



## DEPARTMENT OF EDUCATION AND SCIENCE

ELIZABETH HOUSE, YORK ROAD, LONDON SE1 7PH

TELEPHONE 01-928 9222

FROM THE SECRETARY OF STATE

nbpm

DUB

12/4

The Rt Hon James Prior MP  
 Secretary of State for Northern Ireland  
 Northern Ireland Office  
 Whitehall  
 London SW1

12 April 1984

*Dear Jim,*

## TENURE IN THE UNIVERSITIES

*reg mtd reg'd*

Thank you for your letter of 5 April. I am glad to have your agreement - as the other member of the Cabinet with university responsibilities - to the course I propose in respect of tenure.

In your letter you raise the question of the line to be taken, in the period before legislation, on proposals for new or amended charters and statutes. I fully understand your wish to bring about, within the announced timetable, the planned merger of the New University of Ulster and the Ulster Polytechnic. I would not wish to do anything to put this at risk and am myself in a similar position in relation to the proposed merger of the Bedford and Royal Holloway Colleges of London University. I am therefore content for you to take the line you propose in relation to the charter and statutes of the new University, and for officials to agree the terms of a response to the Privy Council Office accordingly. I propose not to make any announcement of a change of line - at least until our proposed action on tenure is settled and public - but to allow particular decisions to emerge individually and to say that each case is considered in the light of its own circumstances - which is indeed the case as mergers, in particular, raise distinct problems of their own. I should therefore be grateful if officials of this Department could be consulted about the terms of any statement you may have to make that bears on this matter.



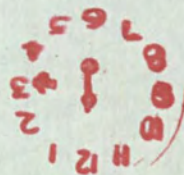
APR 1984

Education: Exp Pt 4

I am copying this letter to the Prime Minister, the members of H Committee, the Attorney General and the Lord Advocate, the First Parliamentary Counsel and Sir Robert Armstrong.

Yours ever,

Keir.



2 APR 1984



ccwp  
Northern Ireland Office  
Stormont Castle  
Belfast BT4 3ST

The Rt Hon Sir Keith Joseph MP  
Secretary of State for  
Education and Science  
Elizabeth House  
York Road  
LONDON SE1 7PH

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DWB  
10/6

8 May 1984

TENURE IN THE UNIVERSITIES

Thank you for your very helpful reply of 12 April, which will now allow me to respond to the Privy Council on the Charter of the University of Ulster.

My officials will be glad to liaise with yours on the precise wording of this reply, and to agree the terms of a letter which can be regarded as a joint response to the Privy Council's letter of 17 February. This agreed response should therefore clear the way for the University of Ulster's Charter to be granted in time for the merger of The New University of Ulster and the Ulster Polytechnic to be effected by 1 October 1984.


I am entirely content that no public announcement which suggests that there has been any change in policy should be made; nonetheless, it seems reasonably certain that news of this particular decision will emerge sooner rather than later. When it does, and some comment is required from us, I will ensure that my officials consult yours and agree with them the text of any proposed statement.

I am copying this letter to the Prime Minister, the members of H Committee, the Attorney General and the Lord Advocate, the First Parliamentary Counsel and Sir Robert Armstrong.

Education Pt 4

Expenditure

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PRIVY COUNCIL OFFICE  
WHITEHALL, LONDON SW1A 2AT

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9 May 1984

Dear Keith

TENURE IN THE UNIVERSITIES

Thank you for your letter of 4 May explaining the background to your agreement with Jim Prior that the new University of Ulster should not be invited to further amend the provisions of its Charter relating to security of tenure for academic staff.

I appreciate your argument that, whilst the objective remains to prevail upon universities to change their Charters voluntarily, it would be difficult to single out particular universities in advance of a general agreement with Vice-Chancellors. In these circumstances I am content that your advice to Jim Prior should stand.

I am sending copies of this letter to the Prime Minister, the members of H Committee, the Attorney General, the Lord Advocate, First Parliamentary Counsel and to Sir Robert Armstrong.

The Rt Hon Sir Keith Joseph Bt MP

Education: Expenditure Pt 4



9 MAY 1984



## DEPARTMENT OF EDUCATION AND SCIENCE

ELIZABETH HOUSE, YORK ROAD, LONDON SE1 7PH

TELEPHONE 01-928 9222

FROM THE SECRETARY OF STATE

4 May 1984

*Dear Willie,*

TENURE IN THE UNIVERSITIES

Thank you for your letter of 17 April about my exchange of letters with Jim Prior on the line to be taken on proposals for new or amended charters and statutes for universities while we await the outcome of the discussions with Vice-Chancellors proposed in my minute to the Prime Minister of 12 March.

I fully recognise that I should not assume that there will be early legislation on tenure, if legislation should prove to be necessary. But our agreed aim is to achieve a change in the terms of all new academic contracts either by legislation or by "voluntary" action under threat of legislation. The same considerations apply to how we should deal with proposals for new or amended charters and statutes that have to be processed in the meantime, however that global change is eventually to be achieved.

Until my recent minute to the Prime Minister and the policy agreement that has flowed from it I have operated the makeshift policy of advising the Privy Council not to accept proposals that did not include some recognition of the possibility of academic redundancy. But I have not sought to impose on individual universities the kind of changes in statutes that would be necessary to achieve the policy we have now adopted, and it would have remained open to any university that had accepted the modified form of words I had proposed to continue to grant tenure in the terms of individual contracts. The line I have been taking until now was therefore manifestly unsatisfactory both in terms

/of its effect

The Rt Hon Viscount Whitelaw PC CH MC  
 Lord President of the Council  
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 68 Whitehall  
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of its effect on individual statutes and because it applied only randomly to a very small number of institutions. In fact, the effect to date has been simply to dissuade institutions from seeking to amend their statutes, so that the statutes for the proposed University of Ulster would have been the first serious attempt to impose this makeshift policy if we had proceeded with it. Universities in Ulster are, of course, Jim's responsibility and not mine, but I share his view that it would be wrong to try to push the new university to be formed from the merger of the Ulster Polytechnic and the New University of Ulster further than any other university had yet gone in incorporating provisions for redundancy in its statutes, especially as still further changes in statutes would be required once our new policy was implemented - whether as a result of legislation or of the threat of it. Neither of us would want to do anything that would put the merger at risk (and the same is true in my case for the merger of the Bedford and Royal Holloway Colleges).

The advice I have given to the Privy Council to date was essentially unsatisfactory, and of an interim nature. I am sure it cannot be maintained once the Government's determination to secure global and more wide-ranging changes is known, but I hope this letter will reassure you that my abandonment of it does not depend on any assumption on my part that there will be early legislation.

I am copying this letter to the recipients of yours.

Concise.

Kevin.





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PRIVY COUNCIL OFFICE  
WHITEHALL, LONDON SW1A 2AT

17 April 1984

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DWS  
24/4

Dear Keith

TENURE IN THE UNIVERSITIES

Further to our H Committee correspondence about your forthcoming discussions with Vice-Chancellors about tenure in the universities, I see from your letter of 12 April that you have advised Jim Prior that, given your intention to legislate, it is no longer necessary to reject petitions for new University Charters or Statutes which contain unsatisfactory provisions regarding teaching staff's security of tenure.

This illustrates the problem which I had in mind when, in my original letter of 28 March, I sounded a warning note about the difficulty of legislating next Session and indeed the undesirability of assuming that we could do so even in 1985/86. I entirely share your view that the Government must say, and mean, in its discussions with Vice-Chancellors that it is willing in principle to legislate; but I do not think that we should allow 'planning blight' to affect the action we or universities themselves would otherwise have been taking in respect of individual Charters. The position still remains that the Government wants tenure to be changed by means of voluntary action and will resort to legislation only if that is unsuccessful. I do not think that we should act, or refrain from action, now on the assumption that voluntary action will be unsuccessful.

I am sending copies of this letter to the Prime Minister, members of H Committee, the Attorney General, the Lord Advocate, First Parliamentary Counsel and to Sir Robert Armstrong.

Jason  
L. M.

The Rt Hon Sir Keith Joseph Bt MP

EDUCATION  
Expenditure  
Pt. 4

← \*APR 1964



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PRIVY COUNCIL OFFICE  
WHITEHALL, LONDON SW1A 2AT

9 April 1984

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JMS  
15/4

Dear Keith

TENURE IN THE UNIVERSITIES

Thank you for your further letter of 4 April about the line to be taken in your forthcoming discussions with the Vice-Chancellors.

When you wrote before, I was slightly concerned that you talked about "whether we should legislate quickly" as one of our options; and from my experience as a business manager I thought that it might be necessary to sound an early warning note about the practicality and timing of any legislation which is mooted in correspondence between colleagues.

I am, however, happy that you should conduct the discussions in the way proposed in your letter of 4 April; and that any need for legislation and its timing should be considered as necessary after you have held those discussions. The formula in my letter was intended to do no more than define the limits of the position you might adopt in your discussions: I am content that you should say that the Government is in principle prepared to legislate.

I am sending copies of this letter to the Prime Minister, other members of H Committee, the Attorney General, the Lord Advocate, First Parliamentary Counsel and to Sir Robert Armstrong.

Yours sincerely  
JMS

The Rt Hon Sir Keith Joseph Bt MP

Education R4

Expenditure

APR 1984

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DEPARTMENT OF EDUCATION AND SCIENCE  
 ELIZABETH HOUSE, YORK ROAD, LONDON SE1 7PH  
 TELEPHONE 01-928 9222  
 FROM THE SECRETARY OF STATE

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 4/4

4 April 1984

*Dear Willie.*

TENURE IN THE UNIVERSITIES

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Thank you for your letter of 28 March. I am grateful for your agreement to action on the lines proposed in my minute to the Prime Minister of 12 March. On timing, that minute was not intended as a bid for legislation in the 1984-85 session, and I realise that I cannot pre-empt now a place in the programme for 1985-86. But in discussion with the Vice-Chancellors I have to be able to say that the Government is in principle prepared to legislate if I am to be able to take the matter any further. I need say and indeed intend to say nothing about the timing of legislation, but I cannot be tied at the beginning of my discussions to the formula at the top of page 2 of your letter. As I say in the third paragraph of my minute it may be that there is no hope of the universities complying with the Government's wishes without legislation and that a declared period of grace for compliance (as opposed to a simple wait for a slot in the programme) would be counter-productive. This is a matter on which I shall offer you and colleagues a judgement after I have talked to the CVCP.

I am copying this letter to the Prime Minister, the members of H Committee, the Attorney General and the Lord Advocate, the First Parliamentary Counsel and Sir Robert Armstrong.

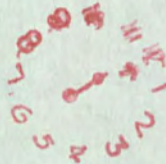
*Yours ever,*

*Kewin.*

The Rt Hon Viscount Whitelaw PC CH MC  
 Lord President of the Council  
 Privy Council Office  
 Whitehall  
 London SW1A 2AT

Education Pt 4

Exp. Policy



APR 4 1964



CC LNO

PRIVY COUNCIL OFFICE  
WHITEHALL, LONDON SW1A 2AT

28 March 1984

Nbpm  
DMS  
29/3

Dear Keith

**TENURE IN THE UNIVERSITIES**

Thank you for copying to H Committee colleagues your minute of 12 March to the Prime Minister.

You will have seen the comments from the Prime Minister's Private Secretary, George Younger, Peter Rees and Arthur Cockfield. There is general agreement that action should be taken to modify new contracts of employment in the way you propose, but that it would not be practicable to require amendment of existing contracts. You may take it that you have H Committee's agreement to that general proposition.

However, in our capacity as business managers, both John Biffen and I are concerned about the suggestion that one way forward is for the Government to announce its intention to legislate. We entirely take the point that further persuasion may be ineffective, but that does not mean we can give legislation on this subject priority over other matters.

Cabinet has recently agreed the content of the legislative programme for 1984/85, and no bid was made by you for legislation on this subject. If we were to contemplate legislation within that timescale now, I think we would need to remove an equivalent main programme Bill. I doubt that this is practical at this stage and therefore do not think we should commit ourselves to legislation before 1985/86; and even in respect of that year, we should only talk about the possibility or the prospect of legislation. As regards the Government posture during the forthcoming

The Rt Hon Sir Keith Joseph Bt MP

discussions, therefore, I do not think that it is practicable or desirable to go beyond statements to the effect that the Government will seriously consider legislation (timescale unspecified) if the universities do not put their house in order by a particular date. You will then be able to put forward a bid for 1985/86 legislation when QL Committee trawls for bids later this year. On the question of the form of any legislation which was introduced, I would favour the Statutory Commissioners' approach, not least because it offers the prospect of quicker Parliamentary progress.

I am copying this letter to the Prime Minister, members of H Committee, First Parliamentary Counsel and to Sir Robert Armstrong.

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