

Dear [Director of HR],

Thank you for your email (dated 7 Feb) justifying the changes to the College statutes.

Unfortunately, your reply fails to address any of the concerns we have raised, both about relocation of staff policies, but also in the unilateral and misleading way this change has been implemented, including rushing through this retrogressive reform through before Christmas last year, presumably in the hope that no one would notice.

Responding to your points:

1) You blame the previous College Secretary for the lack of consultation. However, this should be treated as a collective failure of College management and requires College management to take the responsibility to reverse it.

2) Relocating the appendices that include vital protections for academic freedom and staff subject to potentially disciplinary processes does not alter terms and conditions of employment because (in your words) "there have been no changes to any of the substantive provisions, only their location in the governing documents has been changed". This misses the point we raise. Now that the appendices have been relocated, any of these protections can more easily be diluted or removed at a single meeting of the College Council. We do not trust the Council with our limited freedoms - the Appendices belong in the Statutes. Indeed, these changes to the Statutes will also affect the transparency of governance at the College in general and make it possible for a small number of members of Council to drive through change without reference to staff or former governance structures such as Senate.

3) You state that the HERA and more recently the Higher Education (Freedom of Speech) Act 2023 legally "trumps all policies, guidance, regulations, etc." which now means the College does "not actually require any reference to academic freedom or freedom of speech in our own governing documents". This is an alarming statement and not one shared by either OfS or UUK. The Act does not provide a definition of free speech and therefore the statutes should contain explicit reference to the UNESCO recommendations to which the UK signed up. Removing it, as you believe would be justified, would water down the protections; a narrow, legalistic view of College obligations represent a thoroughly degraded view of academic freedom.

4) Your final point sets up a strawman. We agree that the Privy Council would not be involved in any potential disciplinary dispute between a member of staff and their employer. We do not dispute this, and we have never stated we believe this to be the case. Our concern is about the ease with which College could unilaterally alter or remove those protections.

We are afraid your response only amplifies our concerns. Despite your assertions, our objections still stand and remain unresolved.

Yours sincerely,
[Imperial UCU]