

Gazette Supplement



Resolutions concerning the suspension of statutory procedures and the level of risk proposed by the USS trustee

Congregation

6 March

The following is the text of the meeting of Congregation at 2pm on 6 March on a resolution to suspend statutory procedures and a resolution concerning the level of risk proposed by the USS trustee. For further information see *Gazette* No 5197, 1 March 2018, pp329–32.

Pro-Vice-Chancellor: Good afternoon, ladies and gentlemen. Welcome to this meeting of Congregation. As I entered through the Clarendon Arch, some colleagues handed me a piece of paper, which notes that we should support Oxford's democratic governance. That is exactly the purpose of this afternoon's meeting. The issues raised by Resolution (5) will be considered today. The format will depend on the outcome of Resolution (4). But before we get to the main business of the meeting around those resolutions, there are three items of business, which were placed on Congregation's agenda for this meeting in the *Gazette* of 15 February.

This business before Congregation is, first, the declaration of approval of a resolution concerning the allocation of space in the Fleming boathouse, and the declaration of approval of changes and suspension to Congregation Regulations concerning Religious Services and Sermons. There will then be two further resolutions, the first to suspend statutory procedures, and the second concerning the level of risk proposed by the USS trustee. The resolution concerning the allocation of space in the Fleming boathouse, and the changes and suspension to Congregation Regulations concerning Religious Services and Sermons, were placed on the agenda for this meeting in the *Gazette* of 15 February. Since no notice

of opposition or request for adjournment has been received, I declare these carried.

There are two further resolutions before Congregation: Resolution (4), to suspend statutory procedures, is procedural; Resolution (5), concerning the level of risk proposed by the USS trustee, is substantive. At this meeting, we will deal first with the procedural resolution, and, if the procedural resolution is carried, we will deal with the substantive resolution. If the procedural resolution is not carried, the substantive resolution will be considered by Congregation at a future meeting. Council fully accepts that the matter of the level of risk proposed by the USS trustee is a valid matter for debate, and one on which many in Congregation hold strong views. The question of the outcome of the procedural resolution, then, is not whether the substantive resolution will be debated, but when it will be so.

The procedure for today's meetings will be as follows: I shall ask the Registrar to read the resolution concerning the suspension of statutory procedures. Under the provisions of regulation 3.6 (2) of Congregation Regulations 2 of 2002, 20 or more members may signify their objection by rising in their places after the reading. The Proctors will count any members who have stood in objection, and will report the number to me. If 20 or more members do so stand, Resolution (4), on the suspension of statutory procedures, shall not be moved, and Resolution (5), concerning the level of risk proposed by the USS trustee, shall proceed to a future scheduled meeting of Congregation.

As the next meeting (20 March) falls outside Full Term, under the provisions of regulation 1.5 (3) of Congregation

Regulations 2 of 2002, Council's notice of opposition to the resolution concerning the level of risk proposed by the USS trustee (published in the *Gazette* of 1 March) will be treated as a request for adjournment, which the Vice-Chancellor will refer to the Proctors under the provisions of regulation 1.9 (1). Under these circumstances, the Proctors have indicated that they would be minded to follow the usual procedure of adjourning proceedings until the next meeting of Congregation that falls within the Full Term, which would be the meeting of 24 April 2018. This would follow Congregation's usual practice of taking substantive matters only during the Full Term.

If Congregation decides today not to suspend the regulations, and the meeting ends, those present in the Sheldonian are invited to use the opportunity for a free and open discussion of the issues raised by Resolution (5), chaired by myself, along the lines of the open fora that have been held on other issues around the University. If this open discussion takes place, it would act as a substitute for the debate in Congregation that would otherwise have taken place at this meeting. However, there will not be a vote and no decisions will be taken today. The discussion will not be transcribed in the *Gazette*, but notes will be taken of the matters that are raised, which will be of assistance to Council at its meeting on 12 March. The forum would end also by 4pm, the same time as speeches would have ended in a meeting of Congregation. There will be other opportunities for discussion at open meetings to be held from 22 March and at the scheduled meetings of Congregation, to which Resolution (5) would return.

If 20 or more members do not signify their objection by rising in their places after

the reading of the resolution to suspend statutory procedures, I shall then ask Dr Nabulsi to move the resolution and Dr Tunstall to second it, and may invite further speeches for or against. Unless a vote is called by six members of Congregation, I shall declare the resolution to be carried and the meeting will progress to speeches in support of or in opposition to the resolution concerning the level of risk proposed by the USS trustee. A vote by paper ballot will then be taken on that resolution.

Members of Congregation should have received two voting papers as they entered the theatre. Any members who have not, will have an opportunity to collect them at the exits. When a vote by paper ballot is called, members will be invited to tear off and place the relevant voting paper in a ballot box at one of the voting stations at the exits to the theatre. A member may not leave a completed voting paper with another member; only a member's own personal voting paper will be accepted for each vote. Any member that cannot stay until I call a vote will not be able to participate in that vote. The Proctors will be responsible for counting the votes, and the result will be announced as soon as possible after the vote has taken place.

The stenographer who is helping us to transcribe today's proceedings is entitled to a break during the meeting. Therefore, if the meeting is still in progress at approximately 3.30pm, I shall call for a ten-minute break. Speakers, when you are called, please could you come forward and speak into the microphone, first giving your name and college or department. The anti-loquitor device will indicate your final minute with an amber light, and then turn red at the end of that minute. You are asked, please, to confine your remarks to themes relevant to the discussion. I shall now ask the Registrar to read Resolution (4) to suspend statutory procedures.

Resolution (4): to suspend statutory procedures

Registrar: Colleagues, the text of Resolution (4) is as follows:

Resolution regarding the motion to discuss the University's stated position on the level of risk (the level of reliance being placed on the employer covenant) proposed by the USS trustee.

This resolution requests the suspension of statutory procedures 3.11, that 'Notice of a resolution proposed by twenty or more members, signed by all the members concerned, shall be delivered to the Registrar not later than noon on the twenty-second day before any stated meeting of Congregation at which they propose to move it.' And of regulation 3.12, that 'Subject to the provisions of regulation 3.3 above and of regulation 3.13 below, notice of a resolution shall be published in the *University Gazette* not later than nineteen days before the meeting of Congregation at which it is to be moved.'

The alternative procedure to be followed is:

(A) That the Vice-Chancellor waive the twenty-two day notice, before stated meeting of Congregation of 8th week, to accept notice of proposed resolution on receipt of the signatures at 5pm, Friday 16th February (eighteen days before the stated meeting of Congregation meeting); and allowing the resolution on the USS pension risk be moved at 8th week Congregation, that is 6th March 2018. That the Vice-Chancellor waive the nineteen-day notice of publication of the resolution in the *Gazette*.

(B) If the suspension of relevant regulation above needs the formal approval of Congregation, then the request for the suspension and the motion be published in the *Gazette* of 7th week HT, 2018, and both moved at the stated meeting of Congregation of 8th week, on March 6th.

The reasons for this request for suspension is to allow the discussion of the position of Oxford University on the USS pension changes, which is a matter of great urgency and concern to members of Congregation. The reasons for demanding this suspension are:

1) it was only after the deadline that we learned through the media of the University's role in the USS pension changes, so that it was not physically possible to ask for this discussion within the normal time limits; we did not have this information 22 days ago; 2) there was a lack of consultation, democratic deliberation and due diligence, especially given a matter of such momentous significance for all members of the University; 3) we wish to change the University's position; 4) we want to know how this happened, so discussion is needed in order to obtain more information; 5) we note the high cost of industrial action on students, faculty and staff, and the particular role it is said Oxford has played in dismantling the existing national pension arrangements, through not accepting the risk asked of it by the pension USS; 6) given the matter is of such urgency, it is clear that we should be allowed to discuss this in Full Term, when more people are likely to be able to attend.

Procedure under regulation 3.6 (2) of Congregation Regulations 2 of 2002

Pro-Vice-Chancellor: Do any members of Congregation wish to signify their objection to Resolution (4) by now rising in their places? Could I ask you, please, if you are standing in objection to Resolution (4)? Since it's a little difficult to tell up in the gallery, could you also raise your hand?

Count following procedure under regulation 3.6 (2) of Congregation Regulations 2 of 2002

The Proctors have completed their counting. As 20 or more members have signified their objection to the resolution to suspend statutory procedures, the resolution will not be moved. The resolution concerning the level of risk proposed by the USS trustee shall proceed to a future scheduled meeting of Congregation. Members of Congregation are reminded that Council will consider the matter at its meeting on 12 March, and that there will be a number of open meetings across the University to explain the pension changes and to listen to members' views on the subject. The first of these is scheduled on 22 March.

That concludes this afternoon's meeting.

