



03 July 2008

Controversy continues as HEA director leaves post

29 May 2008

By [Rebecca Attwood](#), [John Gill](#)

Lee Harvey quits after suspension amid revelations of prior clash with chief executive. John Gill reports

Lee Harvey was on his way to a conference in Amsterdam when he got the call informing him that he had been suspended from his post as director of research and evaluation at the Higher Education Academy.

The date was 6 March, the day that a letter he had written describing the National Student Survey as a "hopelessly inadequate improvement tool" was published in *Times Higher Education*.

Although Professor Harvey signed the letter in a personal capacity, the HEA told him that he may have contravened a clause in his contract barring him from writing to the press without the permission of chief executive Paul Ramsden.

Muddying the waters, however, was a previous clash between the two men. After less than a year in post, Professor Harvey had lodged a formal grievance against the HEA chief, which had yet to be resolved at the time of his suspension.

This week, the HEA confirmed that Professor Harvey had left.

In a statement, the academy said that it had lifted the suspension and that Professor Harvey had taken the decision to leave "in the best interests of the academy". It added: "As the priority of both the academy and Professor Harvey is to focus all attention on enhancing the student learning experience, neither party will be making any further comment relating to Professor Harvey's employment with, or decision to leave, the HEA."

It is understood that Professor Harvey has signed an agreement barring him from revealing details of the dispute or his subsequent suspension.

The case has raised fundamental questions about both the NSS and the governance and role of the HEA.

Professor Harvey's letter was written in response to a *Times Higher Education* article that reported accusations that London Metropolitan University attempted to manipulate the NSS by instructing staff to tell students that their survey responses would "impact on the reputation of your university ... and your award".

Professor Harvey, who is an internationally renowned expert on student surveys, wrote that it was no surprise that a university was encouraging students to give good ratings, suggesting that it was "just a rather unsubtle form of a widespread practice".

In the two months since his suspension, further reports have lent credence to his assertion.

A lecturer at Kingston University was recorded telling students: "If Kingston comes bottom (in the NSS), the bottom line is that no one is going to want to employ you because they'll think your degree is shit."

The story prompted a number of students to recount, via the BBC's website, how they too had been encouraged to boost their universities' results. Universities Secretary John Denham assured Parliament he "utterly condemned" any manipulation of the NSS, and promised to take action if the breaches were proved.

Mr Denham's statement was followed by an announcement from the Higher Education Funding Council for England that tougher guidelines would be issued to universities before the next survey.

Whatever academics' views about the merits of the NSS, the case has also raised questions about the role and governance of the HEA.

News of Professor Harvey's suspension provoked an angry response from the academic community, both within the UK and across the world.

Times Higher Education received a flood of e-mails, online posts and letters, decrying what many characterised as an attack on academic freedom. Among those expressing their dismay were scholars from as far away as South America, Australia and Africa, while dozens of UK academics also registered their protest via *Times Higher Education's* website.

Much was made of the personalities involved. A senior academic said the treatment of Professor Harvey, for the offence of saying something that was at worst "not particularly diplomatic", appeared to be entirely disproportionate.

"Instead of calling him in and just giving him a telling-off, have they seen this as a way of getting rid of the guy because there's been a relationship breakdown?" he asked.

One HEA insider leaked a document to *Times Higher Education* that outlined the chief executive's target to "provide effective and empowering leadership". Alongside this, the member of staff wrote: "Not much sign of this, it would seem."

The matter has also prompted questions about HEA's independence and its understanding of the sector it serves.

The academy has a remit to be an "authoritative and independent voice on policies that affect the student learning experience" and to "foster robust debate and challenge received wisdom".

Among dozens of comments posted on *Times Higher Education's* website, the HEA was accused of being a "puppet" and "a tool for Government in pushing through the latest fads", "a bureaucratic superstructure ... unable to understand even basic academic values", as well as a "laughing stock". One academic said the debacle had put the HEA's "reputation and effectiveness" at risk.

One professor of higher education told *Times Higher Education*: "If he'd been my colleague I would have said, 'Hey Lee, what the hell are you doing? Don't write that'.

"But the fact is that he did write it. He wrote it as Lee Harvey from his home address, not from the HEA. Why shouldn't he as an academic be free to express his views?"

"The HEA is not responsible for the NSS, the Higher Education Funding Council for England is. And my question is, is the HEA independent - or at the very least arm's length - from Hefce? If it isn't, that would really worry me."

As Chris Rust, a senior fellow of the HEA, wrote in a posting to *Times Higher Education's* website: "This reflects very badly on the HEA and its image as an organisation, and I would suggest that both the academy and Paul Ramsden need all the friends they can get."

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HIGHER EDUCATION ACADEMY: A MISSION TO FOSTER 'ROBUST DEBATE AND NEW THINKING'

The Higher Education Academy was set up in 2004 as a single body supporting and enhancing university teaching.

Funded with £24 million a year from the four UK funding councils and contributions from higher education institutions, the academy's aims include being "an authoritative and independent voice on policies that affect the student learning experience". It promises to "foster robust debate ... and create a forum for new thinking".

Concerns about its governance surfaced last summer, when members of the academy's council spoke out against plans to reduce the council's size.

Several members said the move would "freeze out" enthusiastic advocates of teaching by dramatically reducing the number of elected practitioners.

Paul Ramsden, chief executive of the HEA, said that the changes would increase input from academic teachers.

In January, an evaluation of the HEA's work, conducted by Oakleigh Consulting, reported "residual dissatisfaction across the academy's staff base regarding the ... style of leadership by some senior managers".

In response, the HEA said the report also talked "with some enthusiasm" about the senior team now in place, and said staff surveys had shown increased satisfaction.

The Oakleigh report also said some vice-chancellors questioned the HEA's credibility. "The academy needs to significantly raise its game in managing its relationship with heads of institutions ... At present it lacks credibility with many, and some vice-chancellors ... felt the academy had yet to demonstrate the case for its continued existence."

According to the report, the basis and purpose of the academy's administrative headquarters in York was not always well understood by the sector.

However, most university staff consulted supported the need for the academy, and while the academy was "not yet reaching its full potential", it had many strengths including: its 24 subject centres, which support teaching in different disciplines; its national teaching fellowship scheme; and its network of teaching and learning pro vice-chancellors.

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Readers' comments

- **Anon** 29 May, 2008

After following the story of the suspension of Lee Harvey it appears to me that the wrong person has 'left' the HEA.

- **Ian Scott** 29 May, 2008

The accounts we have read about Lee Harvey's recent experience with the HEA are dismaying. Lee has a strong reputation internationally as a well-informed and independently-minded thinker about higher education. While his comments on the NSS may have been more effective in the context of a well-argued critique, he surely has the right to make them in his personal capacity as an academic with acknowledged expertise in the area. The HEA has symbolic as well as strategic significance, not only in the UK but also for academics in other countries who are concerned about the integrity and effectiveness of higher education. The HEA's apparent favouring of its corporate image over the right to express critical views is very disappointing.

- **Lyn Fawcett, Chair UCU Ulster** 29 May, 2008

I have read the story and the statement from the HEA. The HEA statement is not helpful as there is no clear statement by the HEA to apologise to Lee for the infringement of his academic freedom or to apologies to its members for betraying their faith in the HEA's professional integrity. There is nothing to convince us that the HEA has set its future policy against this sort of deplorable treatment of academics.

I look forward to a more fulsome exposition on these points in an open and honest response from the CEO of HEA to the members. Members no longer have confidence in the integrity of the CEO of the HEA; so if Lee's exit from the HEA is really for the benefit of the organisation then the same logic would dictate an early exit from the HEA by the CEO.

- **David** 30 May, 2008

Who bothers to join this thing? Okay, I did once - because it was a way of getting out of the god-awful new lecturers' course. But I let it lapse the following year. I genuinely don't understand why anyone would join who didn't have to.

- **Maria Smith** 30 May, 2008

An unfortunate end to a sorry tale. I wish Professor Harvey well for the future.

- **Dr Howard Fredrics** 30 May, 2008

The circumstances of Prof Harvey's departure smack of victimization for his having filed a grievance against the Executive of the HEA. Clearly, they were going to make his life miserable, if not dismiss him outright, unless he 'agreed' to resign through what must have involved a compromise agreement.

I'm sad to read about this, and wish that Prof Harvey had, instead, chosen to fight through the Employment Tribunal or other appropriate legal venue. As long as academics go away with their tail between their legs when they are victimized for asserting their rights, employers will continue this shameful practice, to everyone's ultimate detriment.

- **Lesley McCabe** 30 May, 2008

None of this should have been necessary. Crass management. Crass leadership. One big own goal. The Higher Education sector and the staff of the Higher Education Academy deserve better. I also agree with Ian Scott's comments. I suspect a major part of the problem here is that while it may call itself an Academy its core leadership have a corporate and centralist soul. Where have we seen this before? Def: Academy - "Society for cultivating art and learning etc".

- **Vaneeta D'Andrea** 30 May, 2008

For those of us who had placed our hopes on Lee Harvey's academic integrity to make the HEA more relevant to teaching scholars, his leaving signals this can not happen.

For those of us committed to academic freedom this entire episode is seriously worrying. The THE and John Gill, in particular, are to be lauded for taking this issue seriously and for both investigating it and reporting it to the academic community.

- **Harvey Woolf** 31 May, 2008

Is it just coincidence that the news of Lee Harvey's departure from the HEA appeared in the same THE issue as Frank Furedi's demolition of the NSS, Alan Ryan's attack on league tables, and Terence Kealey's review of a book on academic freedom? Those three pieces show just how wrong the HEA has been in its 'management' of Lee's case. The Academy will be a poorer organisation for his going.

- **Julian Newman** 31 May, 2008

The only thing that surprises me is that so many colleagues are shocked that HEA should have infringed the "Academic Freedom" of one of its employees.

The whole agenda which led to HEA being set up was predicated on the assumption that academic standards depend on external control and not on the exercise of professional judgement by the individual academic. In other words, the very existence of HEA is predicated on assumptions directly opposed to academic freedom. HEA itself is of course not a university, nor is it a professional body comparable to (e.g.) the Law Society, so it could be argued that its employees did not have any academic freedom to infringe in the first place.

- **Professor Chris O'Hagan** 1 June, 2008

I also know of cases where students have been encouraged (with great success) to give highly positive responses to 'improve the standing of their degrees and improve employability.' It is surely utterly widespread and makes a complete nonsense of the ss table.

But now, quite clearly, taxpayers money has been wasted on paying off a man who simply expressed his honest, private opinion, giving a view which surely surprised no one. Also, because lots of HE cash has been squandered to put the lid on this squabble at the HEA (with HEFCE perhaps getting heavy-handed to make it worse) we seem to have a gagging clause, further emphasising the corporateness and the complete lack of ownership of the HEA by academics. It is a disgrace - but extremely revealing of the nature of the HEA and its relationship with an increasingly over-mighty and managerial HEFCE. Surely Paul Ramsden will soon be departing (after a 'dignified' period) with a further squandering of money on compensation that could have been put to much better use by the HEA. Both Harvey and Ramsden may look at their bank accounts in the future and be grateful they had such a spat!

- **Bjørn Stensaker** 2 June, 2008

I want to thank the HEA (the "Higher Executive Authority"?) for demonstrating so clearly how a "robust debate" is fostered.

- **Pierre-Joseph Proudhon** 2 June, 2008

So Harvey had a grievance against a senior post holder in the HEA and this was not dealt with one year later... Instead, a letter that Harvey wrote in his private capacity becomes a reason for his suspension!

Does all this sound familiar? I have lost all faith in the HEA. If the HEA gets away with it, so do many HEIs. Nothing changes. Shame HEA, shame... It is a disgrace...

Harvey has done more than write a letter - he has exposed a certain culture that prevails within both the HEA and many HEIs.

- **James Williams** 3 June, 2008

It is a great shame that Professor Harvey has been forced out. Surely it is academics of his calibre and integrity who should be running organisations like the HEA?

It is also a shame that the HEA, which could have provided a valuable forum for discussing key issues in current HE, has lost its credibility. It is doubly sad because there is so much otherwise excellent work going on at the HEA lower down the hierarchy.

Dr James Williams Senior Researcher Birmingham City University

- **Anon** 3 June, 2008

The fact that the HEA website communicates none of this is a further suggestion of a poorly run organisation. We haven't even heard their spin on the matter. Worse still Prof Harvey is still listed as a member of staff! Surely the least they could do is update the webpage...

I think the issue of the suspension relating to a former argument is a red herring though as Prof Harvey had not been in post long so if the two really didn't get on would Prof Harvey really have been appointed?

I agree with Prof O'Hagan above. The winner here will be Prof Harvey. HEA pays way more than generous salaries (see the vacancies on their webpages). Prof Harvey will have been on +£80K at least probably much more. He will have left with a good pay off, integrity intact and wasted less than a year on the whole experience..

- **Professor Doug Blackmur** 3 June, 2008

It's a sad state of affairs if an organisation like HEA can afford to dispense with the services of a scholar of Lee Harvey's standing.

I have read Harvey's letter, sent in his private capacity, which allegedly provided the grounds for his recent suspension.

This letter, however, could not possibly have justified suspension. Rather, it provided a warning that various processes can be gamed and that this, combined with the shortcomings of league tables, raises reasonable questions about the capacity of the National Student Survey to serve as an improvement instrument in higher education. Harvey should have been commended, not condemned, for his contribution to a vital area of public policy.

How his letter could have been thought to have had an adverse effect on the Academy exceeds the bounds of reason. Lee Harvey brought credit to HEA, in this and many other instances, by his fine contribution as a public intellectual - were more like him!

Harvey was appointed to HEA in July 2007. His views on gaming risks, and the general shortcomings of ranking systems, were public knowledge at the time [THES, 2 November 2006, 9 February 2007]. If such views were likely to have had an adverse effect on HEA, it is passing strange why it appointed him in the first place. But he was suspended allegedly for advancing these selfsame views recently! Maybe the suspension was in pursuit of another agenda?

The HEA Affair raises wider issues. Academics, by and large, have gone along over the last 20 years or so with the erection internationally of a massive edifice of external advisory and regulatory bodies. Some of this may justify the costs involved, much of it does not.

These bodies typically duplicate a great deal of what universities should be doing themselves, and many of their values and processes are inhospitable to those normally associated with the finest university traditions.

By our relative silence, we have reaped what we have sown. Why should we be surprised on those occasions when these bodies act in ways which are subversive of these traditions?

- **Pierre-Joseph Proudhon** 3 June, 2008

'Academics, by and large, have gone along over the last 20 years or so with the erection internationally of a massive edifice of external advisory and regulatory bodies. Some of this may justify the costs involved, much of it does not...'

It is perhaps more correct to state that academics by and large have not 'gone along' with the erection internationally of a massive edifice of external advisory and regulatory bodies, but rather were forced to accept this - often government - agenda, which in effect has disempowered them. Read the majority of academic contracts of employment to see the signs.

These external 'auditors' give a semblance of quality control when in fact they are often driven by other agendas, or suffer from the malice of nepotism and incompetence.

The crisis of academic freedom of expression is real and only differs in degree from other countries such as China. One worrying aspect of the Harvey sorry is how our union has remained silent. Even if Harvey may not have been a member, there are wider implications.

One also can't help thinking about the Harveys out there that we have not heard about...

- **Charles W Eliot** 6 June, 2008

I'm afraid that this whole sorry saga points to one thing. A lack of effective leadership at the top of the HEA. A good leader would have worked with Prof Harvey and come to some sort of reasonable private solution which would have been acceptable to all. Instead we see a knee jerk reaction which reveals a fundamental lack of confidence within the organisation.

I feel sorry for the many excellent people who work for the HEA and its Subject Centres - they are being badly undermined at the top.

- **Pierre-Joseph Proudhon** 8 June, 2008

One can only hope that the HEA and managers in certain HEIs are indeed reading the comments posted here.

The outrage we feel for what and how it all happened to Prof. Harvey is something we need to maintain in relation to similar stories happening elsewhere in UK universities.