

UNIVERSITY OF YORK

JOINT NEGOTIATION AND CONSULTATION COMMITTEE

Minutes of the Meeting held on 10 May 2016

Present: Frances Daly, Unison Chair, Law, FD (**Meeting Chair**)
David Duncan, Registrar and Secretary, DJD
Kathryn Woodroof, Unison, Campus Services, KW
Helen Adcock, Unison Secretary, YPP, HA
Joanna de Groot, UCU Vice-President, History, JDG
Anna Duarte, UCU, Centre for Health Economics, AD
James Cussens, UCU, Computer Science, JC
Geoff Wall, UCU President, English and Related Literature, GW
Jeremy Lindley, Director of Finance, JL
Bob Hide, Unite, Physics, BH
Richard Armitage, Unite Chair, Physics, RA
Paula Tunbridge, Deputy Director of HR, PT

In Attendance: Janet Haffegee, HR Partner, JH
Layla Hemingway, HR Officer (Secretariat), LH

Apologies: Pat Lofthouse, HR Director, PL
Jon Meacock, Director of Estates and Campus Services

1. Agenda Item 1 – Appointment of Chair

Frances Daly, Unison Chair, was appointed as Chair for the meeting.

2. Agenda Item 2 - Apologies

Apologies were recorded as noted above.

3. Agenda Item 3 - Approval of Minutes of the Last Meeting

The minutes of the meeting held on 2 February 2016 were approved.

4. Agenda Item 4 - Matters Arising

Prevent Duty

DJD explained the University had finalised its approach to the Prevent Duty under the Counter-Terrorism and Security Act and the policy was available on the Health and Safety website.

DJD indicated that comments received from UCU colleagues had been incorporated into the document.

The training regarding the Prevent Duty was discussed. DJD explained there is a short training module designed by the Police which all staff will be asked to undertake along with

the other Statutory and Compliance training modules. LFHE have also made more in-depth training materials available which are currently being assessed and it may be that certain staff will be encouraged to complete the LFHE training depending on their roles.

DJD explained that UEB was finalising the University's safeguarding policy.

Organisational Change Protocol

JH confirmed the [Organisational Change Protocol](#) was distributed ahead of the last Collective Communications Meeting.

JDG explained Unison and UCU had expressed a wish for a set of protocols to ensure consistency around organisational change. PT explained the protocol is used for that purpose and she would be happy to hear any suggestions on how that protocol could be improved at the next Collective Communications Meeting on 25 May 2016.

Action – Union colleagues to prepare comments on Organisational Change Protocol and feedback at the Collective Communications Meeting on 25 May 2016.

Voluntary Severance Scheme – Equality Statistics

The equality statistics relating to the VS scheme were circulated ahead of the meeting.

JDG suggested the 100% approval rate may have been due to the preliminary stages built into the process. JDG suggested that the preliminary stage of individuals having informal discussions with HoD's about business cases had not always been handled sensitively.

PT indicated there was a provision within the scheme for a lesser VS payment if there was not a business case to support the full amount.

KW suggested it would be useful for the breakdown to be split between VS and VS with Retirement in the future, to give an indication of how many of these staff may have been considering/approaching retirement.

Action – PT to consider data collection requirements for future VS schemes.

University Closure Days

Carried forward to next meeting.

Action – KW to clarify issues regarding current Christmas provision.

Provision for Free Language Courses for Students

DJD explained the free language provision will remain the same for 2016/2017. From Autumn 2017 the focus will be on supporting international mobility.

At the previous JNCC meeting DJD had stated that the provision would be reduced in order to meet the original budget, which was circa. £150k. JDG questioned whether students involved

in mobility would use up the £150k budget and if not, what other priority criteria had been identified.

DJD stated that this level of detail is still being worked through.

JL explained that in future when students take modules outside their home department, the funding would follow the credits awarded.

JNCC Meeting Dates

KW confirmed she had spoken with colleagues in Timetabling who were happy to include JNCC meeting dates in timetabling constraints in order to ensure availability of staff for these meetings.

Action – All relevant JNCC members to check timetable against JNCC meeting dates.

Performance Review Process – UCU Local Survey

AD stated UCU had conducted a survey which was open to UCU members and non-members regarding the new University performance review (PR) process. UCU had received responses from over 30% of their membership. The main issues highlighted by the survey were the negative impact on productivity and the inability to set ambitious goals. AD suggested the survey results provided a reason to bring the PR process back under review.

JDG added union colleagues were involved in the policy development but they had had less involvement in the PR form development and proposed a review of the documentation. JDG stated that in addition to the survey data she was aware of staff feeling distressed and under pressure as a result of the PR process.

It was agreed that UCU would bring forward a paper when the data from the survey had been considered further and JDG suggested the PR working group be reconvened.

PT explained no colleagues had yet been rated against their objectives. Most staff would be rated against objectives between July and October this year and therefore, as a full-cycle of the new process had still to be completed, it would not be timely to start a review at this stage.

PT explained that 800 reviewers had been trained and an online package was available for reviewees. It was useful to understand staff concerns in order to consider how to reassure both reviewers and reviewees.

JDG expressed concern about the confidentiality of staff's PR data. JDG understood that the HoD reported patterns and trends within the departmental data, but that information on individuals was not shared.

PT confirmed that information about whether or not individuals had met their objectives would be shared with the next level of management using a traffic light system (green, amber and red). PT confirmed this formed part of the oversight process which had been explained to union colleagues previously.

GW stated the strongest concern seems to be the erosion of confidentiality and that the approach adopted did not correspond with their previous understanding. PT added that confidentiality concerns had been discussed at many of the training courses. If there were extenuating personal circumstances generic terms such as 'mitigating personal circumstances' could be used in order to maintain confidentiality of sensitive issues disclosed as part of the review process.

KW suggested the following action.

Action - Trade union member to develop a paper detailing their concerns, to be shared with HR ahead of the next JNCC meeting.

5. **Agenda Item 5 - Strategic Update**

Developments in Higher Education

DJD explained that the HEFCE settlement had been better than anticipated but the situation remained challenging. The market for students remained highly competitive, there was an overall decline in student numbers and ongoing difficulties in recruiting from overseas. DJD explained a 'white' paper is due within the next two weeks regarding the Teaching Excellence Framework and the wider Quality Framework.

Financial Update

JL explained the expected result for Q2 is a surplus of £8.3 million, which represents a reduction of around £3.25 million on budget. JL described the principal reason for this is a reduction in student recruitment, particularly PGT overseas. This resulted in a significant reduction in fee income.

JL stated the Q3 forecast was due out in 1 month's time.

JL explained a key issue is cash flow. The University needed to generate a surplus for infrastructure investments.

In Q1 the surplus reduction was at around £5.5 million. Recruitment restrictions in some academic departments and a process of identifying further savings had resulted in £2 million savings from the support budget. This had led to a £2.3 million improvement from Q1 to Q2.

RA questioned how the financial picture could be improved. JL referred to the current University-wide 4 month recruitment 'pause.'

International Pathway College (IPC)

JL explained the IPC steering group is reaching the end of the implementation stages with a current focus on marketing, student recruitment and IT. Deposits for 70 students have been secured for commencement in September 2016. Kaplan is on target for student recruitment of 190 in September 2016 and another 70 in January 2017.

JL added the IT systems had been successfully integrated.

The recruitment of academic staff is ongoing. Matthew Perry, Director of IPC, has 3 course tutors in place and interviews will be conducted for more academic staff in early June, in line with normal University HR procedures.

JL explained the building work for the Spring Lane teaching building is on target and this building will 'house' IPC for the first year.

KW enquired about the relationship between IPC and CELT pre-sessional work. JL explained pre-sessional work for more than 20 students from September 2017 will be managed by the IPC. More specialised pre-sessional work for fewer than 20 students will be carried out by CELT.

DJD reiterated all staff employed to work with IPC are employed by the University on standard UoY terms and conditions.

There was some discussion about the IPC using the new Spring Lane building. JL explained the IPC will use around one quarter of the Spring Lane building space for the next academic year. This was felt to be desirable as IPC are running new programmes with younger students, some under 18 years old, and it was preferable to keep them all together.

DJD added from September 2017 the IPC will move across to the new Piazza building on Heslington East.

Medium Term Planning (MTP)

JL explained the MTP process is looking at the budget until 2019/2020. There is a lower level of surplus than that identified through the MTP process last year. Controls over vacancies have been put into place as a remedial measure to address this. £3.5 million savings were required and initial consideration had been given as to how to achieve them.

KW expressed her understanding of the situation, adding that the vacancy controls will put a lot of pressure on staff but are preferable to staff reductions.

JDG asked for clarity on the appeal process associated with the recruitment pause and how appeals will be judged. DJD stated the recruitment review group (RRG) will consider factors such as whether the vacancy is 'mission critical' and the pressure carrying a vacancy might put on other staff.

PT confirmed that the HR Team is creating a single webpage which will provide links to information and documents regarding the recruitment pause to avoid duplication of effort.

PT added this is not a University-wide hold on recruitment; the HR Services team are still dealing with around 140 recruitments including research, externally funded, IPC, maternity/paternity and some strategic posts.

PT stated the dates of the RRG meetings have already been set in advance.

Action – PT to send the link to the [recruitment pause webpage](#) to JNCC members.

There was a discussion about the longer-term plans to save money and how those plans may affect the student experience, i.e. NSS scores, and therefore future student recruitment.

JDG encouraged management to think about the criteria they are using to understand how the student experience and student recruitment will be affected by longer-term cost saving measures. York was known for small group teaching and there was concern that the University was prioritising buildings over staff which had implications for SSR's.

DJD stated that a balance was required and capital spending had also been cut.

It was acknowledged that these were short-term measures and the University needed to transition to a more sustainable financial model.

Complete University Guide (CUG)

DJD explained that UoY had slipped two places in the CUG, and had fallen around 10 places in the league tables over the last few years. Work is being undertaken in a number of areas to increase the University's position in the national and international league table.

DJD explained that it was important to address the decline. JL stated that the University needed to be in the top 30 in the international league table as this was the 'cut-off' point for many of the overseas agents.

6. Agenda Item 6 – Pension Update

PT reported on the following pension updates:

- Contributions for the USS and UoY pensions have now increased, following the recent consultations.
- We are nearing a new cycle of auto-enrolment for all eligible employees into the People's Pension who have previously already opted out. Gillian Hamilton, Pensions Manager, will be writing to all affected employees.
- The UoY pension has been closed for a period of 3 years and is now open again for eligible employees.
- USS will be coming to the University to give presentations on the further changes for anyone earning £55k or more.

7. Agenda Item 7 – Equality Issues

DJD reported on the following equality updates:

- The VC will be chairing the University Equality, Diversity and Inclusion Committee.
- An offer has been made for the new Head of Equality and Diversity post, details to follow.
- Interviews are soon to be held for the new Athena Swan Co-ordinator post.
- The equality champions continue to meet.
- A new equality training module will soon be finalised.
- Work will be undertaken to reinvigorate the various staff forums; Race, LGBT, Disability and Athena Swan.

DJD added the University will shortly be undertaking a consultation on the Equality and Diversity Strategy and input from union colleagues would be very welcomed.

KW stated this is an important area of work and it is good to hear the progress which is being made.

8. Agenda Item 8 – Collective Communication

PT explained the quarterly collective communication meetings are used to share information at an early stage about change initiatives.

PT stated the next collective communications meeting is on 25 May and discussions will be held on potential redundancies. Members will also be updated on forthcoming change programmes within Biology, Information Services and Language and Linguistics.

9. Agenda Item 9 – Special Interest Groups

Policy Development

Members noted that the following policies had been updated:

- Leave in Special Circumstances – New provision for Carers Leave

Reward Temporary Working Group

PT reported progress is being made in reviewing the rewarding excellence and making the difference schemes.

The next item to be discussed by the group will be grade 5 researchers.

10. Agenda Item 10 – UCU, Unison and Unite Agenda Items

Christmas/Closure Days

It was agreed the item on closure days will be taken forward by Unison (see action on page 2).

University Induction

JDG explained around 9 months ago there was an email exchange within which trade union colleagues requested the names of new starters who would be attending the University's central induction programme. JDG explained the management response was that due to data protection requirements this information could not be shared.

JDG explained UCU had contacted other comparable University's and found that Edinburgh, St Andrews, Birmingham and East Anglia all supply trade union colleagues with this information.

JDG made a request for managers to find a way to work around any data protection issues in order to share this information with union colleagues. Alternatively, JDG requested that the contact details of unions be included in the offer of appointment letter for new staff or for union colleagues to be invited to present to new staff at the central induction.

BH stated that given the University's commitment to collective communication there should be no reason not to help new starters to join the unions if they wished to do so.

DJD invited UCU to provide details of the approach adopted by the Universities identified. Consideration would be given to the suggestions made.

Action – Consideration to be given to involvement of Trade Unions at central induction and/or union details being passed onto staff at the 'offer' stage of recruitment.

Action – JDG to speak with contacts at other University's regarding sharing new starter details.

Facilities time for Restructures

KW stated that she and PT had a conversation some time ago about creating a formula to determine the amount of facilities time required to support restructures.

KW suggested the 3 unions get together to come up with a template checklist of points to be considered at the outset of a change programme, for example facilities time.

Action – 3 unions to draft a restructure checklist for consideration by HR.

In the meantime KW stated extra facilities times as a result of the recent restructures will be requested in writing to PT and Pat Lofthouse.

Check-off Arrangements

BH suggested there will be provision in the new Trade Union Act for organisations to charge for check-off (payment of TU subs through the payroll system). BH enquired as to whether UoY would be introducing a charge for this.

JL stated that unless the work involved in this arrangement increased he could not see there would be a need to introduce a charge for this service.

14. Agenda Item 11 – HR Update

Advanced Employment Checks for Biological Services Facility (BSF)

DJD explained advanced employment checks for new starters working within the biological services facility (BSF) would be undertaken and the University would reserve the right to undertake random screening of staff and students.

DJD stated there had been some concerns from existing staff that the screening may be intrusive.

DJD added that an external screening service would undertake the checks and that would include checks on criminal convictions.

UK Visa and Immigration (UKVI) Requirements

PT explained it had been brought to the attention of the University that an illegal worker had been employed on a casual basis. There are ongoing concerns due to the dispersed nature of casual engagements across the University. The University have engaged 5721 casual workers over the last 2 years resulting in a casual pay bill of £3.3 million per year.

PT stated interim guidance on right to work checks has been circulated to departments which include the requirement to hold evidence for UK/EEA staff and the restriction on students to not work more than 20 hours per week within term-time.

PT added an audit has been conducted and there appears to be some gaps for staff appointed from 1997 – 2006. PT noted prior to 1997 no right to work checks were required, and 2006 is when the University implemented a shared HR service. Work will be undertaken to contact all employees and workers whose records are incomplete with regards to right to work, this means that contact will be made with some long-standing, in some cases, senior members of staff to ask for proof of their right to work. PT encouraged union colleagues to help to contextualise this request should they receive any queries.

KW asked if any thought had been given to casual engagement being centralised.

PT explained the interim guidance was the short-term response. DJD will be chairing a group to try to consider the best way of managing this longer-term.

Disclosure and Barring Service (DBS) checks for IPC staff

HA asked whether the University would be implementing DBS checks for staff working with IPC students who may be under 18 years old.

JL confirmed DBS checks would be carried out for all IPC staff. PT added DBS checks for staff were determined using a risk-based approach and were dependent on the nature of their role.

2016 Pay Claim

PT explained UCEA have made a full and final offer of a 1.1% pay uplift to the 51 point pay scale, with additional pay uplifts up to point 7 on the pay spine and a commitment to undertake further work on two areas gender pay gaps and casual and hourly-paid employment.

PT added UCU have planned industrial action as a result of the pay negotiations including a two-day strike on 25 and 26 May and action short of strike (ASOS) in the form of working to contract from 25 May 2016.

PT asked for clarity from JDG about suggestions that external examiners would be involved in action.

JDG confirmed UCU are looking at other ways they can express concern about the pay negotiations and one of the measures being considered, which would not form part of the formal dispute, is the possibility of individuals resigning from external examiner positions. JDG stated this option is still being discussed at a national level and UCU will be public about it when any decisions are made.

Get to know HR session

Following on from an offer made by PT at the last JNCC meeting it was agreed it would be useful for a session with HR colleagues to be arranged.

Action – PT to organise a session for HR and Union colleagues.

Academic Probation Policy

PT spoke about a previous amendment to the Academic Probation Policy from a 3 year to a 2 year probation period.

PT explained the policy requires academics to have completed the Postgraduate Certificate in Academic Practice (PGCAP) as part of the probation process, but that is causing some issues due to timing. PT confirmed some work will be undertaken to de-couple completion of PGCAP from the probation policy at the DVC's request.

Facilities Time

JH stated she is awaiting the allocations of facilities time for 2 unions.

Action – UCU and UNITE to provide information on facilities time to JH.

15. Agenda Item 12 – Date of Next JNCC Meeting

Next meeting - 18 October 2016, 2pm, H/G19

16 Agenda Item 13 – Dates of future JNCC meetings

Future meetings - 14 February 2017
16 May 2017