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### Next Meeting:

#### Submitting Contributions

Deadline for the next *Update* is **6 Dec 2002**

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Disks & email are best.

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## Comment

TITLES

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## Reports

### Questionable Practices

There are some murky practices in universities and colleges to which attention should be drawn in order to find out how widespread they are, and whether they can be stopped.

The salaries of vice-chancellors and principals over the last decade have risen much more than those of the staffs of universities and colleges. Recently, the Times Higher Education Supplement published them annually, and an editorial questioned the justice of this situation. It created such a furore that an official investigation is currently being made.

The salaries and conditions of service of other members of staff are negotiated between the vice-chancellors and principals, on the one side, and the trade unions, on the other. The pay and resources are decided by the government, when it allocates block grants to each university. However, the individual salaries, accommodation, chauffeurs, pensions and other perquisites of the vice-chancellors and principals are decided by the councils or boards of

governors of the universities or colleges.

The latter bodies are composed partly of statutory appointees, but mainly of prominent business persons and citizens, and senior staff of the universities and colleges. It is difficult to find out how the business people and citizens are chosen to serve. Their names are presented to councils and boards by vice-chancellors and principals, and are usually approved on the nod. They are hardly ever contested. It is a great honour to be appointed. It is very unlikely that a vice-chancellor or principal would propose a candidate he or she did not like, or that a council or board member would be reappointed if he or she lost favour with the vice-chancellor or principal.

Those senior academics on the councils or boards are responsible to, and owe their promotions to, the vice-chancellors or principals, whose pay and conditions of service they decide. Thus, the pay of vice-chancellors and principals is negotiated by them with persons they largely choose or are responsible to themselves. This situation seems rather incestuous, and could appear as corrupt, although, of course, it was not set up with that in mind. Nevertheless, since 1979, the pay increases of staff have been kept down well below inflation by people, whose salaries have not and who themselves have enjoyed much greater rises in salary. One may also ask, "Why should vice-chancellors' and principals' salaries and terms of service not be negotiated by the trade unions?" and "Why should they not have the same percentage increases as all other staff?"

A second practice would warrant explanation. In universities and colleges, as well as in public bodies and companies, lump sums are often paid to settle disputes. They are sometimes paid to members of staff who are sacked. Sometimes, they are considered cheaper than litigation, or are offered to avoid it. Sometimes, they are paid to cover up a misdemeanour, or to obviate its being investigated. Often, they represent compensation for an injustice to a member of staff. Yet, very often, it is difficult to locate these sums of money in the accounts of universities and colleges. Perhaps trade unions and other interested parties should examine the implications of large sums of money, which cannot be seen in audited accounts. Commercial confidence cannot be used to refuse to reveal details of the accounts of public bodies, especially if they are also charities.

This brings one to a further unclear area. Many universities and colleges are charities, yet many run joint companies with members of staff - usually senior - who derive profit from them. Charity law requires that money earned by a charity be reinvested to advance the causes of the charity. That is clearly not the case for academics involved in joint companies with universities and colleges. Another question is whether academics acting as consultants or doing research for private industry, are returning to the public purse as much of the university or college resources as they use for their consultancies and research. Mine may be a minority view among academics, but I wonder how a full-time vice-chancellor or principal, responsible for say 5-20,000 students and earning £100,000 to 150,000 per year from the public purse has time also to be non-executive director of one to eight companies. Does he or she work more than 24 hours a day, and what are the priorities? It is also appropriate to ask whose permission should a vice-chancellor or principal seek to engage in outside activities, and how often does this occur? Is it recorded, and does the university or college and its staff have access to that knowledge? If not, why not?

The role of auditors in universities and colleges - as in large companies - is also somewhat equivocal. They monitor the accounts for the institutes themselves, for the government and for the public, in return for a percentage fee for the accounts themselves. An accountant who probed into an account too zealously, or indeed, qualified it, is extremely unlikely to be asked to continue with this responsibility, as his or her disclosures would bring a bad name to the university or college. An accountant for a university recently became very agitated when I asked about the accounts, and referred me back to the very body about whose practices I was enquiring.

Finally, I would like to suggest some practical actions. Firstly, we should press for national negotiations about the pay and conditions of service of vice-chancellors and principals between the unions and the employers; secondly, we should strongly resist the idea that expenditure of public money can ever be considered commercially confidential; thirdly, we should press for more open mechanisms for the appointments of outside people to the

councils and boards of universities and colleges, as well as for the appointments of senior university or college staff to the latter bodies.

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## Articles

### Essex County Council List 98

Majzoub B Ali reported in Update 35 that Essex County Council has been keeping a secret 'pre-employment check', called List 98, since the 1970s. He learned in February 2002, 18 months after changes in the Data Protection Act, 1998, and following the introduction of the European Convention of Human Rights, that he had been placed on this 'blacklist' in March 1995. Despite his and others' strenuous efforts, his name still remains on the list.

Cafas has written to Essex County Council's Learning Service Directorate, the Leader of the County Council, Lord Hanningfield, Robert Hellen, Head of Cecil Jones High School (from which Majzoub was dismissed) and the Secretary of State for Education & Skills and Mr Ali wrote to Sir Teddy Taylor, the local MP. The responses were evasive and disappointing. Sir Teddy Taylor echoed the Secretary of State in saying that she had no powers to intervene.

The Department for Education & Skills has its own pre-employment check List 99, which is governed by legislation and procedures. All teachers placed on it are informed and are entitled to a right of appeal. The police also have lists for employers to consult. Majzoub was not on List 99 or a police list. The question is why was he on any list at all? The only answer seems to be that List 98 is illegal. If it is not illegal, it contravenes principles of natural justice insofar as it allows vindictive head teachers to ban for life teachers who have stood up to them.

The NUT has been making enquiries regarding List 98. It has established that there are "current" criteria for placement on the list. Under the heading, *List 98 criteria for inclusion*, they are:

- Criminal Convictions related to sexual, violent or drug related offences
- Dismissal following disciplinary action
- Resignation following compromise agreement
- Resignation prior to Disciplinary where dismissal likely (especially child protection issues)
- Provision of false information (e.g. false qualifications)
- Breach of contract
- Exceptional ill health cases
- Concerns re: child protection issues inside or outside of school
- Awaiting decision re: List 99



## Notices

### OBITUARIES

## **PROFESSOR RAY DILS**

Ray Dils, who died suddenly on 24 March, was Professor of Physiology and Biochemistry [at the University of Reading] from 1976 until his retirement in 1997. After an undergraduate education in chemistry in his native Birmingham, Ray stayed on to study for his doctorate in lipid biochemistry under George Huebscher. Thus started his lifelong interest in the synthesis and breakdown of fats in the body and particularly in the mammary gland, which his own research did much to elucidate. Ray held posts first in Birmingham and then in the new medical school at Nottingham. His research in milk fat synthesis led to collaboration with colleagues in the National Institute for Research in Dairying at Shinfield and this made his eventual move to Reading a natural one.

Ray was a man of widespread sympathies and strong principle who became well-known across the university through his involvement in the AUT. He could be splendidly courageous and articulate in defence of fair and decent procedures, and he handled personal cases of employment difficulty with scrupulous care and delicacy of judgment. His concerns were never restricted to fellow academics and he acted in a spirit of true collegiality towards both non-academic staff and students.

Ray Dils' honesty, wisdom and meticulous attention to detail were put at the service of the whole university. At the time of the merger with Bulmershe College, Ray was one of those involved in the negotiations and his even-handedness in dealing with both institutions and his clear concern for teacher education were crucial to their success. Later he was appointed to the small committee charged with nominating a successor to Ewan Page as vice-chancellor. He set about this task with typical verve and a real concern for the right outcome.

Colleagues on the committee have noted his enthusiasm for garnering from the academic grapevine opinions of the candidates, likening him to other great detectives of Belgian ancestry, such as Hercule Poirot! And it was this dogged persistence that led to his greatest triumph for the University - gaining the estate of the late Professor Hugh Sinclair (another biochemist with an interest in fats) for Reading and leading to the establishment of the Hugh Sinclair Unit for Human Nutrition.

Ray Dils was essentially an enthusiast, for lipid biochemistry, for lifelong learning, for comparative religion, but above all for people. He was an inspiring teacher who spent much time on the well-being of his students, particularly those from overseas and those whose potential needed nurturing. In the department he encouraged new and interdisciplinary research, was always supportive of younger colleagues and provided valuable guidance, although he found the responsibility of management a difficult challenge. Ray Dils cared deeply and, seeing his own ambitions as secondary, worked tirelessly to help others achieve their goals.

### **Chris Skidmore**

School of Animal and Microbial Sciences

University of Reading

(Reproduced from the University of Reading Bulletin, 2002)

*Colwyn Williamson writes*

I was very saddened by the news of Ray's death. He was a decent man in a world where there are very few decent men. When I asked him to sponsor Cafas he was very embarrassed by the suggestion, saying that he would be perfectly happy to work for us but wasn't eminent enough to be a patron. I remember putting my foot down.

Pat Brady & Geraldine Thorpe write:

We were very saddened to learn of the death of Ray Dils. Ray was a regular attender at Cafas meetings and was always willing to help Cafas members in trouble.

## **PROFESSOR JAMES H. (JIMMY) SANG, 1912-2002**

Jimmy was born and educated in Aberdeen as a feisty principled Scot and, true to his roots, he never forgot it through his life that saw fascism rise and fall, the emergence of at least the principle of egalitarian Higher Education, and the onslaught of Thatcherism upon virtually every gain in social outlook and responsibility made through the century. An energetic combatant in science and for the fundamental role of academic freedom in a democratic society, he was delighted to be able to lend a hand as sponsor and occasional adviser to CAFAS.

He learned his trade as an academic and humanitarian from the greats among the new breed of scientifically educated intellectual leaders of the 20s and 30s. As first an undergraduate and then a young faculty member at Aberdeen, he worked with Lancelot Hogben and admired the commitment of J. B. S. Haldane to thinking out the impact of science upon real life. Starting out as an ecologist and completing his Ph.D. as an "outsider" at Cambridge, he then moved over into genetics. In this he proved for himself the impact of environmental factors upon organismic development, giving real substance to a dominating concern about the thorny question of nature vs. nurture in human affairs. He knew well, as every good geneticist knows, that individuality emerges from complex interactions of unique genomic complements with unique, and un-definable environmental factors. But while the genome is fixed by heredity, the environment, including the social, political and educational elements of society, may be changed. This, for Jimmy, was the central plank of the welfare state.

Jimmy's professional life also included variety. Following a short stay as a young faculty member in Aberdeen, he moved to Edinburgh where he developed his interests in genetics, including its application in agriculture. During the war he worked as Head of Logistics in the Ministry of Aircraft Production where he came to understand how the civil service influences governmental decision-making. He came to the University of Sussex in 1965 as a founding member of the School of Biological Sciences and was thrilled to be a part of the then new venture in education which aimed to bring an important and needed new outlook to higher education in Britain. His lively concerns will live on for some time among those who knew him.

Janet Collett