

UNIVERSITY OF EXETER

JOINT COMMITTEE FOR CONSULTATION AND NEGOTIATION, 25 January 2021

Minutes of the meeting held on Monday 19 October 2020

PRESENT

Ms Sarah Buck (Chair)

University Representatives

Vice-Chancellor, Professor Lisa Roberts
Provost, Professor Janice Kay
Registrar, Mr Mike Shore-Nye
Director of HR, Mrs Imelda Rogers
Chief Financial Officer, Mr Andrew Connolly

Trade Union Representatives

UCU Branch President, Dr Sharon Strawbridge,
UCU Branch Secretary, Dr Claire Foullon,
UCU Branch H&S Workload Rep, Dr Abi Dymond
Unite Branch Secretary, Mr Chris Forrest
Unison Branch, Mr Jim Milnes
Unison Branch, Mr Tim Hortopp

Also in attendance

UCU Regional Officer, Ms Philippa Davey
Assistant Director of People Services, Mr Andrew Johnson

20.17 Welcome

The Chair welcomed new members of the Committee to their first meeting. She thanked staff for their hard work and flexibility to support the University's response to the pandemic.

The Committee noted that the annual review of its terms of reference would be considered at the next meeting of the Committee.

20.18 Minutes

The Committee agreed the minutes of the meetings held on 4 May 2020 (JCCN/20/07) and 20 July 2020 (JCCN/20/08).

In response to a request from trade union representatives that the draft minutes should be circulated to the Branch Secretary of each trade union for comment/amendment, as set out in the Committee's terms of reference, before being published on the University website, the Chair confirmed that these steps would be followed.

20.19 Vice-Chancellor's Update

The Vice-Chancellor advised the Committee that while home undergraduate student numbers were better than expected, international PGT numbers were still uncertain. A higher number of international PGT students were expected than the "worst case scenario" but the figures would be lower than the pre-Covid plan leading to a shortfall on fee income this year. Taken together with the consequent drop in commercial income and the £20M spend on Restart and Enhance, there would be a significant financial deficit in 2020/21.

The Vice-Chancellor commented that there was a lot of positive engagement from staff in her meetings with departments. She acknowledged the hard work of staff and restated her appreciation of the contribution everyone was making. The senior team were working on actions to address colleagues' wellbeing and rest which would be announced shortly. Staff and student wellbeing would be a pillar within the 2030 strategy. Information on how the

University community can engage with the development of the new strategy would be communicated over the next few months.

She advised the Committee that delivering a high quality blended learning experience is a key strategic priority for the University and that this was a priority for our students too. She drew the Committee's attention to the following:

- the Government – including the Prime Minister, the Minister for Higher Education and the Department for Education - have all been very clear that that universities –should remain open and that a blended approach to education should be maintained.
- The Government has also indicated that schools, colleges and universities are recognised as essential services.
- Moving to online only learning is likely to impact negatively on the educational experience of our students and their mental health and wellbeing. There are concerns about loneliness in our student population: it is not fair to expect them to stay in their rooms and not access campus and have the opportunity to meet their lecturers and student cohorts. These students have faced a year of disruption and disadvantage and our actions should not further disadvantage them.
- The University has taken measures to make the campus and teaching spaces Covid-secure. Public Health Devon have advised us that the measures we are implementing are helping to stop the spread of the virus and there is no evidence of transmission of infection in a Covid-secure teaching setting. The small number of Exeter staff who have tested positive have not been in a teaching environment.
- Testing data shows that we are managing the transmission and case numbers are coming down. Our student community has contributed to this decrease through their acceptance of restrictions and now is the time to reward the students for adhering to the guidance rather than further denying them an on-campus experience.
- Students are asking for more face-to-face teaching: in our recent pulse survey of student attitudes, 68% asked for more on-campus face-to-face teaching. This is reinforced by the free-text comments in the survey. Face-to-face teaching benefits students' motivation and wellbeing, fostering social connectedness and addressing social isolation. This is particularly important for first year students.
- Over 3000 hours of face-to-face teaching has already been delivered. Academic staff have told the Vice-Chancellor how much they are enjoying being back on campus and being able to teach students in person. It would be unfair to deny colleagues the opportunity to do this. Staff have also experienced loneliness and isolation while working solely at home.
- Many students cannot “go home” if on-campus face-to-face teaching ceases. If the University did move to online only learning, they would still be living on campus, being served and supported by Professional Services colleagues. It is not equitable for Professional Services staff to continue to be expected to engage with students on campus but not academic staff.

The Chief Financial Officer confirmed that there was still significant uncertainty regarding international student numbers. While the figures were likely to be better than expected, they would still be below the original plan for the year. Fee income was expected to be £27M down and the overall deficit was estimated to be £52M.

20.20 UCU item: Face-to-Face Teaching/Health and Safety Update

The Chair proposed that this item, requested by trade union representatives, be considered at this point in the meeting.

The UCU Branch President welcomed Professor Roberts to the University. She advised the Committee that a significant number of staff were very nervous about coming back onto campus to teach. She said that the University should not have started face-to-face teaching because of the risks - there had been proven cases of transmission through face-to-face teaching.

University members of the Committee commented that there was no evidence of transmission in a teaching environment at Exeter or in the Russell Group. Dr Strawbridge cited cases at Yale and one at Sheffield, although the Committee noted that this was not proven.

Dr Strawbridge said that staff should be given a choice. If they were unhappy about face-to-face teaching and could do their job effectively digitally, they should be able to make that decision. There was no case to make them come back to face-to-face teaching. There was a lot of asymptomatic transmission, so colleagues did not know what they were experiencing when teaching. Generally Professional Services staff are not in a situation like academic staff who are with 15-20 students for an extended period of time.

She commented that SAGE had advised that all-but essential teaching should be carried out remotely and that it was not wise for the University to have invited students to University accommodation. They could have stayed at home and had a good online experience, with the possibility of being on campus for the second term.

The UCU Branch Secretary said that there was a lack of transparency on cases. She commented that other universities had provided a dashboard of cases. The University should be doing more to communicate with staff who do face-to-face teaching about the numbers of positive cases to address their concerns. In response, the Registrar commented that the University did not want to publish data which had not been validated by PHE which may be inaccurate and that arrangements were being made to translate PHE data into a weekly update. He advised the Committee that people were notified of positive tests based on proximity and exposure time. A process had been put in place for students to report to academic staff that they were self-isolating so that appropriate arrangements can be made for them to continue their learning.

The Vice-Chancellor reminded the Committee of the significant work – which trade unions had contributed to – to put a Covid-secure environment in place, including actions which reduce the risk of transmission in a teaching environment. Covid-secure teaching spaces had been inspected by trade union representatives. She restated that students, the Students' Guild and the Students' Union were asking for more face-to-face teaching and the University had a responsibility to them to deliver this. This was particularly important in recognition of the year they had experienced in 2019/20. Online only learning would exacerbate the impact of digital poverty.

The Director of HR advised the Committee that of the measures the University had put in place to support staff wellbeing: everyone returning to work on campus was expected to complete a personal risk assessment and discuss this with their manager. Additional support had been provided to managers to support staff who have concerns. Support was also available from the University's Occupational Health Service. The University wanted to work with individuals to address any concerns they may have. She reminded trade union representatives that she had previously asked them to refer to her anyone who, having gone through each of these steps, felt that their concerns had not been addressed and they were being forced to work on campus. She said that no cases had been referred to her to date. [Failure to agree: UCU record a disagreement that the Director of HR was heard to have made reference to a previous informal meeting during JCCN and do not recall this discussion to have previously taken place in the informal meeting in question.] The Provost acknowledged the contribution which trade union representatives had made to the development of additional support through membership of the Staff and Student Experience and Wellbeing Group.

UCU commented on the uncertainty about students returning home for Christmas and then returning to Exeter in the new year. University managers advised the Committee that the sector was working with the Government to ensure that students would be able to return home for Christmas, while noting that for many students Exeter was their home and they would remain in the city over the Christmas period.

The UCU Branch Secretary said the branch's main concern was that staff and students would not be informed if a student had tested positive – this was one of the main points in the UCU motion. In response, the Registrar advised the Committee that a member of staff would only

be notified if they had been in close contact with the student for more than 15 minutes while they were infectious. The University had to follow data protection standards. Dr Foullon commented that staff should be made aware if they had been in a teaching space for an hour with someone who had tested positive. The Registrar stated with the 2 metre zone and wearing a face covering, together with assessments for space and ventilation, each room had been signed off as Covid-secure.

The Chair acknowledged the challenges of evaluating and managing risks and, summing up the conversation, confirmed that:

- a written response would be provided to UCU so that the branch could discuss this with its members;
- arrangements would be made to publish weekly data; and
- trade unions should refer to the Director of HR anyone who was concerned that they had completed all the steps in the risk assessment process and felt that their concerns had not been addressed.

20.21 UCU Claims

The Committee considered the report of the Director of HR (JCCN/20/09).

The Director of HR advised the Committee that the paper included claims from the UCU on academic workload and performance rights and the University's response to these claims. The University understood colleagues' concerns about workload and UCU had been invited to join the Academic Workload Steering Group to contribute to the University's management of this issue. Guidance on academic workloads for the 2020/21 academic year had been developed over the summer with contribution from UCU with a commitment to review this term. While the University had rejected the UCU's claim, the University would continue to engage with UCU on this issue through the Steering Group. The University was also taking steps to deliver the "no detriment" commitment for probation and promotion.

UCU representatives commented that the guidance had not been reflected on changes to practice at department level and was not having the positive impact intended. The additional work arising from the pandemic had occurred at a time when many colleagues were already struggling with high workloads. In addition to a review of the 2020 guidance, a review of the SWARM model itself was also necessary since this does not accurately recognise reflect the work that academic staff actually did.

The Director of HR advised the Committee that the DVC for Education had met UCU representatives twice to discuss performance rights and the University had committed to a comprehensive review, recognising that digital learning will be part of the changed way we operate in the future. This review would take place during the 2020/21 academic year. In response to a question from UCU, she confirmed that this review would commence this term.

20.22 Fair Employment For All

The Committee considered the report of the Director of HR (JCCN/20/10).

The Director of HR advised the Committee that she was meeting UCU representatives on a monthly basis to provide updates on the University's response to its claim and figures on fixed term contracts and PTA numbers. The progress of the Fair Employment For All initiative had been impacted by the Covid-19 pandemic soon after the first meeting of the Working Group in February. All parties had agreed that the work would be progressed through the People, Research and Education Coronavirus Business Response Groups. The paper summarised progress to date. (It was noted that there was an error in the table in paragraph 11 – the figure for the College of Humanities was 7647 hours.)

In response to a question from UCU representatives asked how many PTAs participated in the exit survey process the Director of HR advised the Committee that there was low participation in this. In some parts of the organisation, PTA participation in processes to support and manage their performance was also low, although paid time had been provided for this, and this was a deficit which needed to be addressed. The Director of HR also advised the Committee that HR was issuing contracts quickly after receiving details from Colleges but

she was aware that, in response to higher than expected student numbers, some PTAs had been asked to start work before contracts had been issued. Every effort would be made to ensure there was no delay in them receiving payment.

20.23 Temporary Variation of Contractual Terms and Employment Procedures

The Committee considered the report of the Director of HR (JCCN/20/11).

The Director of HR thanked trade union representatives for their cooperation in agreeing the initial variations until the end of June 2020 and their extension until the end of October 2020. It was now proposed that they be extended until March 2021, when there would be a further review. (This would be separate from the review of the suspension of increments, Above and Beyond and academic promotions, agreed under the collective agreement, which would take place in January 2021.)

The Committee approved the extension of the following temporary variations to March 2021, after which they will automatically expire unless otherwise agreed:

- (a) Continuation of the hybrid approach to hearings under the Disciplinary, Capability/Performance, Grievance and non-confirmation of probation procedures.
- (b) Continuation of the ability to move staff to different roles.

20.24 Trade Union Engagement Report

The Committee considered the report of the Assistant Director of HR (JCCN/20/12), summarising issues discussed in the weekly meetings between the Director of HR and trade union representatives. The Committee noted that the parties had agreed that, in response to a request from UCU, one meeting each month would be set aside for consultation on more substantive issues.