

## Important information for UCU members at Lancaster University

Your Union on Campus

July 2013

### Zero Hours Contract Anyone?

Increasing numbers of staff at Lancaster are being employed on contracts which don't actually guarantee them any work. Lancaster UCU believes that such contracts should specify a minimum of contracted hours i.e. they should not take the form of zero hours contracts. Like all colleagues, those on 'variable hours' contracts are expected to "work flexibly and efficiently" although there is "no entitlement to the University's sick pay scheme" and the "contract does not guarantee that work (engagements) will be offered."

UCU acknowledges that there are periods of fluctuating demand but we fail to see any justification for offering such contracts to staff whose duties are regular and predictable, for example, timetabled teaching staff—in this case the demand is clearly quantifiable. It is worrying that across the University such contracts are increasingly being built into departmental business plans. Such arrangements contradict the university's own guidelines which advise that if an appointment is for longer than three months, and is not sickness or maternity cover, the contract should be fixed term or indefinite.

Working under these conditions, individuals are unable to make financial or employment plans and

students lose out from reduced access to teaching staff on zero hours contracts, many of whom may only be on campus when they are timetabled to teach.

Until recently Lancaster University was committed, where possible, to transferring staff from Fixed Term Contracts to Indefinite Contracts. With the growth in use of zero hours contracts it seems management are moving away from that aspiration and towards a model that even large retailers are realising has a negative impact on staff motivation and on business planning.

Business Secretary Vince Cable has launched an "informal" review of the use of these contracts saying "whilst it's important our workforce remains flexible, it is equally important that it is treated fairly. This is why I have asked my officials to undertake some work to better understand how this type of contract is working in practice today."

Lancaster UCU believes that where an employee's hours are clearly quantifiable they should, at a minimum, be offered a Fixed Term Contract.

We would like to hear from you if you are on one of these contracts or if your department uses them, please contact [lbanton@ucu.org.uk](mailto:lbanton@ucu.org.uk)

### ARE YOU STRESSED at work?

The issue of work-related stress is one which Lancaster UCU repeatedly raises with University managers as an area of concern to our members.

There can be little doubt that work-related stress features highly as one of the less attractive aspects of working at Lancaster University. As a union, we frequently hear our members voicing worries about stress levels, either their own, or those of colleagues around them; an overwhelming proportion of the work delivered by the union's caseworker team can be characterised as having a major work-related stress component; the returns in the University's own staff well-being surveys repeatedly indicate stress as the biggest concern

of the vast majority of academic staff. And yet, for all of the complaints that are made, and for all of the work days lost to stress-related illnesses, little, if anything, ever seems to improve. With only a few exceptions, reducing workplace stress levels doesn't appear to be on the management agenda.

UCU would like to change this. But we cannot do so without your help. Whenever we raise the issue of stress levels in the work place, the union invariably receives the same response: the University's own sickness records do not give management cause for concern. If we can give concrete and specific examples of particular issues or 'hot spots', then the management will investigate further.

*Continued overleaf*

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More often than not, our claims are dismissed, either as unfounded or else as impossible to alleviate.

To make better progress, UCU needs better evidence. And we need YOUR help to gather it. We would like to hear from every member who has a concern about stress levels in the work place. This might be a specific issue or a general issue; a burning issue or a niggling one. Whichever it is, please tell us about it. You can drop us a line ([lbanton@ucu.org.uk](mailto:lbanton@ucu.org.uk)) or call to arrange a chat with someone, if you'd rather not commit anything to writing, or if that would be easier. Everything you tell us will be treated in confidence and without come-back on you. Help your union to help you—if you don't tell us what's happening, we cannot work to fix it!

## Don't Bury Your Head...Get Support

If you're facing workplace difficulties, we're here to help. We've got a dedicated team of volunteer caseworkers, drawn from across the university, who provide confidential one-to-one support and guidance



to individual members who contact the branch for assistance. This well-used service has proven helpful and reassuring to many members but please get in touch

with us sooner rather than later as early intervention gives us time and space to understand the situation, help you to plan a course of action and ensure that you get the full benefit of a caseworker's assistance and experience. All enquiries and requests for casework assistance are handled in confidence by our casework co-ordinator ([lbanton@ucu.org.uk](mailto:lbanton@ucu.org.uk))

## Retirement Matters

If you're an academic member of staff considering retirement in the near future and looking for someone to talk to about this - we're pleased to let you know that we've received an offer of assistance from a recently (semi) retired senior member of academic staff who is happy to pass on his knowledge and experience to others. If you'd like to take up this offer of assistance please contact [lbanton@ucu.org.uk](mailto:lbanton@ucu.org.uk) in the first instance.

## Sign the Petition!

We have a big dispute taking shape in Liverpool University because of heavy-handed action by our senior-management who wish to dismiss all academic-related staff and rehire them on worse contracts. Please sign the UCU petition and ask your colleagues to do likewise.

[https://www.ucu.org.uk/liverpool\\_dismissalpetition](https://www.ucu.org.uk/liverpool_dismissalpetition)

## ALL WE SURVEY....

### Researchers at Lancaster are highly qualified, experienced and committed—BUT NOT VALUED!

Researchers at Lancaster University, with the assistance of UCU, carried out a survey of staff on research contracts to gain key insights into the researcher experience at Lancaster. The results of the survey were published in December 2012 and have been made available to the university to address the issues.

*Being a researcher does not mean 'inexperienced'*  
Respondents were highly qualified, had a wide range of research experience both within and beyond LU and were committed to working as researchers within higher education. The majority of respondents had a doctoral qualification, and just under half had worked at 2 or more institutions as a researcher since the award of their highest degree; 36.2% had been employed as a researcher for 6 or more years since this qualification.

#### *"thrown in and out of jobs..."*

75% of respondents were on Fixed Term Contracts; over two-thirds had never been promoted and almost 60% had never even been offered the chance to discuss the possibility of promotion with their line manager.

#### *"multiple barriers to career development..."*

Barriers included: institutional culture and attitude towards researchers; lack of integration into departments; lack of mentoring; fixed and short term contract issues; and a complex array of restraints on writing, training and career development time. Of particular concern was the finding that male researchers had a 30% chance of obtaining a permanent contract whilst female researchers had less than a 5% chance after 3.2 years at Lancaster.

#### *"There seems to be a wider university culture that suggests researchers aren't valued"*

Lancaster might pride itself on maintaining expertise and a research knowledge base but this is somewhat undermined by the practices experienced by its research staff.

The results of the survey can be found at: [www.lancs.ac.uk/users/ucu/campaigns/researchers.htm](http://www.lancs.ac.uk/users/ucu/campaigns/researchers.htm)

*"Elsewhere, research staff tend to be treated as colleagues rather than 'apprentices'"*

## REDUNDANCY and REDEPLOYMENT PROCEDURE TALKS - FURTHER SETBACKS

Management has once again unilaterally withdrawn its own proposals for new redundancy and redeployment procedures and has sent us back to square one. In January 2013 management issued new drafts of the policies. Lancaster UCU set up a working group to discuss the new drafts and has responded with its counterproposals. Since January little progress has been made.

This latest debacle is beginning to appear like a normal event, given that the drawn-out negotiations to date have been punctuated by similar unilateral management moves. Representatives of the campus unions began to negotiate the management proposals in early 2008. Since then the negotiation of the redundancy and redeployment procedures has come close to completion on two occasions but both times management has, at the last moment, unilaterally withdrawn documents that were the result of months of painstaking negotiation. We were therefore obliged to begin the negotiations again from a new starting point with management-submitted documents that often contain the same flaws that the negotiators spent considerable time undoing.

Management has said that a reason for the most recent such act of nullification is that the procedures have to reckon with changes in the law. In an unminuted exchange at the meeting of the union-management joint consultative committee (JCC) in March 2013, the director of human resources was asked why the adjustments to legal changes could not have begun from the starting point of the documents that had come close to the point of agreement. (The unhelpful incompleteness and inaccuracy of meeting minutes is a topic to which we may have to return in a later issue.) He replied that he could not place those documents before his principals, the University Council, leading one to wonder whether he was asleep at the wheel during the previous year when he had presided over the management negotiating efforts that had produced the now-withdrawn documents.

It is notable that whenever there are changes in the composition of the senior members of the management negotiating team, the new members denounce the results of their predecessors' work. The latest episode introduces a comical variation on that theme, in which a management negotiator saves time by repudiating his own team's efforts rather than leaving that task to his successor. In this process, management has squandered literally hundreds of person-hours on the part of negotiators on both sides. If this sort of thing had happened just once we could put it down to the malevolence or incompetence of a rogue leader of the HR Division, but the pattern of conduct is too enduring for that.

It is, indeed, the whole pattern of management behaviour over time that is disquieting and, despite new leadership of the university, there is no sign of improvement. In fact, things are getting worse.

Management withdrew the drafts of the redeployment and redundancy procedures after this UCU branch showed our determination to hold managers to the letter of written agreements. Management had always quietly harboured the belief that it can set aside the written agreements in the case of individual employees when it sees fit. (See the description of management's written statement of its approach to evidentiary procedures in the December 2012 issue of this newsletter.) Our commitment to ensuring that managers abide by the stipulations of our written agreements seems to have given management pause in entering into any new commitments. The employer is now trying to achieve freedom of action in a different way by keeping the wording of the new procedures vague. The thinking appears to be that if the written procedures lack specifics and details, there is nothing to hold management to. The employer has adopted a further stratagem to achieve that same end: it has begun to make distinctions between *policies*, which it says are subject to negotiation with the unions, and *procedures* and *processes*, which it says are uncontroversial administrative devices that do not need to be negotiated.

Management unilaterally issued heads of department with new guidelines on redeployment, even though this UCU branch protested that they should have been part of the negotiation of the proposed redeployment procedure. Some current UCU members are convinced that they would not have been redeployed into their current roles if the new guidelines had been in effect when they were appointed. Similarly, management unilaterally issued an administrative flowchart that could lead to redundancy situations, although the campus unions say that the sequence of decisions in the flowchart ought to be part of the redundancy procedure negotiation.

The claim that these unilaterally issued documents do not need to be negotiated and agreed leaves the negotiation of employment policies and procedures in a chronic state of non-completion and irrelevance.

When the unions complained about the issuing of the flowchart, the university secretary rejoined that management could simply have implemented the procedure without providing us with a copy of the document—a startling statement that appears to confirm that management is willing to do this sort of thing, particularly when it thinks it can get away with it. We have long believed that the employer has

circumvented negotiations by using undisclosed management guidelines, for example ones to manage sickness absence, in conjunction with the agreed policies. Indeed, we have seen messages that show that such guidelines exist. We asked management to agree to reveal all such undisclosed guidelines and management agreed to do so but later denied that such guidelines exist. Now it threatens to create more of them.

We wish we could report progress but instead have to describe frankly the situation as it exists. The deputy vice chancellor has asked for a new round of negotiations to begin, with the aim of achieving agreement on the redundancy and redeployment procedures by December of this year. The goal is eminently achievable, but then the goal of agreeing procedures within a reasonable time frame has always been achievable throughout the last half decade and more. The main thing that has prevented agreement is management's persistent failure to meet the unions halfway in our good faith approach to negotiations. The culture of obstruction and evasion now seems to have become such a natural part of the institution's DNA that any new entrant, no matter how senior, soon becomes absorbed into it. The new stratagems constitute a more calculatedly slippery approach to negotiations rather than the change of management culture that is required. Unless this changes we could be talking for another sixty years with little to show for it.

## Update on the REF

UCU branch representatives met the Pro-Vice Chancellor for Research, Trevor McMillan, in mid-June 2013 to hear about the university's preparations for the Research Exercise Framework (REF2014), the exercise that purports to rate staff members' research. One of the important updates is that the proportion of academic and research staff members who will be submitted—about 70% across the university—is now greater than previously announced predictions. The smaller proportion of non-submitted staff may consequently feel more vulnerable.

Fine judgments must be made about whether a staff member's publications are likely to achieve the 3\* or 4\* rating that will attract HEFCE funding and they are not guaranteed to be correct in every case; there may also be reasons for excluding someone, such as disciplinary fit, that have nothing to do with the quality of their research. All this means that it is

more important than ever to achieve a watertight "no detriment" agreement, meaning that staff members will not suffer any adverse effects solely for not being entered into the REF. Lancaster UCU reviewed the wording of a no detriment statement that management had drafted and responded with a proposed revision that added protection against missing out on deserved promotion, which the draft wording did not include.

Following a recent call for information and concerns about the REF from members, UCU has received a number of messages. These indicate that the most significant worry comes from individuals who may not be included, in some instances not because of the quality of their research but, for example, because there is uncertainty into which unit of assessment (if any) they fit. The branch has been advising such individuals about how to make their concerns felt and will, if appropriate, continue to support them if ultimately they have cause formally to complain. (Final decisions about who will be entered will be made in October 2013.)

So far neither Prof. McMillan nor UCU is aware of dissatisfaction with the treatment of those who claim to have "individual circumstances" (such as sickness, part-time status, or maternity leave) that explain why they may have fewer than the standard number of publications, four. A number of staff members have still not returned the forms in which they can declare individual circumstances, which will present a challenge to university management if any staff members make a late declaration.

A broader concern that some members have raised is about the differential support for researchers by departments. This can take the form of extra research points in a workload model for the fortunate, extra admin and teaching duties for the less fortunate, and various departmentally awarded forms of research support such as a competitive teaching release scheme. If a staff member is supported in their research in one of these ways, it is inevitable that the burden of other duties will fall disproportionately on others, and some staff members justifiably feel that research "stars" are allowed to build their careers on others' backs and that departmental decisions can be arbitrary or discriminatory. This matter extends beyond the REF preparations and the branch exec will be continuing to take it up beyond this REF year.

We need to hear from members about any continuing or new concerns that arise during the final months of preparation for REF2014. Send your messages to the branch administrator ([lbanton@ucu.org.uk](mailto:lbanton@ucu.org.uk)).

