

**Notes of meeting no 18 of the special, combined JNC held on Friday 26 June2020**

**Present (virtually)**: Stephen Shute, Pro Vice Chancellor, (Planning and Resources) (SS) (chair); Tim Westlake, Chief Operating Officer (TW); Keith Hart, Deputy Director of HR; John Hallam, Interim Assistant Director of HR (ER) (JH); Jo Pawlik (JPk); Andrew Chitty (UCU) (AC); Joanne Paul (JP); Paula Burr (UNITE) (PB); Caroline Fife (CF); Daniel Hynd (DH); Elaine Stephen (ES); Holly Foster (HF).

**Apologies**: Bridget Edminson; Peter Brooke; Chris Chatwin; Claire Colburn; Alan Mayers; Mike Moran.

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| 1/18 | **Notes of Previous Meetings**Notes of the meeting of 19 June 2020 were agreed as a correct record. |  |
| 2/18 | **Covid 19 / Campus Return Update**TW was chair of the H&S Committee which was now meeting fortnightly. Robert Hutton (RH) was leading work on planning and preparations for a return to the campus. Steve Carter (Head of Health and Safety) was working closely with trade union representatives. The intention was to develop a structured approach to managing the return to campus. A lot of detailed work and risk assessment was taking place examining such issues as how exam boards might work, catering facilities, use of kitchens and toilets. The new Director of HR, Siobhan O’Reilly would be starting on Monday 29/6 and would be leading a review of relevant employment policies, such a flexible working, to support new working arrangements. TW said there was a need to begin to prepare the campus for the autumn term but at present, there was no urgent pressure for return. The University would continue to follow Government advice – which remained – work from home if you can. TW said he was also mindful that some people were very keen to get back to campus.CF asked if we would be adjusting risk assessments in line with the latest Government advice (1m social distancing) or whether we would retain a local 2m social distancing rule? TW said risks would need to be assessed and understood in a holistic way and this would be one of the elements for discussion for each situation for any returns planned for the autumn.JP raised concerns about public transport. Would the University be able to provide alternative means of transport? TW said this was not being discussed at present but he would ask Steve Carter to take a look at this issue.AC noted that Bolton was operating a free cycle to work scheme and he hoped Sussex would be able to facilitate something similar. AC also reiterated that this his concern was to ensure a return based around safety standards rather than individual needs. TW said that everything would be based on health and safety considerations but that there were many dimensions to health and safety – grey areas – such as the use of masks and mental well-being. The University would follow Government advice as appropriate.TW noted that there is a formal process to request attendance at campus. Currently for most staff, attendance at campus was voluntary. | TW |
| 3/18 | **VS Update**KH gave an update on the progress of the VS scheme. An all staff reminder had been sent out about the scheme closing on Monday 29/6 at 9.00 a.m. There had been around 100 applications to date. Over 200 email questions had been answered. The application portal would close on Monday 29/6 but the FAQs would remain available for the moment. The outplacement support was now available. VS Settlement Agreement (SA) template: JPk and AC said that the UCU Exec was not happy that the proposal to use ‘non defamation’ as opposed to ‘non-disparagement’ had not been accepted. JH confirmed that the view of the University’s lawyers was that it was important to retain ‘non disparagement.’ CF noted that in her experience, ‘non-disparagement’ was a very usual clause in SAs. She understood UCU colleagues’ concern but did not consider this to be an issue for UNISON. KH said that he would consider further the strength of view put forward by UCU and review the position again with the University’s legal advisers. |  |
| 4/18  | **Furlough Update**KH updated members on the furlough process. From 1 July 2020 the University will be able to bring back furloughed workers on a part-time basis. CRJRS (furlough pay) will still be claimable for any hours not worked for those that have already been furloughed between 1 March and 30 June 2020. As appropriate this would require new written agreements between the University and the worker. The furlough submissions had now been made covering 303 staff in all. There were 105 casual staff – mainly students - who were deemed not to be eligible for furlough and these staff had been paid for the hours they were due to work. PWC (independent auditors) have reviewed the University’s submissions and have commended HR / Payroll on its approach, particularly the quality of assessment and the calculations undertaken. In line with a recommendation from the auditors, a draft furlough Policy had been drawn up and was awaiting sign off by the auditors. This would be shared in due course with the trade unions but was fully in line with published FAQs on which the trade unions have been consulted.JP asked about the criteria used by managers and whether staff had been able to put themselves forward for furlough. JP said some staff were concerned that the furlough process had lacked transparency. SS said that the Government guidelines and criteria had been very closely followed at all times – the guidance had changed on a number of occasions. The University had been very open and transparent about its approach and had published comprehensive FAQs and shared the text of letters that were sent to staff. KH confirmed that it was the responsibility of the University as the employer to furlough people or not – but every care had been taken and any individual could make the case to their manager or HR that they should be furloughed.PB asked about appraisal and furlough. TW said appraisals would not take place whilst staff were on furlough. KH said there was also no wish to disadvantage anyone either. Appraisals were supportive and developmental and should take place as soon as practicable. |  |
| 5/18 | **Race Equality Charter** SS said that the terms of reference (ToR) for the REC working group had now been published (the link had been circulated with the agenda). AC welcomed the reference to ‘structural issues’ in the REC ToR. CF asked if any account would be taken of BAME as a risk assessment factor given the evidence of the disproportionate impact of Covid-19 on the BAME community. TW said H&S were reviewing this aspect in the light of the recently published Public Health England (PHE) report. TW said he wanted to make sure that all at risk groups received appropriate advice and guidance about managing risks. AC said he was concerned about risk factors being linked directly to race – he was not clear there was evidence for this.SS asked AC for an update on the discussion at the last meeting around the topic of ‘white supremacy.’ AC said there had been a very clear and firm re-affirmation that this term was reasonable and described ‘structural conditions’ in society by which white people retained the ‘upper hand.’ JP said that the VC supported free speech. It was not appropriate to seek to supress this phrase just because it was uncomfortable to some. TW said it remained the case also that many colleagues found that term offensive – no one could be denied their feelings – and the term felt divisive. | TW |
| 6/18 | **Other issues Raised by the Trade Unions**1. **Financial Support for Home Working**

JP acknowledged this had been discussed before and a response given. However, the situation had changed in that it was now clear that homeworking was no longer a ‘short-term’ expedient but was likely to continue beyond Christmas into 2021. She said that her colleagues were ‘incredulous’ that the University was offering no financial compensation for home working. The current difficult circumstances required good will on the part of all staff – which had been given in terms of delivering remote working – but it did not appear that this hard work was being tangibly recognised. JP said a modest contribution at the HMRC recommended level of £6.00 p.w. was an inexpensive way of recognising the hard work. SS said he and UEG absolutely recognised how difficult the changes had been for all staff and indeed, for the hard work that had been undertaken. He confirmed there were no plans or proposals to make such payments at present but he would relay the concerns back to UEG.1. IT needs for homeworking

AC asked what support was available for staff working from home where IT was inadequate. TW said that IT had provided a lot of support and this was under constant review by the Director of IT. TW notes some workplace equipment had been taken home. SS said he would obtain an update from Jason Oliver, Director of IT.1. DT Training / Teaching

SS said he had raised this issue with Kelly Coate (KC) and a response was awaited. SS said that the intention was that training for DTs should be folded in on the same basis as for other staff. There was a pre-existing agreement (2016) covering this that should be available on the HR web site. AC said that the issue of DT teaching had been raised at the meeting with Saul Becker, Provost, in May. He asked that it be minuted that this had been raised again. SS said it was not yet clear how much teaching would be needed. SS offered to discuss this further outside of the meeting.1. Academic Workloads

JPk said academic staff had recently been told that academic workload plans would not change. SS offered to pick this up outside of the meeting.1. Strike Deductions

AC said that in terms of generating staff goodwill and in the light of the extreme circumstances faced by families – with some partners not being paid / not being able to work – it would be appropriate for the University to review is policy in relation to the forthcoming strike pay deductions. AC proposed that one way forward might be for strike pay only to be deducted from staff paid above the median – with no deductions being made from those below the median. SS said that the decision on this had been confirmed some time ago. This was that strike deductions would be applied on a phased basis. However, he was happy to discuss ACs proposal further in a 1-2-1 outside the meeting.1. Intellectual Property Rights (IPR)

JP sought clarification about the University’s IPR policy and suggested this should be reviewed. SS said this had been a topic of discussion at previous JNCs. His understanding was that all materials – except those relating to ‘performance rights’ were the intellectual property of the University. JP asked what the implication was of the new policy on the use of ‘closed captions’ and also whether such materials might then be used for future ‘strike breaking.’ SS said this was a complicated area of the law that would be better discussed outside of the meeting. JPk emphasised that this was not a trivial matter for UCU members.1. Timetabling

AC noted that a request had been made in the previous meeting to clarify the position on evening teaching – specifically that ‘every effort’ would be made to avoid teaching commitments outside of 9.00 – 18.00. His recollection was that Kelly Coate (KC) had given this commitment in the meeting. JH said he had written to KC to ask her to confirm her view on this but he had not yet heard back from her.1. Recording of Seminars

AC said that in mid-May, UCU had objected to the ‘default’ policy position that lectures may be recorded unless there are objections lodged. AC said some revised wording / guidance, which was more acceptable, had briefly appeared on this issue on the University’s web site but had since been removed. The position was now confusing. SS said he would take this back and check with KC what the position was.1. Frequency of SCJNC Meetings

SS said he was not proposing that the SCJNC should meet in August (in normal times there were no JNC meetings in August). Additionally, he was proposing that, on an on-going basis, SCJNC meetings should move to a fortnightly cycle, alternating with the fortnightly Health and Safety Committee meetings. AC said that in his view, in the current circumstances, there was every reason for SCJNC meetings to continue on a weekly cycle. The trade unions requested that the chairing of SCJNC meetings should rotate, as was the case with normal JNC meetings. SS said the SJCNC sits outside of normal process and that he did not wish the chair to rotate. AC suggested that there should be further discussion about terms of reference for the SCJNC with a view to reaching agreement. He did not consider it reasonable that there should be management ‘fiat’ on the chairing of the meeting. It was agreed that there was no immediate need to decide on whether to meet in August – this could be confirmed at a later date. | SSSSSSSS / JPkSS / ACSS / JPSS |
| 7/18 | **Any Other Business****SCLS**JPk said that UCU were pleased to learn that negotiations in SCLS had been re-opened. |  |
|  | **Date of next meeting**Friday 10 July 2020 |  |

**Human Resources**

**02/07/20**

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