

**NOTES OF THE EMERGENCY JOINT NEGOTIATING COMMITTEE HELD ON 25 MARCH 2019 TO DISCUSS UCU’S LETTER OF 15 MARCH TO THE OFFICE FOR STUDENTS**

**Present**

**Management Side**: Stephen Shute (SS), Pro Vice Chancellor (Planning and Resources); Philip Harris (PH), Head of MPS; Bridget Edminson (BE), General Counsel; Sheila Gupta (SG), Director of Human Resources; John Hallam (JH), Interim Assistant Director of Human Resources.

**UCU**: Chris Chatwin (CC), Branch President; Charlotte Skeet (CS); Andrew Chitty (AC); Simon Williams (SW); Mike Moran (MM), UCU Regional Officer.

It was noted that the agenda papers had indicated the meeting would be chaired by UCU. However, it was also acknowledged this was an emergency meeting called by Professor Stephen Shute on behalf of the management side. The meeting proceeded with no clear chair.

SS highlighted the University’s disappointment at the UCU letter of 15 March 2019 to the Office for Students (OfS). SS said the sending of the letter was a clear breach of the local joint Procedure Agreement. The request for the intervention of the regulator implied potential de-registration of the University, which could have catastrophic consequences for all staff employed at the University. SS said this could be described as ‘reckless’ as the letter had not properly taken into account the potential consequences.

CC responded that the wish of the Branch was to move forward. A letter had been sent to OfS withdrawing the UCU letter of 15 March 2019. This letter had also been copied to MPs. It was noted that no member of management had received a copy of the letter withdrawing the letter of 15 March. UCU agreed to provide this. CC conceded that his own view was that the letter had been a ‘mistake.’ However, the context to this was frustration at lack of progress on staff survey issues – such as bullying and harassment – since 2014. AC also acknowledged that the letter had been a breach of the spirit of the local joint Procedure Agreement and ‘premature.’ However, he disputed that the letter could be interpreted as a request to ‘de-register’ the University.

MM said that UCU’s wish was to ‘draw a line’ and move swiftly forward. His hope was that jointly agreed actions could be agreed at the meeting which could then be reported positively to members.

AC said that the VC’s public response to the letter had been described by some as ‘bullying.’ The language used in the VC’s communications with UCU officers in London setting out the University’s options / sanctions in response to the UCU letter, including the posisbility of de-rerognising the union and withdrawing facilities, had also been perceived as ‘threatening and bullying.’ BE said that in the context of the seriousness of the letter and the potential consequences from that, the reaction of the VC, who was passionate about the future of the University, was understandable.

SS said that an appropriate response from UCU was now key in rebuilding trust. SS said it would be constructive and help to rebuild trust if UCU wrote to acknowledge, as CC had just done, that the letter had been ‘a mistake.’ BE suggested an alternative expression could be 'that it is regrettable'.

SS turned to the review of past JNC minutes undertaken by SG. Analysis going back to 2015 showed that management had raised the issue of bullying and harassment more frequently than UCU over this period. AC contested this and also asserted that contra the VC's statement UCU had raised the issue of bullying and harassment a number of times with the management, in JNCs and also in the November 2018 Gender Pay Gap Claim. SW also noted that he had first raised with SEF the issue of a University-wide accident and reporting system appropriate for a full range of incidents, physical and stress-related, last July. Nevertheless, AC, ~~but~~ acknowledged bullying and harassment had not been raised by UCU as consistently as UCU had stated it ought to have before considering any further steps. SS also referred to the Staff Survey Steering Group and the development of an action plan across each School and Division. There was a specific focus on tailored responses to bullying and harassment. The University has an existing bullying and harassment policy. All policies were kept under review and a revised draft of this Policy was also close to completion, for discussion with UCU. SG noted that since 2014 a substantial amount of work had been done on bullying and harassment. This included bullying and harassment training, development of an equalities e-learning module (compulsory for all staff); face to face training delivered by Advance HE; drama assisted learning events (which challenged cultural norms in a more effective way); a significant array of initiatives at School and Divisional level. SG said that UCU’s letter had also served to undermine and damage the confidence of many who had been working hard on making positive changes around bullying and harassment – many of whom were women or part-timers. SG noted that EDI was also about ‘culture’ and not just protected characteristics. BE noted that there were inconsistencies in University policy documents, which cased problems for staff, and which needed to be resolved in the future.

Following further discussion the following actions were agreed as an outcome from the emergency meeting:

1. UCU to send a copy of the second communication sent to OfS and MPs to management;
2. UCU to draft a letter to management setting out their response to the points made today and in particular their response to the breach of the local joint Procedure Agreement and breach of trust and how that would now be repaired. That the letter should also acknowledge the important work that has been undertaken on bullying and harassment since 2014.
3. A sub-group will be established to take forward discussions on policy review matters with the following as priority:

* Discipline
* Grievance
* Dignity at Work (anti-bullying and harassment)

1. SG to send a note to CC about work undertaken to look at behaviours
2. Management to consider UCU’s request to have a member of UCU join the Staff Survey Group