**JNC(UCU)/15/2/M**

**UCU Joint Negotiating Committee**

**Minutes of the meeting held at 2pm on 9th March 2016**

**in the Sussex House Committee room**

**Present:**

**University Management:** Stephen Shute (SS), Pro-Vice-Chancellor; Peter Coles (PC), Head of School; Sharon Jones (SJ), Academic Registrar; Jackie Rymell (JR), Assistant Director of HR in place of Jane Summerville.

**UCU representatives:** Chris Chatwin (CC), President - Chair; Tom Frost (TF); Doug Haynes (DH); Rebecca Partos (RP).

**In attendance:** Alasdair Mackay (AM) - Management Joint Secretary.

**1. Apologies for absence**

Apologies were received from Jane Summerville and Mike Moran.

**2. Minutes of the meetings held on 18 November 2015 (JNC (UCU)15/1/M) and 29 April 2015 (JNC(UCU)/14/3/M)**

The minutes of 18 November 2015 were agreed with one amendment. The minutes of 29 April 2015 were agreed, but RP requested some corrections as to what had been attributed to her. She said that she would send her corrections to AM.

**ACTION – RP to send her corrections to AM.**

**3. Matters arising**

**3.1 UCU studies on workplace bullying**

There had been an action for Rupert Brown to send JS the UCU studies on workplace bullying. CC reported that this had been completed on 8/3/2015.

**3.2 Report about equality and diversity results.**

There had been an action for JS to set up a working group with the 3 Unions to draft a code of conduct. JR reported that this was in progress and that the representatives from each union had been nominated. It was reported that due to other commitments for the UCU representative the first meeting would not take place before May 2016.

**3.3 Exit interviews**

There had been an action for JS to investigate an online exit interview system. JR reported that this was an action outstanding as JS had been dealing with other priorities. CC suggested getting an estimate of the cost of recruiting a member of staff. SS said that academic turnover at the University was low. CC said that it may be higher in BMEc. JR reported that some schools had set up their own exit interview processes largely as a response to the Athena Swann initiative.

**ACTION – JS to report back to the JNC on an exit interview system.**

**3.4 Journal Impact factors JNC (UCU) 15/1/2**

There had been an action for JS to amend the paper on promotions criteria and put it before Senate for agreement. JR reported that this had been completed on 25th Feb 2015.

**3.5 Pension changes JNC (UCU) 15/1/4**

There had been an action for Mike Moran to respond to JS on a technical paper on pension changes. JR reported that this had been completed.

**3.6 Procedure and recognition agreement**

There had been an action for JS to revise and send the latest draft of the agreement to Mike Moran. It was reported that this action was still outstanding. TF reported that the procedure agreement on the website referred to the union as the AUT and that this was obviously out of date. JR said that she had updated the procedure agreement with the UCU name change in November 2008, and that she understood that this updated version was on the HR website.

**ACTION – JR to check that current agreement was on the HR website. JS to send latest draft of revised agreement to Mike Moran.**

**3.7 Conflict of interest**

There had been an action for JS to produce a discussion paper on conflict of interest at work, as part of a previous discussion under the heading of family members as line managers.

JR reported that HR had considered this and felt that areas like relationships at work and conflict of interest should be included in the code of conduct, and should be rolled into this piece of work rather than develop a separate discussion paper. CC said that a policy was needed. PC said that consideration needed to be given to other conflicts of interests as well and that as the issue concerned other staff besides academics, it would be more appropriate to deal with it in a working group that included all three unions.

**ACTION – conflict of interest to be included in the terms of reference for the working group on code of conduct.**

1. **Academic leave entitlement**

CC explained that this item had been put on the agenda following a complaint made to Prof. Luke Martell on the Sussex UCU Executive. He said that job applicants were being sent a statement by HR which included a misleading term on the leave entitlement of academics. He said that one applicant had told Luke Martell that it had put her off applying for a job as she felt the entitlement was so low. CC suggested that it could affect academic recruitment to the University because academics would expect there to be no specified holiday entitlement. CC suggested a longer document explaining that the 24 days plus bank holidays and minimum service days was the entitlement.

JR said that the issue was looked at in 2007 as part of the framework agreement and that agreement had been reached with UCU over the issue. She explained that the framework agreement was where all staff had been brought together under one single pay and grading structure . She confirmed that the agreement reached was for all staff on grade 7 and above to have a leave entitlement of 24 days plus 6 minimum service days plus public holidays. This had been confirmed in the Framework Agreement document itself - section 4.b. which states:

“4.b. Annual holiday leave (i.e. excluding bank/public holidays and minimum service days) for staff in Grades 7-9 remains unchanged at 24 days. This entitlement will be pro-rated for part time staff.”

JR also said that this had been further confirmed in a letter from Jane Summerville to Ben Monks, UCU Regional Officer, which stated:

“19. For the sake of completeness, I thought I should also confirm what we have agreed in respect of Faculty holidays, namely that holiday entitlement remains unchanged. In practice, looking at current faculty terms and conditions, as covered at an earlier JNC, holiday entitlement excluding public holidays and closure days will be 24 days (i.e. 30 days including closure days but excluding public holidays). This is in accordance with what is specified for Administrative Faculty, Other Related Faculty, and Research and Analagous Faculty at clause 39 of the Conditions of Service. In practice, the entitlement is the same for Teaching Faculty and Library Faculty in that an assumption is made at Clause 37 of the Conditions of Service that six weeks (or 30 days) holiday is allowed per annum, excluding public holidays, for these two groups of staff.”

TF quoted paragraph 36 of the academic terms and conditions which stated:

“No specified periods of holiday are laid down for members of the library faculty or teaching faculty, other than the statutory minimum of twenty eight days per annum provided by national legislation.”

He said that the wording of the terms and conditions were inconsistent with the framework agreement.

CC said that there was obviously a level of confusion over the topic and it needed to be resolved. TF said that a lack of clarity could give rise to discrepancies. SS suggested that it would be better to remove the statement in the faculty terms and conditions about there being no specified holiday entitlement for teaching faculty and library faculty. PC said that for example to have different grade 7 staff on the same spinal point with different leave entitlements would result in these staff having different pay rates, which would be unlawful.

SS said that the 2007 agreement had clarified the position as to what “no specified leave entitlement” meant in practice. He added that as this had been agreed there should not now be a renegotiation. SS asked UCU whether there were examples of teaching/library faculty taking more than 38 days’ holiday per annum[[1]](#footnote-1)? PC said that in his experience teaching faculty tended not to take their full holiday entitlement. He felt that it was important for staff to take their leave entitlement and that by stipulating the entitlement it helped managers to enable staff to take it. SJ said that it was important that staff did not build up leave and have it left unused at the end of the leave year.

CC said that he was concerned about recruitment issues. SS asked what UCU would like to happen and CC said that he would ask Luke Martell to make a recommendation. He said that he was aware that different schools have different arrangements for taking leave.

**ACTION – CC to ask Luke Martell to make a recommendation as to the statement regarding academic leave entitlement.**

1. **Associate Tutor agreement**

RP said that UCU had received a response from JS about the outstanding issues regarding the University’s proposals for Doctoral Tutors. She said that the sick pay entitlement of 2 weeks was welcome but it would be helpful to have more detail as to what this meant in practice. She suggested a worked example would be useful.

**ACTION – JS to provide a worked example to show how the sick pay entitlement would work.**

RP said that there had been an error in the original agreement around the use of multipliers. SS said that he was aware of the issue, but in fact the problem was an incorrect heading in the document. He said that where the heading was “hours”, it should have read “the number of scripts per hour”. He said that this had now been corrected. RP asked for the table of multipliers to be updated and sent to UCU for completeness.

**ACTION – JS to update the table of multipliers and send to UCU.**

There was a discussion as to whether or not marking eight scripts in an hour was reasonable. JR confirmed that this related to marking certain scripts i.e. problem sheets and small tests. There was a discussion as to whether or not the multiplier adequately took into account the different levels of work for ATs in different schools, in particular the Arts and Social Science Schools. SS said that the matter had already been discussed and there was no appetite for changing the proposed system. He said that the Arts and Humanities Schools wanted a simple system.

RP said that some PhD students who were working as ATs on foundation year courses did not have contracts and were not being paid for preparation time. SS confirmed that there was no difference in AT rates of pay for foundation year teaching. JR said that the individual cases needed to be raised with the Schools as ATs should not be working without a contract.

**ACTION – RP to ask individuals to take up their cases with the Schools (Prof. Tom Healy is coordinator for foundation year courses).**

1. **Capability and probation procedures**

TF said that his understanding was that the staff capability procedure did not apply to staff on probation and that the capability procedure was aimed at supporting staff who were having difficulty in achieving targets. JR confirmed that that was correct. She explained that there were two different procedures, (i) the staff capability procedure and (ii) the academic probation procedure (which was set out in the career progress document.TF said that there was a lot more detail in the capability procedure for dealing with problems than in the probation procedure and this was a concern to probationers.

SS said that HR were reviewing the academic probation process and that targets needed to be set for new staff. He said that the targets should be appropriate to the person and discipline, SMART, discussed with the probationer in the early weeks, revised if necessary and put in to an action plan with what support was needed. He said that there was a lack of specificity in the probation process at the moment. TF agreed that more specificity would be helpful and that the targets should be linked to the promotion process. PC said that the number of meetings a probationer had at the moment was minimal, perhaps one a year and so it can be stressful for them as a lot would be riding on it.

TF said that it needed to be made clear in the probationary procedure that academic probationers could be promoted, i.e. they did not have to wait until they had completed their probation. SS said that it was important that longer term career development needs were addressed for staff on probation.

RP asked when the new probation procedure would be drafted and AM replied that it would be done during the summer. She asked if the union would be consulted on a draft and JR confirmed that they would be.

1. **Staff survey – interim survey results**

JR said that the survey results had been sent round to Schools and Departments. She said that the take up of the interim survey had been lower than the original survey. She said that the University was waiting on a more detailed analysis of the results, but in brief 58% of the responses were in line with the previous results, 16% were above, and 26% were lower than the previous survey results.

Specifically, the biggest improvement was in staff’s confidence that action would be taken in relation to the results. She noted that the Finance Department and BMEc had seen an improvement in all areas when compared with the previous results.

JR said that once a full analysis had been completed, JS would send the Unions an update.

RP asked if the results could be broken down by School and sent to the trade unions, as had been the case with the previous results. JR said that she understood that they had been broken down by School, but would ask JS whether the School level results could be shared with UCU.

**ACTION – JR to liaise with JS re whether School-level interim survey results could be passed to UCU**

1. **Update on the workload model**

SS clarified that the agenda item should read “Update on the Senate Working Group on Academic Workload Planning”. SS gave a brief description of the background and process being followed to look at this topic. He said that the working group, which comprised himself as Chair, three heads of school, three academic members of Senate, and the Director of HR, was currently working to identify a structured framework for workload modelling. He said that they were gathering current practice across all Schools (except BSMS). Meetings had been held with three schools the previous day (8 March 2016). He said that it would not be desirable to find a “one size to fit all” model, instead the working group would propose a framework to Senate in the autumn, and that there would be extensive discussion with UCU.

CC produced a workload allocation survey sheet that UCU had developed for staff to set out the percentage time spent on different tasks. CC said that it was important for officers to be aware of workloads of staff and also for the workload to be fair.

PC said that there was a big variation across the University. He said that if a School had small numbers of staff then the culture would be for “all hands to be needed on deck” all the time. He said that as Schools grow a workload model becomes more important.

SS thanked CC for the list of headings, which he said he would share with the working group.

1. **Any other business**

International Study Group

CC raised the issue of the International Study Group contract. He said that there seemed to be confusion as to what staff were expected to do if they were asked to do something by the ISC. TF said that there appeared to be a lack of awareness of what was required of staff and knowledge as to what was in the contract.

SJ said that the contract named Chris Wellings in the Partnership Office as the single point of contact under the contract. She asked that any examples of problems be passed to her to take forward with Chris Wellings.

Student numbers

CC said that there had been a 20% increase in student numbers with a projection of 18,000 students by 2018 but there had been no expansion of the Student Life Centre and other student-facing services to compensate for the increase.

SS confirmed that Professional Services areas were being expanded in association with the projected growth in student numbers.

PR said that there were other staffing consequences as a result of the expansion such as extending the working hours of staff e.g. in the library. She asked if the Unions would be involved in discussions around these changes.

SJ confirmed that they would be. She said that the University was developing its services to students, and one issue under consideration was the divide as to what services are provided by the University, and what services are provided by external bodies e.g. the NHS.

TF said that this clarity was also important for academics in their work with students so that they were clear who to refer students to if necessary.

Passport checks

TF said that there had been some correspondence over this issue and confirmed that the Union was not querying the duty to check the right to work of a new employee. He said that the query was to do with the training needed to be able to do the checks properly. JR confirmed that training was being given. TF said that it was an issue because academics sometimes employed staff e.g. research assistants.

SJ said that Human Resources did the formal checks for contracted employees but that line managers were required to do it for casual staff. SJ said that she and JS were in discussion to look at a mechanism for maintaining compliance with the necessary checks – possibly by centralising this activity.

1. **Date of next meeting**

Wednesday 18 May 2016

Alasdair Mackay

14 March 2015

1. Including minimum closure days and public holidays [↑](#footnote-ref-1)