

# CAFAS Update No 7

28th September 1995

Council for Academic Freedom and Academic Standards

Next Meeting:

Saturday 14th October 2 - 4:30pm

The Library,  
Conway Hall,  
Red Lion Square,  
Holborn,  
London WC1  
Nearest Tube: Holborn

## Nottingham - the horse to beat

At the half-way stage in the race for next year's prestigious Gradgrind Award, presented annually by **CAFAS** to the institution which most exemplified the new values in education, it is already apparent that Nottingham is the horse to beat. The current scandal there is entirely in a tradition which includes, in the last three years alone, the wrongful dismissal of the assistant bursar and the suicide of one of the most distinguished professors, a man widely believed to have been thrown into despair by the university's managerial style.

Manuela Antoniu came to Britain from Canada in response to a University of Nottingham advertisement for a position in the School of Architecture. The post was supposed to enable her to combine some teaching duties with a PhD research programme. She was interviewed for the position, travelling to Nottingham from Montreal at her own expense; and she was appointed. She came to Britain a second time, again at her own expense, to begin her duties at the beginning of October 1994. She discovered shortly thereafter that the academic programme she had been promised did not actually exist in Nottingham. She found herself stranded in a foreign country, considerably out of pocket and unable to continue her academic work.

Vice-Chancellor Colin Campbell apologised verbally for what Nottingham calls the "confusion", and offered to assist Manuela transfer to some other institution. But this assistance came to nothing, and Nottingham has never offered to compensate her for the costs entailed in taking up the supposed position, for the inconvenience and distress involved, or for the damage to her academic career. Moreover, the HEFC, which was partly meeting her tuition fees at Nottingham, decreed that their funding was non-transferable.

Many academics would have succumbed to this kind of treatment, packed their bags and gone home. But Manuela is a courageous woman; survived in Nottingham for the better part of the past year, campaigning - before her case was brought to us - almost single-handedly for some redress; she found on her own initiative an alternative research base in

Britain. We have persuaded the HEFC to transfer their funding to the new institution, and we are currently in the process of firming up an arrangement whereby Nottingham will meet the balance of her tuition fees. The next stage is to discuss with them their obligation to meet the costs of her subsistence during the three-year period of her studies. After that comes the larger question of compensation for the damage to her academic career.

If Nottingham's track record is anything to go by, justice alone may not determine the outcome. In that situation, all **CAFAS** members will be asked to mobilise public opinion on the case. Manuela Antoniu deserves our whole-hearted support.

Colwyn Williamson  
Case Co-ordinator

## Is your University/College in the race?

Colwyn is, unfortunately, very busy with a fair number of such outrageous cases. If you have any current examples, please contact him with your story to see if it is in the running for the award. Or, if you, or a colleague or a friend are having problems and need help with issues that you feel are within our remit, please contact:

Colwyn Williamson,  
Case Co-ordinator,  
University College,  
Swansea SA2 8PP  
01792-295895

## The Siegfried Moran Case

In June 1993 Dr Siegfried Moran, Senior Lecturer in Mathematics at the University of Kent, was issued with a written warning after being accused by his Head of Department of failing to co-operate and refusing to accept authority. Dr Moran appealed to the University's Visitor, the Archbishop of Canterbury, alleging unfairness in the issuing of the warning and in the hearing of an internal appeal against it. The University raised procedural objections to the Visitor's becoming

involved at this stage. In October 1994, with the issue of the Visitor's jurisdiction still unresolved, Dr Moran was again accused of refusing to accept authoritative instructions; he was suspended and the University Council agreed to a request from the Vice-Chancellor that a tribunal be set up to consider his dismissal for 'good cause'.

*CAFAS* wrote to the Vice-Chancellor and to the Archbishop of Canterbury urging the reinstatement of Dr Moran and the postponement of disciplinary proceedings against him until the procedural difficulties surrounding his appeal to the Visitor had been resolved. The proceedings were begun, but immediately adjourned; and Dr Moran has now agreed a settlement with the University.

### The Amir Majid Case

Amir is "highly indebted to the kind support shown by *CAFAS* members through their letters and telephone calls without which his struggle would have been virtually unbearable."

Following the unanimous decision by an Industrial Tribunal that Dr Amir Majid had suffered discrimination by victimisation (*CAFAS Update No 6*); the University has now agreed to pay compensation of £15,000, has granted him a paid 2 year sabbatical in the expectation that he will apply for a Readership position in due course. The University authorities have spent vast sums of public money to defend the discriminatory acts of their senior management.

The Chair of the Society of Black Lawyers, Makbool Javaid, referring to a marked lack of a sincere apology by the University and its dogged refusal to pay full compensation to Dr. Majid, said. "After having been found liable under the Race Relations Act, even blue collar employers have paid full compensation to a victim - sometimes four or five-fold the amount a Tribunal may award - and have restored his/her lost career opportunities". Chairman of the CRE, Herman Ouseley, comments that, "There are serious concerns arising out of this case about the conduct of the University in allowing victimisation to continue for so long. It appears that there was complete failure on the part of the senior management to recognise the discrimination which Dr. Majid was suffering which meant that he had to bring three different cases alleging racial discrimination. I hope that the University will learn from this and that Dr. Majid will be free to progress with his career without further victimisation".

*CAFAS* repeats its demands:

1. that members of the University management involved in victimising Dr. Majid be disciplined for bringing the University into disrepute. It must be remembered that a survey conducted by the National Association of Teachers in Further and Higher Education, through the Electoral Reform Society, gave a vote of no confidence

in his dean of faculty (87%), and the Provost according to another survey, (92%).

2. that students, staff, and the public be informed of the full amount of public money spent on this litigation.

John Fernandes, Chair of *CAFAS*, says, "Dr. Majid's victory will be an encouragement and support to lecturers facing similar situations and a timely reminder to other HE and FE institutions, who may be considering or are in the process of committing such discriminatory acts, to refrain from doing so. Dr. Majid's case further demonstrates that the present law is anomalous, in that it permits institutions to spend limitless monies in defence of the wrongdoers and makes the articulation of genuine grievances by the victim, very difficult. Once found guilty of wrongdoing, the perpetrators are not dealt adequately by the legal process, and they are able to hide behind the corporate institutional shield. We expect that agencies like the CRE to address these disturbing issues of public importance.

For a full transcript of the press release please contact:  
Dr G R Evans.

*CAFAS* Data Collection Secretary  
Faculty of History,  
West Road,  
Cambridge CB3 9EF

### The Iris Brooksbank Case

Mrs Iris Brooksbank, Head of Wellesbourne Adult Education Centre, has, on 7 July 1995, lost her appeal against dismissal from Bucks County Council. A majority of the panel of five held 'gross misconduct' on the grounds that she had brought the BCC into disrepute for being party to the production and distribution of three leaflets concerning removal of concessionary fees for young and old and asking students to write to the local press. The leaflets were produced by the Wellesbourne Centre Committee of elected staff, students and councillors. Mrs Brooksbank took no part in their production and distribution.

A second allegation of "inadequate compliance with instructions" was reduced from 'gross misconduct' to 'misconduct'.

*CAFAS* is urging the Secretary of State to intervene under the powers conferred on her by sections 68 and/or 99 of the Education Act 1944 on the grounds of acting unreasonably in the exercise of their statutory powers within the meaning of the Act.

*CAFAS* has written to Buckinghamshire MPs Cheryl Gillan, Ray Whitney and David Liddington informing them of the above. *CAFAS* members are urged to write expressing their concern to the above MPs. If one of the above happens to be your local MP please write as they are more influenced by constituents. Also please write to:

Gillian Shephard,  
Secretary of State for Education,  
The House of Commons,  
London SW1A 0AA

### **The Chris Woodcock Case**

Chris Woodcock worked for 22+ years at the South Bank Polyversity and has now lost his job officially for not filing student registers. One course; originally a diploma course, now upgraded to a masters course included his subject of financial management. This year the students allegedly accused of incompetence/sexual harassment and implied drunkenness. This caused Chris considerable stress and impossible pressures within his department.

He was then disciplined only to find that his crime was that he had not completed the registers was difficult to comprehend after the serious verbal allegations. Registers was a new requirement and most of the staff had failed to comply. Due to an unforeseen delay in his disciplinary hearing he saw an advert for his job before the hearing.

This is a clear case of victimisation, Chris is currently fighting for some compensation through the Industrial Tribunal, but he is under considerable financial strain as he is ineligible for unemployment benefit because dismissal due to misconduct disqualifies benefit. If you feel that you can help Chris, or are under similar difficulties he can be contacted at:

37 Littlebourne Road,  
Maidstone,  
Kent ME14 5QP  
01622-674453

### **Database**

The database is growing, but it's success is dependent on the material it collects. We have information in the following areas:

Academic Judgement

**Appraisal \***

Closure of courses, forced retraining

Confidentiality

Crossing the personal-professional boundary

Dismissals

**Discipline Procedures \***

Financial Issues

Gagging clauses

**Grievance Procedures \***

Intellectual Property

Legal information

Peer Review

Practical Advice

**Promotion Procedures \***

Racial Discrimination

Research Assessment

Sexual Discrimination

Standards in Public Life  
Suspensions  
School Curriculum and Assessment Authority  
Teaching Assessment  
University Governance  
Visitors

**\* Your institution's regulations/guidelines would be most welcome. We could then make comparisons and encourage 'best practice'.**

Materials can be supplied or lent, subject to requirements of confidentiality in individual cases. Users of the file are asked to cover costs of xeroxing and postage. Further material is always welcome.

All requests and material should be sent to:

Dr G R Evans,  
Faculty of History,  
University of Cambridge  
West Road,  
Cambridge CB3 9EF

### **Redress - Support for Teachers**

Redress is a new support network. Its aim is to support bullied teachers and at the next **CAFAS** meeting there will a vote on the proposal to be associated organisations. It has been found, on speaking to Redress that the bad practices found in further and higher education are also to be found in schools.

Redress is focusing its attention on the problem of bullied teachers, a recent survey of 3,500 teachers by NAS and UWT found 72% had either been seriously bullied themselves or seen other teachers bullied. However they have already found that the full gambit of modern management methods in schools are having adverse effects on the teachers who work in them.

Redress has a yearly subscription rate of £5, and deserves your support.

For more information write to (please enclose a SAE):

Jenni Watson,  
Bramble House,  
Mason Drive,  
Hook,  
Nr. Goole DN14 5NE  
01405-764432

### **The Nolan Committee**

**CAFAS** was invited to submit evidence in connection with their enquiry into Standards in Public Life in the further and higher education sector. A ten page report was sent and further information has been requested including all the back issues of **CAFAS Update**. If you are interested in seeing the text submitted please send a cheque for £1 to:

Sara Brown  
39 College Street,  
Grimsby DN34 4TN

### **New Protection for Whistleblowers**

Employees who blow the whistle on serious fraud and malpractice would be given tough new protection under a bill sponsored by the Labour MP Tony Wright in the House of Commons on 27th June 1995.

Derek Fatchett MP tried to introduce an NHS Whistleblowers bill three years ago. The current bill has been drafted with the help of the Campaign for Freedom of Information and Public Concern at Work. *CAFAS* has been included in the consultation process.

The Financial Times has included a favourable book review and a leader extolling the virtues of whistleblowing and the need to provide protection to Whistleblowing.

For further information contact:

Tony Wright MP 0171-219-5029 or  
Alison Rowat 0171-219-6807

### **AUT Members**

At the National Conference of AUT in May the council passed a resolution encouraging all local associations to affiliate to *CAFAS*. If you have influence at your local branch we urge you to encourage your branch to join.

### **NATFHE Members**

NATFHE would welcome a resolution congratulating *CAFAS* on its outstanding role in defending academic standards and freedom across higher and further education. If you have influence at your local branch we urge you to recommend the branch to submit the resolution to your regional conference.

### **Can you help?**

1. Have you been involved with an Industrial Tribunal?  
Have you been involved with an ACAS ruling?  
Have you succeeded/failed to get AUT/NATFHE legal resources?

Any information on your case may be a help to those who are currently involved in a case.

2. *CAFAS* is becoming aware of a change in some institution's views on the 'ownership of research'. *CAFAS* now has instances of post-graduate students and short-term contract employees signing their copyrights over to their employers. This challenges the academic view that ownership of original work stays with the researcher. Are these one-offs? Have you evidence of this change.

If you want to provide information in confidence please contact:

Dr G R Evans,  
Faculty of History,  
University of Cambridge CB3 9EF

**Letters on these or any other issue, news items and short articles for *CAFAS Update* should be addressed to:**

Sara Brown  
39 College Street,  
Grimsby DN34 4TN  
01472 340018

### **An FE Update**

FE College staff are taking the brunt of the rationalisations and funding cuts in the 16+ education sector. The lecturers workloads are being continually increased, class sizes are increasing, and at the same time contact hours are rising.

Students are also suffering from the higher class sizes, (often over 30), and from the increased use of Resource Based Learning (RBL), this means putting students in front of a screen and giving them the new challenge of working without a lecturer (very similar to the FOFO method). A side-effect of RBL is that students feel progressively isolated and fail to complete their courses, as shown with the GNVQ programme. There appears to be an assumption that this ratchet method can continue, with each year expecting more of the lecturers than the year before. It is evident that there has been a deterioration in quality for the current students, and if lecturers are no longer able to be reflective practitioners, the measures will affect future students.

The measures do produce short-term profits, but there is concern that the long-term effect will be to send the FE market into a terminal decline. If this is the Government's intention, with initiatives that include getting children into the workplace at the age of 14; will future students be able to cross the new void and enter HE or will universities return to its elitist origins?

### **Membership Fees**

It would be helpful if you could renew your membership by Bankers Order. This can be done by completing the Bankers Order form below and sending it to your bank. If you use a telephone banking service you can phone and they will arrange it for you. We rely on volunteers to administer the membership and collection of fees and would appreciate it if you could aid us in reducing the amount of paperwork. It allows us to spend more time helping academics in need, which we see as our primary function. Thank you in advance for your co-operation.

## CAFAS Publications

All available at £1.50

Academic standards under pressure: the case of Swansea - Michael Cohen & Colwyn Williamson

The other plagiarism case: Mrs Jones & the University of Wales - Michael Cohen & Colwyn Williamson

Prospects of promotion: towards a common code of practice - G R Evans

Research assessment: as strange a maze as e'er men trod - John Griffiths

Also available:

Sir Michael Davies: The Davies Report: the 'great battle' in Swansea Thoemmes Press, 1994 Price £4 (£3 to CAFAS members)

from: CAFAS  
The University,  
Swansea SA2 8PP

## Patrons

CAFAS is bringing together a body of eminent academic patrons willing to associate their names with our objectives and to assist in specific cases of victimisation. Those who have so far agreed are Professors Geoffrey Alderman (London), Elizabeth Anscombe (Cambridge), Michèle Barrett (London), David Beetham (Leeds), Jennifer Birkett (Birmingham), Noam Chomsky (MIT), G.A. Cohen (Oxford), J B Deregowski (Aberdeen), Ray Dils (Reading), Michael Dummett (Oxford), Terry Eagleton (Oxford), Chris Freeman (Sussex), Peter Geach (Leeds), John Griffiths (LSE), David Howell (Manchester), Richard Hyman (Warwick), J F Lamb (St Andrews), David McLellan (Kent), T J Reed (Oxford), Steven Rose (Open), Hilary Rose (Bradford), James Sang (Brighton), John Saville (Hull), Phil Scraton (Edge Hill), Stan Smith (Dundee) and John Westergaard (Sheffield).

## Membership Fees & Affiliation

Photocopy this application for membership and distribute it among your colleagues. If you haven't yet joined yourself, could you pay your membership fees. Try to get your local AUT or NATFHE to affiliate to CAFAS. Please complete the form below.

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Please send to CAFAS Membership Secretaries, 7 Benn Street, London E9 5SU

Name.....Address.....

.....Post Code.....Date.....

I/we wish to join/affiliate to CAFAS and enclose a cheque/sent a Bankers Order for £.....00

(£10 p.a. for individual membership, £5 p.a. for students and unwaged, £25 p.a. for trade union affiliation)

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**Bankers Order** please send to your bank.

To (name & address of your bank).....

Your Bank Sort Code.....Your Account Number.....

Signature.....

Please pay CAFAS the sum of .....every year starting on (date).....

*For Bank Information*

Account: CAFAS  
Lloyds Bank plc, Swansea Branch, PO Box 66, Swansea SA1 3AP

Sort Code 30-95-46

Account no: 1868136