For further information, contact the Secretary: **Dr David Heathcote; Tel: 01202595283; dheathco@bournemouth.ac.uk**
Please photocopy this application for membership and distribute it among your colleagues.

Send to CAFAS Membership Secretary: 263 Golden Grove, Southampton SO14 1QG

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