

Gazette Supplement



Oration by the demitting Senior Proctor

Marcum Whittow, egregium uirum, qui hanc uenerabilem congregationem saepe iuuit et ornauit, et in hac ipsa sede anno priore orationem iucundissimam habuit, commemoremus. Vir ille, procurator Senior huius Uniuersitatis erat, atque tam diligenter quam hilariter officium suum cum maximo studio gessit, ut felicitatem et facultates omnium in hac nostra re publica hominum augeret.

Let us remember Mark Whittow, a distinguished man, who often served and adorned this venerable Congregation, and in this very seat last year gave a most delightful speech. He was Senior Procurator of this University, and discharged his office with as much energy as good humour, and with the greatest commitment, with the aim that he should increase the happiness and the opportunities of all members of our community.

Bravo Buster!

Insignissima Vice-Cancellaria, licetne anglice loqui?

Thank you. What follows is the Senior Proctors' oration for proctorial year 2017-18. I therefore take full responsibility for all of the bad jokes and any inaccuracies! I also offer my sincerest thanks to the Assessor for his input and support as I prepared this oration; and to the Public Orator for his timely advice.

This is the season finale to one of Oxford's longest-running shows, whose premise is simple. The University in its wisdom decides that the best way to ensure that it follows its own rules, and to defend the interests of ordinary members of Congregation, is to give considerable responsibility for a year to three ordinary academics. Each of us, in that respect, is Dr Who? Whether we have become less ordinary over the year is not for us to judge, but in any case it's too late now, and in the end-of-season cliff-hanger it's time for us to regenerate. The Assessor

will come back as a Scotsman, I as one of my undergraduate tutors, while, topically, the Junior Proctor will regenerate as a woman. Like all popular TV characters, we have our signature costumes. As three middle-aged white men in white bow-ties and bands, the Proctors and Assessor have not been obvious champions of modernity and diversity. Nevertheless, we hope that the last year has been one in which we have been able to make progress in this area: the Junior Proctor has consulted and reported on, with the support of Legal Services and the Equality and Diversity Unit among others, the question of positive action studentships to support UK BAME PG students. Similarly the Proctors and Assessor, shocked by the state and age of the Iffley Road sports facilities, where Sir Roger Bannister ran into history, have pressed over the course of the year for more effective championing of sport at a higher level within the institution and in the Development Office (recognising the significant commitment already supported by a slender resource base and a limited staff). The completion of the Phase I sports hall at Iffley Road will mark a major step forward, but the existing sports hall is at the end of its life, and almost unfit for purpose. The Proctors have been able to work with PRAC to ensure that money has been made available for a Phase II feasibility study, but more needs to be done, not so much for the existing highly competitive blue-riband sports, but for a range of less glamorous but much-enjoyed sports, from table-tennis to judo to basketball, which map more closely onto the interests of our diverse student body, ensuring that the full range of sports facilities are open to students, support and academic staff, for their enjoyment, and physical and mental well-being.

Audiences for proctorial orations have expectations determined by the genre. They expect to hear ironising comment on governance processes, of long meetings in windowless rooms by committees

denoted by unpronounceable acronyms. We take pleasure in using at least some of these tropes, starting with *gratulatio*, the giving of thanks. On arrival we carried up the concrete steps of Wellington Square some lazy and ill-informed prejudices about 'faceless' administrators out of touch with the 'realities' of the institution... It is a great pleasure not only to confess our error, but to bear witness that everywhere we have gone, in every context into which we have been thrown, we have found committed and talented people working hard to improve the lot of the University as a whole. It would be impossible to name them all and invidious to select a few, but we thank and salute each and every one, and wish them well. We must also mention *honoris causa* the dedicated and remarkable team who have supported us: the bedels, still necessary today to get us in our places; Tim Pearson and the Proctors' Officers; the team in the Proctors' Office; and especially Douglas. Douglas has been wise and patient, considered, willing to talk through our doubts and ideas; always stressing that he is not an academic, but always leaving me at least with the strong impression that he has just given me a tutorial; and Douglas' laugh is the defining characteristic of the ambience of the Office, a reminder of the humanity which underlies what Proctors should be about.

The VC has drawn our attention over the last two years to the concept of 'One Oxford' - often misunderstood, not about centralisation, or even efficiency, but about avoiding different parts of the institution consciously pulling in different directions. Questions of oneness or multiplicity, cohesion or fission, subsidiarity or federalism, offer rich perspectives on this institution, which is often lamented as being less than the sum of its parts - and perhaps it must be if it is to retain that decentralised and democratic character which makes it so special (and so frustrating).

We entered office in the asbestos-storm of the Tinbergen crisis. Once over the shock realisation that Tinbergen was not a town north of the Arctic Circle in Norway, but a huge science building on South Parks Road, it was satisfying to observe how, with some grumbling and angst, but with remarkable speed, the various parts of the University, the departments, Estates, Public Affairs, the Academic Registrar's Office, Health and Safety, academics and support staff, were all marshalled by the Registrar to deliver a solution against the clock and under budget. We are often told that the University is out of touch and cares little for its employees; but over Tinbergen the University self-insured to produce a solution predicated on the needs of the departments, putting their integrity and future ahead of temptations to *impose* a cheaper solution. At a cost of £30 million and counting, the University stepped up to provide substitute space and keep the show on the road, with dispossessed academics received as refugees in empty floors and corners of the functional estate and in the colleges. Here was One Oxford, if anywhere, Dunkirk in the willingness to come together, Stalingrad in the scale of the final bill...and the New World in its rebooted form? In the meantime, anyone interested in deeds which were in Herodotos' terms *megala kai thaumasta*, great and remarkable, should recall Chris Price and Keri Dexter, the unsung heroes of Tinbergen.

But this remarkable moment was possible only because 'One' Oxford was less than a full non-zero integer. The University's functional estate is only about 65% occupied in terms of its net usable area - this profligate use of space, for which departments are charged, is remarkable, and only one example of oddities produced by the current 1-2-3 charging system, which supports perverse incentives to retain space (and sees even more perverse decisions to retain space unused despite the cost, in a sort of linoleum imperialism). We commend to the University the work of the Working Party on Shared Teaching space, whose results are already being embedded in new approaches to buildings and space management. As long as we are charged for the spaces we use, and as long as we pursue the irrationality of cross-charging, at least as currently used, we need to optimise the use of space in expensive buildings. We also note that some buildings are particularly ill-suited to the 1-2-3 charging regime, especially old buildings like the ancient libraries and the museums. These are not simply parts of the functional estate, they represent the deep history of our academic

endeavours, encode our long quest for excellence, inspire and refresh us, but also belong to the wider Oxford community, to the nation, to students yet unborn. The Bodleian will be here long after every one of the steel and glass boxes standing today has been taken down and replaced. They do the heavy-lifting of widening engagement in our institution, and there is much to be said for simply top-slicing their costs from the overall budget, and liberating them from the iniquities of the present charging system.

One Oxford is big. We have been struck by the scale, cost, complexity of the physical University. The estate has grown by 25% in the last decade, and 43% of its buildings postdate 2000. This rapid growth needs some comment: no other area of the University has shown such vigorous and unconstrained growth. The University seems to regard building as almost a biological imperative, something akin to respiration or reproduction. The University 'no longer', as we were assured at Council, builds 'vanity' buildings; the care with which projects were vetted by William James has been increased by David Prout as the new PVC for Planning and Resources [I can't resist recalling the excitement of one of my former students who worked in the Treasury when I told him that David Prout was joining us from HS2...until it transpired that he had thought that I had said David Prowse, who played Darth Vader in *Star Wars*...I note that we first meet Vader when he is sent to get the construction of the Death Star, behind schedule and over budget, back under control...Darth Vader, in other words, as the Emperor's PVC for Planning and Resources...].

And yet, though the University has taken the almost unprecedented step of saying 'no' to some recent proposals, on the grounds that there isn't the money in the capital plan to meet all proposals, even this more measured approach has a significant impact on the bottom line. Buildings require maintenance, and the cost of a building over its lifetime is more than the cost of construction; the cumulative addition to the University's liabilities is considerable given the rapid expansion of the estate. Furthermore, the University consistently fails to fund a repair and maintenance budget sufficient for the maintenance of the estate. What ought thus to be a world-class asset suffers from inadequate upkeep and accelerated depreciation, requiring more costly and premature intervention.

The rolling capital plan available to PRAC is £50 million annually. This produces an odd consequence: the University is relatively

flush when it comes to buildings, but runs its support services and academic divisions on the thinnest of margins, and some of them in deficit. These deficits are self-imposed and artificial, and enmeshed in the 1-2-3 charges. Faculties and departments find that there is little money to support academic activities and filling posts is hard; support services are already cut to the bone, and we have come across a repeated narrative in departments where failure to support processes like examinations or the completion of departmental reviews is blamed on a combination of high staff turnover and personnel shortages. It seems paradoxical that the University should be simultaneously able to plead poverty and deploy wealth. Indeed, we pursue further systemic austerity in the form of the EBITDA, the 5% surplus, squeezing everything (except the capital plan) ever more tightly in an attempt to reach the magical figure, but - as yet - never getting there. We feel that the University should give strong consideration to rebalancing current priorities, and whether the envelope for the capital plan needs to be as big as it is. In short, we should spend more on people and less on infrastructure. We should not neglect the physical estate (indeed we should look after it better than we do); but we are in some ways neglecting people, colleagues and employees.

And when we think of putting people above capital projects, we cannot ignore other areas in which we need to think about the needs of individuals, whether colleagues or students, as the crucial drivers for our strategic agendas, whether it be in promoting sport; in addressing the need for affordable housing for staff, postdocs and graduates; the closely related need to address problems of retention as well as recruitment; or the dangers posed by growing adjunctification and casualisation of the academic workforce, for both students and those providing repetitive adjunct labour.

Having made history by taking out a 100-year bond, the University should consider whether it needs to allow all of the sub-optimal effects of the JRAM to persist, namely, keeping some divisions in a structural deficit. It would be possible to use an OUP transfer or part of the bond to create an endowment from which the draw-down could keep Humanities and MPLS with balanced books. 'One Oxford' should be one where there are not first-class and second-class academic citizens. The same obtains with regard to graduate scholarships: almost all PG students in the Medical Sciences, and many in MPLS are fully funded, and many

of these are placed in cutting-edge doctoral training centres (which the University ought to foster more than it does). In Social Sciences and Humanities the situation is different: a lack of scholarships means that many excellent offer-holders are not taking up places here because they have better remunerated packages in (smaller) graduate schools in North America. The University cannot hope to remain a global competitor if it continues to tie one of its hands behind its back. Equally, the laudable aspirations of MSD and MPLS to admit more PGR students raise medium-term questions about graduate funding that the University needs to plan for now as part of more focused efforts to offer funding packages for the best students.

These aspirations of the science divisions have not found a straight-forward and easy means of traction on the colleges; this is not for want of goodwill, although it seems easy for the discussion to end up being framed in this way. Even last week I heard in the same meeting that there were colleges wishing to increase PGR numbers in the sciences in ways which looked likely to align with divisional plans, and that colleges had been obstructive with regard to size and shape! Mixed messages in this devolved institution will surprise no one; but it seems clear that there is more work to be done, and urgently, to enable the use of the right venues for meaningful strategic engagement, and to draw rationally on the outcomes of such conversations as are already starting to happen. If answers cannot be found, there will be growing pressures to admit science graduates, and not only science graduates, via a framework which simply cuts out the colleges. This would be a shame, taking us, literally, back to the uncontrolled profusion of provision of the middle ages, and ignoring the colleges' role as the single most potent provider of interdisciplinary contact which the institution possesses.

Interdisciplinarity within and across the academic divisions is the engine which powers not just research but innovation. Innovation is often expressed via spin-out companies, which have important financial implications for those involved. Yet such entities require management, and this inevitably entails conflicts of interest. We find conflicts of interest to be a major threat to any idea of 'One Oxford', and the commercialisation of research represents only one notable manifestation of a significant area of concern. There is the potential for unresolved tensions between the management of academic units and related spin-outs in the same department and run by the same people (spin-outs

often sit, physically or managerially or both, within a department). At one end of the spectrum there is a risk that departments could be hollowed out, no longer being real academic enterprises, but shells for the development and management of commercialised assets, with inevitable negative impact for the students admitted. Conflict of interest is insufficiently addressed as a risk across the institution, and this needs to be done both systemically and by example from those in senior positions.

Oxford has always prided itself on being strong in, and despite, its diversity; but diversity needs to operate within limits, otherwise it becomes dissolution. The sense of a University identity is variable across the institution, and we need to be strong in not allowing units to 'badge' themselves as University departments while in fact seeking to operate as 'black boxes' which pursue educational and academic paths which do not always map clearly onto the existing frameworks for academic governance and audit, but seek exceptionalism and special treatment. The more such tendencies are pursued, the more fissile and fragile the University becomes, and the harder it is to defend academic standards.

The defence of academic integrity, above all in examinations, is the Proctors' stock-in-trade, along with complaints and academic discipline. We do not make the regulations here, nor the policies, but we do monitor compliance, and make sure that they are applied consistently and fairly. We have opposed exceptionalism: many requests for special treatment seem to us to be not only to lack a compelling basis, but to undermine academic integrity more generally; the rigour of those processes is crucial to our national and global standing. Nevertheless, we hope that we have facilitated further discussion in areas where one size does not fit all, and where a more granular approach may enhance standards. We have reported to General Purposes Committee and Education Committee extensively on these issues, and those reports will be available to colleagues. We stress two points. One is the steady increase both in appeals against academic outcomes (or against academic conduct) and in reports of plagiarism and collusion, which are concentrated in particular parts of the University. More important is the very large increase in requests for alternative examination arrangements, and especially for extensions for the submission of work or exemption from parts of the assessment (excusals). This work has been handled by the Assessor, and

he has been alarmed by the very large and increasing citation of mental illness by those seeking extension or excusal. This is by no means exceptional in the sector, but it is real, and needs a joined-up and nimble response.

Another trope of demitting orations, notably those of our predecessors and their predecessors, has been a call to arms, to encourage members of Congregation to cease criticising faceless administrators and sinister centralisers in Wellington Square, and instead to put themselves forward to play an active role in the government of what is their University. Just over a week ago 442 members of the University stood up and took a very active role in the government of the University, to the point of convoking a 'meeting' of Congregation outside this building. This was a remarkable spectacle, and was like the Secession of the Plebs in Livy, but this time run by women (who said Oxford opposes progress?). It also raised the prospect of two Oxfords.

During their year in office, the Proctors and Assessor become very familiar with some of the University's rules, above all with the examination regulations. The last week of our year, however, was dominated by the regulations that Congregation has given itself for its own proceedings. Congregation is a peculiar body. For a start, very few universities have a comparable institution that is part of the rule-making process in the university, and that counts all academics as its members. It would be misleading to describe it as the University's Parliament. Its members are not elected to represent their constituents; every member speaks only for themselves. Congregation is more akin to forms of direct democracy as found once in ancient Greek *poleis*, and today in some Swiss towns and cantons.

Every holder of a permanent academic post, and a number of others, are members of Congregation. They are members as of right. Membership does not come with obligations. Submitting a resolution to Congregation is not burdensome: any 20 members can do so, and the applicable notice periods can even be set aside in individual, urgent cases. Votes can be taken without quorum, and a resolution, once adopted at a meeting, can be set aside only by a majority in a postal vote.

All this means that membership of Congregation imposes responsibilities. These are not obligations as they are not enforceable: transgressions attract no sanctions beyond the very narrow confines of University disciplinary regulations.

The first responsibility that comes with membership of Congregation is to abide by the rules. Only in this way can decisions authentically reflect the will of the collective University. If this common ground is abandoned, the most powerful, the most ruthless, the best organised or simply the noisiest can impose their will on the rest, or prevent the rest from forming or implementing their own will. Legality, in the University as in all other contexts, protects the weak: the strong can always fall back on their strength anyway.

The second responsibility pertaining to membership of Congregation is to respect those who abide by the rules. Any member of Congregation is free to exercise their vote and other rights as they see fit. Their motives are not for other members to judge, only their arguments. Disagreements must be settled exclusively in Congregation and by the means of Congregation: that is, by debate.

The third obligation flowing from membership of Congregation is to inform and to be informed. All procedure is subservient. It is meant to enable Congregation to make better decisions in substance. Congregation is a Community of (mostly) academics. We form our professional judgements on the basis of evidence and logical deduction. Whatever our subject, reason is our guide and our yardstick. This must be true of our interactions in Congregation, too. Council, as much as any 20 members submitting a resolution to Congregation, must comprehensively set out their reasons in order to allow an informed debate.

We want to end on an upbeat note, by stressing the good things that make Oxford unique. Outstanding among these are the tutorial system and the historic built environment. These need to be protected and nurtured, to be at the heart of our financial and governance processes. Debates about size and shape should be seen as positive and empowering, as ways of improving the student experience, and safeguarding the academic standards which make us better than anywhere else in the world. With the materials at our disposal we can sustain and develop a University that values everyone. Perhaps we can leave you with a new concept to ponder: EVERYONE OXFORD?

Proctorial Year 2017-18

Summary of Complaints

The University introduced, in Michaelmas term 2016, separate complaints and appeals procedures, each with three clearly delineated stages: informal (faculty, department or service), formal (proctorial) and review (independent of the prior stages, leading either to completion of procedures or to a second and final proctorial consideration). We report here the cases that we have investigated at stage two of the new procedures during our proctorial year.

As 2017-18 has been the first whole proctorial year to run concurrently with new, separate procedures, the figures below are disaggregated into appeals (against a decision of examiners - in either taught-degree or research-degree examinations) and complaints (about service delivery, including teaching and supervision as well as administrative and non-academic services).

The previous proctorial year's figures have, where directly comparable, been included (in brackets).

During 2017-18, the Proctors investigated 76 (113) complaints and academic appeals, including 15 legacy cases from 2016-17. Of these 76 cases, 21, or 28%, were upheld in whole or in part; 4 academic appeals are outstanding.

The great majority of cases were academic appeals against decisions of the examiners (both taught-degree and research examinations) - 62, or 81%.

Taught-course appeals: 54 (83); 18 of these cases were upheld in full or in part

Research student appeals: 8; 4 of these cases were upheld in full or in part

Taught-course complaints: teaching and supervision: 4 (9); discrimination: 1 (1); maladministration: 2 (0); 2 of these cases were upheld in full or in part

Research student complaints: teaching and supervision: 4; maladministration: 2 (0); 2 of these cases were upheld in full or in part

Summary of Disciplinary Cases

BREACH OF STATUTE XI CODE OF DISCIPLINE

Engaging in violent or threatening behaviour: 1 (0)

Breach of library regulations: 1 (0)

Falsifying University certificate: 1 (0)

Non-sexual harassment: 3 (6)

Sexual harassment: 3 (4)

BREACHES OF THE PROCTORS' DISCIPLINARY REGULATIONS FOR UNIVERSITY EXAMINATIONS

Academic misconduct (plagiarism): 53 (36); of these cases, 8 were referred back to the examiners, 16 to the Academic Conduct Panel and 0 to the Student Disciplinary Panel; the others are ongoing

Academic misconduct (other than plagiarism): 4 (8); no disciplinary action was taken in any of these cases