

UNIVERSITY OF YORK

**JOINT NEGOTIATION AND CONSULTATION COMMITTEE**

**Minutes of the Meeting held on 06 February 2018**

**Present:**

Registrar and Secretary, Ms JL Horsburgh, JH (Chair)  
The Vice Chancellor and President, KL  
Director of HR, Dr JC Ivory, JCI  
Director of Finance, Mr J Lindley, JL  
Director of Estates and Campus Services, Mr S Talboys, ST  
Mr RM Armitage, Unite Chair, Physics, RA  
Dr J Cussens, UCU, Computer Science, JC  
Ms FC Daly, UNISON, Law, FD  
Ms AI Duarte, UCU Vice-president, Centre for Health Economics, AD  
Mr J Fanning, UCU, Management School, JF  
Ms SK Harper, UNISON, Health Sciences, KH  
Mr RJ Hide, Unite, Physics, BH  
Dr J Issitt, UCU, Education, JI  
Ms AC Stroughair, Physics, UNISON, AS  
Professor G Wall, UCU President, English and Related Literature, GW

**In Attendance:**

Ms M Ayaz, Head of Equality and Diversity, MA (for 17-18/35)  
Ms J Haffejee, HR Partner, JEH  
Ms K Slade, HR Adviser (Secretariat), KS

**Apologies:**

Dr Joanna de Groot, UCU, History  
Mr KP Done, UNISON, Security  
Dr DN Huyssen, UCU, History  
Dr SMJ Minta, UCU, English and Related Literature  
Ms P Tunbridge, Deputy HR Director  
Ms J Underhill, UNISON Secretary, Security

**17-18/16    Agenda Item 1 – Appointment of Chair**

Jo Horsburgh was appointed as Chair.

**17-18/17    Agenda Item 2 - Apologies**

Apologies were recorded as noted above.

**17-18/18    Agenda Item 3 - Approval of Minutes of the Last Meeting**

The minutes of the meeting held on 31 October 2017 were approved with a minor spelling amendment to the attendees.

**17-18/19    Agenda Item 4 – Strategic Update**Vice Chancellor and President update

KL reported on the following matters:-

Jo Johnson (Minister of State for Universities, Science, Research and Innovation) has been replaced by Sam Gyimah, in the renamed position of Minister for Higher Education. A major review of student finance and funding was anticipated which could have significant implications for the sector

The Office for Students' will come into being in the coming months. The Office for Students' will take on a more traditional role of market regulator to ensure value for money for students and taxpayers.

The University has made a submission to the next round of TEF, applying for Gold status. The University's initial assessment is that the metrics are close to a possible Gold award with a number of metrics having improved since the last submission. A strong narrative statement had been created to accompany the submission.

KL reported on the impact of Brexit on the University, particularly regarding the recruitment of staff and students since the referendum. Staff turnover rates from 2015 had been impacted, but there was no evidence of an outflux of staff or an inability to recruit international colleagues. Student recruitment from non-UK EU countries is falling across the sector with higher reductions seen in the north rather than London and the south of the UK.

**17-18/20    Agenda Item 5 – Finance Update**

JL provided an update on the following:

A Q1 deficit had shifted to £800k surplus. Cash flow had improved with 59 days net liquidity vs 32 days previously.

Staff costs for 2016/17 were 55.2% of total income. They were previously approximately 53% in 2013/14 and anticipated to rise to 57.5% in 2017/18, 56.1% in 2018/19 and stabilise at around 55.6% in 2019 - 2021. The increase since 2013/14 was primarily due to the rise in USS contributions over this period.

There will be no CPI increases to home fees for the next 2 years and any inflationary increases were unlikely in this parliament. This results in a reduction in revenue of £12.9m across the plan. Exchange rates are down, which means study in the UK is likely to be more attractive to overseas students.

University debt is at the lowest point it has been since 2014 and the University is now more aligned with the sector in terms of its borrowing profile.

**17-18/21    Agenda Item 6 – USS Valuation – UCU**

GW asked if there was anything KL could add to clarify the University's position following the USS consultation meeting on 23 January 2018.

KL reported that the University position was briefly stated in a note circulated to all staff last week. This explained that the University was encouraging all parties to focus on the following three things to make productive progress:

- To consider options such as alternative models for risk sharing that might provide higher certainty about retirement to members. For example, a collective defined contribution scheme as used in other European countries, but which was not possible under UK legislation at this time.
- For the negotiators to explore and articulate a framework for the future reintroduction of the defined benefit scheme in the event of an economic upturn. The hybrid model had been retained to facilitate this.
- To explore the deficit recovery position and to continue to appeal to UUK and USS to explore with the regulator what is possible in order to keep contributions as low as possible.

KL said that he was prepared to write more formally to UUK to clarify what York as an institution would like to see.

GW asked whether there was any expectation for a review of the current proposals before 22 February, in the hope of avoiding strike action. GW clarified that a halt to the strike would depend on the offer and UCU would not ballot on a revised proposal if this was not going to address members' concerns.

KL indicated that UUK had set out its position and he did not anticipate any immediate further review of the current proposals.

JCI advised that USS will be sending members a communication shortly which will arrive via the University Pensions Team. The communication will contain clarification of next steps and the consultation period. The University Pensions Team will in the coming weeks be arranging sessions to explain the proposed changes to the scheme and the member consultation process.

#### **17-18/22     Agenda Item 7 – Strike pay deductions – UCU**

In light of the recent legal case surrounding the calculation of a day's pay, GW asked how much money from strike pay withheld (based on 1/260th per day) had been given to student causes over the last 5 years. GW also requested the amount of pay withheld, if calculated on 1/365th for the same period, in order that UCU could consider whether it wished to recoup this amount for members.

JCI advised that she did not have the figures to hand but that the University had made a commitment to withhold pay at 1/365ths per day for the forthcoming industrial action. JCI also confirmed that in order to consider a refund, individuals would have to make a claim, providing as much information as possible.

UCU advised that they would prefer a collective solution to claiming back the difference in deductions. They were concerned that to make the claim process an individual matter would deter claims.

It was noted that this also affected UNISON members too, albeit not for the forthcoming strike action.

**ACTIONS:**

- To investigate how much money has been withheld at 1/260<sup>th</sup> over the last 5 years and what this would have equated to at 1/365<sup>th</sup> for further consideration - JCI

[GW left the meeting at 14.40]

**17-18/23 Agenda Item 8 – 4 weeks marking deadline – UCU**

- Review /Risk assessment
- Next steps

UCU raised concerns about the risk to the quality of marking by the introduction of the 4 week feedback deadline. UCU noted that a lot of thought and deliberation went into providing feedback to students and UCU were concerned that this may be adversely affected if colleagues were under pressure to meet the 4 week deadline, particularly for certain large modules involving assessment via essay.

JL expressed concern over the mental health of markers and the decreased time they had to carry out this work. He questioned whether any stress testing or risk assessment had been carried out. UNISON said that the reduction in marking time would also affect support staff.

JH said that this was a matter for University Teaching Committee to consider and suggested that UCU should raise their concerns with John Robinson in the first instance.

**ACTION: UCU to raise their concerns to John Robinson, PVC Teaching, Learning and Students**

**17-18/24 Agenda Item 9 – Performance & Development Review - UCU**

Remit to next meeting as a meeting with HR had now been arranged.

**17-18/25 Agenda Item 10 – Gender Pay Gap – UCU**

Equal Pay Action Plan and Working Group

Following the last meeting, UCU had been in touch with Helen Selvidge and FD with regard to the action plan on gender equality. UCU members were happy for the action plan to progress and to contribute via FD, but still believed there is a margin for negotiation on the gender pay gap.

JCI confirmed that the University would negotiate if any changes to pay were proposed. Union members felt that it was important to give consideration to casual staff and those with a career interruption, such as parental leave or for caring responsibilities. They felt that women were often pushed into casual roles when they were trying to get back into work from such types of leave. MA would ask the gender equality working group to give consideration to casual staff and those on fixed term contracts.

JCI confirmed that the statutory gender pay gap report took account of casual staff paid on an hourly basis.

JH commented that the University gender pay gap is affected primarily by the higher end of the professorial bands, the challenges being how to attract and support more women into senior professorial roles. Increasing female representation on committees to enable colleagues to gain experience along with other ways to support promotion applications were noted as important.

Good progress was noted. FD commented that she was impressed by how the action plan was moving forward and that there was a lot of good intent from HR and the University.

**ACTION: HR to consider how casual and fixed term contract staff are being considered in the gender pay gap reporting.**

**17-18/26     Agenda Item 11 – International Pathways College: Working Conditions – UCU**

- Meeting with interested parties
- Clarification of role of Kaplan partners

Following a presentation at the last JNCC meeting from Matthew Perry, Director of IPC, UCU advised that a separate meeting with Matthew had not yet been arranged. JEH advised that Colin Jobber (HR Partner) and Matthew had met with JC shortly before the last meeting, but that JC was not aware of all the issues of concern.

JL advised that there is a detailed agreement between the University and Kaplan as to who provided/was responsible for a particular service. The lead responsible for certain services may be clearly attributed to one partner, or it may be shared. For example:

- Approval of entry criteria is the responsibility of University;
- In-country pre-departure events are the responsibility of Kaplan;
- Attendance reporting is shared.

Broadly speaking, the University looked after the Academic requirements and provided students with the same level of core support as all other University of York students.

Kaplan looked after recruitment/marketing and provided an additional layer of student support over and above that found elsewhere within the University.

JCI requested that if UCU would still like to meet to discuss further, they should advise HR of members' outstanding concerns.

**ACTION: UCU to advise HR of the outstanding issues**

**17-18/27     Agenda Item 12 – CLL – UCU**

- Recruitment of Head of CLL
- Review

Interested parties have met and agreed next steps.

**17-18/28     Agenda Item 13 – Timeline for JNCC and Collective Communication meetings – UCU**

UCU requested clarification of the timescale for the circulation of minutes. It was agreed that draft minutes from the JNCC meetings and/or action points (where the

minutes were not yet available) were to be issued within two weeks of the meeting date.

**Action: JNCC draft minutes and actions points (if minutes not available) to be issued within two weeks from the meeting date.**

**17-18/29     Agenda Item 14 – Distance learning – new programmes – UCU**

Clarification on the role of external partners

UCU raised concerns regarding the role of the external partner, Academic Partnerships, and its role in decision-making. JF explained his understanding was that the role of the external partner was only to market the programmes, however they had converted some of his modules to a format that he could no longer edit. He was also concerned that his module credits had reduced by 25%. JF asked for clarification on the role of the external partner and its relationship with the University.

JL advised that the University Teaching Committee had decided the course modules would be 15 credits and that issues with module editing were likely to be linked to the virtual learning environment that had been chosen. He advised that ITS had reviewed 3 packages and decided that Canvas was the best one to use. JL advised that Academic Partnerships provided marketing services and support services to do with retention issues and confirmed that the contract in place states that the University retain all intellectual property rights. JL suggested that JF contact Tracy Lightfoot or John Robinson to discuss his concerns. JF asked for details of the commercial arrangement with Academic Partnerships. JL advised he would look into whether he was able to share this information.

**ACTIONS:**

- **JF to make contact with Tracy Lightfoot and John Robinson to discuss concerns**
- **JL to look into whether commercial arrangements with Academic Partnerships can be provided.**

**17-18/30     Agenda Item 15 – Biorenewables Development Centre – UCU**

Change of cost centre and implications for terms and conditions of employment.

UCU noted that they were informed some time ago that the BDC was to have its own cost centre and this was discussed at the Collective Communications meeting in November 2017. JC reported that UCU members had recently advised him about a review of BDC to be led by Jon Timmis, which may lead to some staff grades being lowered.

JEH advised that she had spoken to Helen Foster, Senior HR Adviser, who provides HR support to the BDC, who had not mentioned any review.

JC asked whether a change in cost centre would mean that they would be expected to generate more income. JL explained that the BDC would continue to operate as a company and the change was to ensure that the costs could be clearly identified. Professor Jon Timmis would chair the board of the BDC. It was noted that the change in cost centre in itself was not a factor in terms of grant and income expectations.

**ACTION: JEH to check position with Helen Foster**

**17-18/31 Agenda Item 16 - Matters Arising**

Matters arising from the meeting of 31 October 2018:-

Union to nominate contact points

Contact points were confirmed as:

UCU - Ana Duarte

UNISON - Jenny Underhill

Unite - Bob Hide

Renaming of Local Voluntary Severance Scheme

The scheme had been renamed the Severance by Agreement Scheme.

[KL left the meeting at 15.08]

**17-18/32 Agenda Item 17 - Campus Masterplan**

ST gave a presentation on the campus masterplan, which mapped out the direction of travel proposed for the development of the campus over the next 10 - 20 years.

ST reported that an early development already in train was the plan for an additional student accommodation of circa 1200 new beds on Heslington East by 2020/21. It had not yet been discussed whether these would be set up as new college(s) or become part of an existing college, but ST confirmed there would be a social space included in the proposals.

Questions were raised about how transport links between Heslington West and East would be influenced and whether the UB1 service could run outside term times. It was also commented that it would be helpful for information to be available regarding the bus services, so that they may be better utilised by staff and students.

Concerns were raised about the resilience of Lakeside Way as a road on a site where building works were planned, noting that the current paved roadway had a number of issues with regard to its construction. ST advised that the road had been designed and built by an external party and the University was aware of the issues with the road and were seeking to address the matter with the contractor. This, however, was a lengthy process. It was noted that the access route to Campus East during the building works was being considered and would feature in the design of the plans.

Concerns were also raised about disability impact assessments regarding buildings on Heslington East. ST undertook to raise this with his team.

The Smith and Nephew building was discussed. Concerns were raised about the current allocation of teaching space being well below what was required for York Management School. ST advised conversations were ongoing about how the space could be utilised and a report with a number of options would be produced. The Dean of Social Sciences was leading a group looking at the configuration of that building and that colleagues from the departments of Management and Politics were on the group.

KH asked for an update on car parking spaces. ST advised that the University currently has around 3000 spaces. As part of the campus master plan, it was envisaged that there would be about as many spaces in future as there are currently. A multi-storey car park had been explored, however this would be very expensive and would need to be used 24 hours to be cost effective.

ST then provided an update on the Wayfinding project, reporting that the plan was for the campus to be split into 10 colour coded zones with a hierarchy of signage which would make it easier for visitors, students and staff to navigate through campus. Installation of new signage was due to commence in April 2018 on a zone by zone basis.

ST explained that the information on the proposals for the campus masterplan which had been presented had not yet been widely shared with staff as the plans were very much at a framework level and still being developed, but there would be a consultation process with staff and students later in the year. The University was also working with the local Parish Council and the City Council with regard to how the University's plans would connect with the City's local plan.

**ACTION – ST to look into concerns raised about the disability impact process and report back to the next meeting.**

**17-18/33     Agenda Item 18 - Deduction of Contribution at Source (DOCAS)**

JEH provided an update. DOCAS legislation has not yet been passed in Parliament, but if passed into legislation in its current form will include a requirement for all employers to charge a reasonable amount for trade union contribution deductions made via payroll. The University is proposing a cost neutral charge of 0.88% of deductions. UNISON reported that other institutions would be charging 0.25% and requested a breakdown of how that figure had been derived. JEH advised that she would confirm this. If the legislation is passed, it is anticipated that the new rules will be in place from 10 March 2018.

**ACTIONS:**

- **JEH to confirm how the calculation for deductions has been derived.**
- **KS to add to next JNCC Agenda so the outcome can be minuted**

**17-18/34     Agenda Item 19 - Christmas 2018 Closure Days**

JEH confirmed the planned closure days for Christmas 2018. This year there would be 4 closure days because Christmas Eve fell on a Monday.

The closure days will be as follows:

Monday 24, Thursday 27, Friday 28 and Monday 31 December 2018.

**ACTION: HR to issue comms to confirm closure days**

[JC left the meeting at 15.40]

**17-18/35      Agenda Item 20 - Standing Item - Equality Issues**

Equality Strategy update

MA updated members that the new Equality Diversity and Inclusion Strategy had now been approved and the formal launch of the strategy across campus had begun, with a number of planned roadshows across departments and directorates, with the aim being to engage as many staff and students with the key messages of the strategy. The document was also noted as being live on the University website. MA encouraged members to suggest local events / venues where the team could get involved to promote equality and inclusion.

At the last ED&I Committee a workshop was organised to review the draft action plan that supports the implementation of the strategy. The workshop was co-facilitated by a consultant from the Equality Challenge Unit. The draft action plan would be shared again with the ED&I Committee in March.

Athena SWAN update

MA shared at the last meeting the significant resource contribution and support for Athena SWAN received from UEB. Following that, MA was pleased to report on the following progress:

- Professor Joan Williams, a high profile international speaker would be attending the Festival of Ideas, and delivering an inaugural Athena SWAN/Gender equality lecture
- Plans were developing to fund 2 Daphne Jackson Fellows
- Work was also progressing to fund a visiting gender equality fellow
- A play was being commissioned by colleagues in TFTV and will go into production in June 2018 on the themes of women in science

The Athena SWAN Steering Group were prioritising the preparation for the Institutional Athena Swan renewal in November 2018, focusing on reviewing the University's data, institutional progress to date and priorities ahead, and were looking for positive stories to support the next submission.

It was reported that there were a number of new departments in Arts and Humanities and Social Sciences who were also working towards applying for an award in the April and November 2018 rounds.

LGBT History Month

MA also reported that the team had worked hard with local organisations and HEIs to organise this years city wide LGBT History month celebrations. The University would be hosting 15 events throughout this month, with events and talks themed through the lens of geography. Further information was available on the ED&I webpage and twitter account.

**ACTION: KS to circulate the ED&I Strategy Action Plan with the minutes, for comment**

**17-18/36    Agenda Item 21 – HR Update**

**Statutory Gender Pay Gap reporting**

JCI confirmed that the University would be publishing its report week commencing 12th March 2018, ahead of the deadline. It was reported that the gender pay gap was 19.61% which is very much in line with the biannual equal pay review and believed to be one of the lowest in the Russell Group. JCI reported that the key driver of the pay gap was the under-representation of females in senior roles at the University. Within framework grades, female representation diminished from grade 4 upwards, whilst male representation increased from grade 4 upwards. In non-framework grades, female representation in Professorial bands 1 to 3 diminished, whilst male representation increased.

This was a familiar trend and was affecting many other employers who are publishing their statutory gender pay gap on the gov.uk website.

**Mental Health First Aid Network**

JCI reported that the network was actively being promoted and confirmed the aspiration for key staff to participate in training. The resourcing implications were being considered.

KH commented that she had been on the training and it was very worthwhile. UNISON requested that the Mental Health First Aid Network be included in all HR letters to staff, alongside CIC wording.

**Action: JCI to consider the request further.**

**Performance and Development Reviews (PDRs)**

JCI explained that the University has been through 2 cycles of the PDR process which is currently being reviewed as to how it has operated. JCI was scheduled to meet with UCU due to concerns they had expressed, but would welcome input from UNISON and Unite colleagues if they would like to be involved. BH noted he would attend for Unite.

**Action: KH to speak with Jenny Underhill about a UNISON attendee and advise JCI.**

**Student Leadership**

JCI reported that the Learning and Development Team were doing a considerable amount of work on the student leadership programme – this was regarded as an innovative programme and the University of York was believed to be the only institution running a 1 day experiential programme for all first year Undergraduates.

**17-18/37    Agenda Item 22 - Special Interest Group – Standing Item**

**Policies**

Personal Relationships at Work policy. This had been agreed and was in the process of being communicated more widely.

**Pensions**

A SIG for the UoY pension scheme had been established and was due to meeting 27 February.

[secretaries note: This meeting has now been rescheduled for 19 March 2018]

**17-18/38      Agenda Item 23 - Date of Next JNCC Meeting**

15- May 2018 at 2.00pm in H/G17

Trade Union colleague to chair: Richard Armitage (Unite)