**JNC(UCU)/16/2/A**

**UCU Joint Negotiating Committee**

**Minutes of the meeting held at 2.00pm on 15 February 2017**

**in the Sussex House Committee room**

**Present:**

**University Management:** Stephen Shute (SS), Pro-Vice-Chancellor - Chair; Sharon Jones (SJ), Academic Registrar; Sheila Gupta (SG), Interim Director of HR.

**UCU representatives:** Chris Chatwin (CC), President; Rumy Hasan (RH), Denise Turner (DT); Sharon Lambley (SL).

**In attendance:** Sarah Cox (SC) - Management Joint Secretary; Ian Carter (IC), Director of Research & Enterprise Services (agenda item 5 only).

**1. Welcome, introductions & apologies for absence**

SS introduced SG, new Interim Director of HR, and welcomed her to her first UCU JNC.

Apologies were received from Mike Moran, UCU National Officer.

SS noted that there was a vacancy on the management side of the committee for a Head of School and that he expected this would be filled before the next meeting.

**2. Minutes of the meetings held on 23 November 2017 (JNC(UCU)16/1/M)**

Subject to the correction of a spelling error, the minutes were agreed.

**3. Matters arising**

**3.1 Gender pay gap/equality objectives**

This action had been completed – the link to the information had been sent to UCU.

**3.2 TU notice boards**

SC reported that it would not be possible for Communications to send out ‘all-staff’ emails on behalf of UCU, because staff complained if such emails were sent out too often and therefore their use was restricted. However, there was an app that UCU could use to easily set up their own campus discussion group.

**ACTION – SC to send UCU details of how to set up their own campus discussion group.**

**3.3 Workforce data**

This action had been completed – SC and SL had met to discuss provision of workforce data. SC provided SL with an example dataset to consider.

**3.4 UK Scholarly Communications Licence**

This action had been completed – MM had provided feedback. The UK Scholarly Communications Licence was discussed further at item 5 on the agenda.

**3.5 Procedure Agreement**

Jane Summerville had not commented on the latest draft of the Procedure Agreement before she left the University, but had passed it to SC to take forward. CC said that UCU were happy for the Procedure Agreement to remain as it was with the exception of allocated remission time, which they wished the University to increase. SC said that she understood the original motivation had been to factually update the UCU Procedure Agreement.

**ACTION – SC to review the existing UCU Procedure Agreement and identify whether any updates were required.**

**3.6 Workload model**

This action had been completed – an update on the workload model was provided at agenda item 6.

**3.7 Prevent duty guidelines and training**

This action had been completed – SC had sent UCU the link to the training resources.

**3.8 Reasonable adjustments panel and legal liability**

The written response to concerns about legal liability and not been sent to UCU.

**ACTION – HR to send UCU a written response to their concerns about legal liability for members of the Reasonable Adjustments Panel**

1. **Staff survey results**

SG said that the statistical results of the most recent staff survey were out and had been published on the University website. The free text responses would appear on the website later in the week. It had been necessary to redact these responses in order to remove any names or any phrases that would identify an individual. All staff would have access to all the survey results.

A Task and Finish Group would be established comprising a representative cross section of staff and chaired by a Head of School. Based on the survey results, the group would make recommendations and work on these would then be undertaken by separate working groups.

Heads of Schools and Professional Services areas would work closely with SG and other colleagues to address local issues that had arisen from the survey in their own areas. Interventions would be tailored to the requirements of the individual area.

SL said that UCU had invited their members to take part in a work-related stress questionnaire and the results had largely mirrored those that came out of the staff survey. Devolving action to local areas would work well in some areas and not others. In some there would be an issue with people feeling safe to come forward and say what they needed to say. It seemed that not much had changed since the first Staff Survey and people needed to see that things were improving.

SG said that the key to changing behaviour and culture was through using an organisational development approach to connect with people, and using interventions that they were comfortable with. The reason why there had not been much change in the previous three years was that interventions had not been tackling the issues in the right way.

RH asked what training, including being made aware of relevant laws and University procedures, managers received when they first took up their post. SS said that there was a leadership training programme for senior managers. SC said that specific courses on areas such as recruitment, managing performance and managing fixed-term contracts were offered for all staff and were run at the University by the law firm Pinsent Masons.

SS said that some of the results of the survey were concerning but the University did not want to hide those aspects, but rather work together with the trade unions to try and make a difference.

DT said that UCU welcomed the commitment to making a change.

1. **UK Scholarly Communications Licence (JNC(UCU)/16/2/1)**

IC attended the meeting for this item.

IC said that since the previous meeting he had received feedback from UCU and had addressed those points in his updated paper.

UCU had expressed the concern that staff members could not opt-out of or terminate the licence should they decide to transfer their intellectual property rights in the scholarly works to any third party. This was addressed in paragraphs 17 and 38 of IC’s paper. A member of staff could sign an agreement which assigned rights to a publisher, but as the University would already have informed the publisher of the University’s adoption of the UK-SCL the University’s licence would still stand irrespective of what the member of staff had signed. The member of staff would not be required to inform the publisher about the University’s adoption of the licence. A member of staff could opt out of the licence via a waiver, which would need to be done on a per item (rather than per person) basis. This was covered in paragraph 31 of IC’s paper.

UCU had expressed concern about the risk that the University could commercialise the scholarly works without the relevant staff member’s permission and recommended that the University’s right to sub-licence was restricted on a non-commercial basis only. This was addressed in paragraph 28 of IC’s paper and paragraph 17 of the Policy on Exploitation and Commercialisation of Intellectual Property (the IP Policy), where it had been made explicit that the University’s right to sub-licence would be on a non-commercial basis only.

UCU had expressed concern about what was covered by the licence, i.e. all scholarly works, conference proceedings and similar outputs while the author was a staff member of the University. They requested a clearer demonstration that any scholarly works created outwith the ordinary course of employment (i.e. during personal time and sabbaticals) using personal materials and resources should not be captured by the licence. This was addressed in paragraphs 11 and 33 of IC’s paper, where the phrase ‘normal course of employment’ was clarified. IC clarified that work undertaken during a sabbatical would be considered as part of the normal course of employment however.

UCU expressed concern that staff were obliged to obtain a licence for the University for any co-authors on the same terms as the IP Policy, and that this was quite an onerous obligation on staff. This was addressed in paragraph 36 of IC’s paper and paragraph 57 of the IP Policy. The IP Policy required staff to use ‘reasonable endeavours’ to achieve the agreement of co-authors. The national Steering Group were developing a standard clause that could be included in collaboration agreements and, if this were not possible, a piece of standard text that could be sent to co-authors to request their agreement, and assuming agreement unless they objected by a specified date.

CC said that IC seemed to have addressed all of UCU’s concerns.

SL said that UCU would circulate the update to members and obtain feedback. IC said that he would need to receive this one week before the Senate meeting on 1 March 2017.

**ACTION – UCU to send any comments or questions on the revised paper to IC by Wednesday 22 February 2017**

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1. **Workload model**

SS said that the Vice Chancellor had now reviewed the work carried out to date on the Workload Allocation Model and given consent for it to proceed. The next stage was to pilot and test the new model in the three Schools involved in the Senate Working Group, plus the School of Law, Politics & Sociology who had requested to be included. To conduct the pilot it was necessary to procure some new workload allocation software, and the procurement process had recently commenced.

SS said that a separate meeting would be arranged with UCU in order to look at the Workload Allocation Model in more detail.

CC said that UCU saw fair and transparent workload allocation as an important part of addressing the bullying that staff had reported in the staff survey. SL said that UCU members felt workload allocation was a big problem and were frustrated that this project was moving slowly, but UCU appreciated that the University had to go through the procurement process and that this would take time.

**ACTION – SC to arrange an update meeting between SS and UCU on the Workload Allocation Model.**

1. **Probation policy**

SG said that Alasdair MacKay in HR had done a lot of work on creating a draft new Probation Policy. When SG had met with Heads of Schools and Directors on joining the University, all had raised probation and expressed dissatisfaction with the current model. SG said that she wanted to take some time to review the work that had been already been carried out on the revised policy and assess the extent to which his addressed the feedback she had received.

1. **Working with relatives and conflict of interest**

SG said that the Westmarland report had recommended that the University develop policies in this area. At the recent meeting of the Equality & Diversity Committee a working group had been set up to take this forward. SG was a member of the working group. An overarching code of conduct would be produced, which would then have a specific set of policies attached to it.

1. **Independent exit interviews**

CC said it was UCU’s view that Exit Interviews would be a helpful tool for the University to understand some of the issues that staff experienced.

SG said that she valued Exit Interviews as a source of important information. SG had recently attended the Researcher Development Committee, and members of that committee had already developed and started to use an Exit Interview process. SG suggested that HR review what this group had produced and consider whether it would be suitable for wider use.

**ACTION – HR to review Researcher Exit Interviews**

1. **Request for an increase in UCU remission time**

UCU said that due to the increase in the number of staff at the University they would like to request an increase in their facility time allocation to 2 FTE.

SC said that she had undertaken a benchmarking exercise to understand what facility time other Universities offered to their recognised trade unions. The responses would be collated and UCU’s request would be considered.

**ACTION – SC and SG to consider and respond to UCU’s request**

1. **Pension deficit**

CC said that he had read an article about the expected USS pension deficit and the ways in which USS may seek to address it, and asked for the University’s view on this matter.

SS said that the USS revaluation date was 31 March. Allan Spencer, Director of Finance, was closely involved with USS and would be able to provide more information about the situation after 31 March. SL requested that Allan Spencer attend the next JNC for this purpose.

**ACTION – Allan Spencer to be invited to the next JNC to discuss the USS pension deficit.**

1. **Any other business**

CC expressed concern about the way in which the transition to the new Associate Tutor contract had been implemented. UCU members had reported concerns with the way they had been dealt with by members of HR staff and the wording and tone of the contracts themselves. CC said that the member of staff SG had said would respond to him about his concerns had not done so.

SG said that a working group was being set up to look at improvements to the new Associate Tutor contract and system in with a view to improving it for the next academic year. SG said that she would follow up on the response to CC’s concerns.

1. **Date of next meeting**

Wednesday 31 May 2017, 1pm

Sarah Cox

23 February 2017