

Northcote House
The Queen's Drive
Exeter
EX4 4QJ

Telephone (01392) 726517
Email i.rogers@exeter.ac.uk
Web
www.exeter.ac.uk/staff/employment/abouthr/

PERSONAL AND CONFIDENTIAL

Dr Sharon Strawbridge
President
University and College Union
University of Exeter Branch

By email to euca@exeter.ac.uk and President.EUCU@exeter.ac.uk

27 September 2019

Dear Sharon

I refer to your email of Friday 13 September 2019 and accompanying claim.

On 1 August 2019, in our meeting with Philippa Davey and Rhian Keyse, we proposed issuing a joint statement to the University community setting out principles which the University and the UCU Branch have agreed and the commitment to work together to identify further improvements. This would include a commitment to review the 2019/20 PTA arrangements before the end of 2019/20 and a review during 2019/20 of the employment arrangements of occasional teachers (who are not PTAs). In addition to sharing draft text for a joint statement with Philippa and Rhian at the meeting, Andrew Johnson sent them a copy of this the following day (with a summary of the meeting), which was also copied to you at S.M.Strawbridge@exeter.ac.uk and President.EUCU@exeter.ac.uk. In his email to you, Philippa and Rhian of 22 August 2019, Andrew said: "You undertook to share your comments on the draft joint statement which I sent to you on 2 August. Would I be right to assume that you are now content with this?" To date, we do not appear to have any response to this.

In view of the fact that we had already issued an invitation to you to review other occasional teacher arrangements during the 2019/20 academic year, with a view to introducing improvements in the 2020/21 academic year, and your failure to respond to this in good time, we were extremely disappointed to receive your claim of 13 September.

I have not seen any formal communications from the branch which supports your statement that the branch has "consistently raised the issues of casualisation and requested a joint working group to address them". Nor have I seen any evidence to support your statement that the branch has "exhausted the usual industrial relations mechanisms". The University initiated the review of employment arrangements for Postgraduate Teaching Assistants in the summer of 2018 and, far from UCU being "excluded from the negotiations", as you have asserted, we did invite you to comment on the improved employment arrangements we were proposing to implement in 2018/19, even though PTAs fall outside of the recognition agreement which UCU, Unison and Unite agreed with the University in 2012. We do not accept your assertion that "This resulted in the attempted implementation of contracts which were less favourable for some staff and caused unnecessary stress to staff already struggling on precarious contracts". When we met with Philippa

and Rhian on 6 September 2018, they did not challenge the improvements we were planning and did not propose alternatives. We have engaged positively with the branch during 2018/19 to review the PTA employment arrangements and propose changes for 2019/20, which both you and Philippa have supported.

I am also concerned about your misuse of HESA data. You know, as an experienced academic, that many of the individuals engaged on a claims basis undertake very short assignments. These include PhD students who mark exam scripts during the January and summer exams as well as professional experts who come to teach short masterclasses as part of professional development programmes. A contract would not be appropriate in such circumstances. The contribution atypical academic workers (to use HESA terminology) make towards our entire academic workforce is very small – assessed by FTE, they comprise just over 4% in both 2016/17 and 2017/18 (85.0 FTE and 90.8 FTE respectively). In 2018/19, as a consequence of the University's decision to move over 470 Postgraduate Teaching Assistants from claims to contracts, the proportion has reduced to 3.4% (75.9 FTE). We accept that further steps are necessary, which is why we have taken the initiative to review occasional teacher employment arrangements in the new academic year and why, on 1 August, we invited you to be part of that review.

That invitation remains open to UCU. We will have the opportunity to talk about many of the points raised in your claim in these forthcoming discussions. You will appreciate that the University cannot commit to any outcomes before the review is complete, but it is our intention, as advised to you on 1 August, to complete the review in time for implementation from the beginning of the 2020/21 academic year. The review would take account of joint guidance issued by JNCHES (including the 2015 "Report of JNCHES Hourly Paid and Casual Staff Working Group") and the UCEA guidance "Flexible and Fair: Improving Employment Approached for Fixed Term and Variable Hours Staff, published in 2018.

Alongside this, UCU is also invited to review the effectiveness of the 2019/20 PTA employment arrangements later in the current year, with a view to identifying any further improvements which may be necessary for implementation in 2020/21.

With regard to point 8 of your document, we already have an agreement with trade unions on the use of fixed term contracts which you do not appear to be aware of. As fixed term contracts are considered for renewal, consideration is given to converting them to open-ended contracts. As at 1 September 2019, 42% of the University's academic staff are employed on fixed term contracts, the large majority of which (62%) are of course to fulfil time-limited demands of research grant funding (and you will be aware of the significant increases in research funding which the University has achieved in recent years). This is a challenge for all research-intensive universities, due the nature of research grant funding. There are a significant number (12.5%) of contracts which are due to "unexpected/unpredictable demand" and it is important that the University takes steps to ensure that a fixed term contract is always appropriate in these circumstances. We are willing to engage in dialogue with UCU to reduce the number of fixed term contracts, outwith of the reviews of occasional teaching and PTA employment arrangements. This will also take account of the JNCHES/UCEA guidance.

With regard to point 11, we are already considering a joint trade union claim for additional facility time.

With regard to point 9, we gave Philippa and Rhian a response to this on 1 August and confirmed this in our summary of the meeting on 2 August. We have made clear that this is an academic issue. The Dean of the Postgraduate Research Faculty has indicated his willingness to engage in dialogue with PGR representatives on this issue. While this will be outwith of our review of the 2019/20 PTA employment arrangements, I am optimistic that conversations with the Dean can be concluded before the end of 2019/20. We understand that UCU and the Students' Unions are intending to agree a memorandum of understanding on their respective roles regarding PGRs/PTAs and I think it would be helpful if these conversations agreed who should represent the PGR community in these talks. Until we hear otherwise, we would propose that conversations

take place (as at present) in the Postgraduate Faculty Board, which includes representatives of the Students' Unions.

Finally, I was surprised to see a reference to "unpaid labour as a condition of bursaries" as this is not permitted by the University. There is a longstanding principle that bursaries are solely for maintenance and any teaching which is required is paid for at the PTA rate through payroll. I should be grateful if you would advise me of the instances where you believe this is taking place so that the University can take immediate steps to correct them.

I have asked my PA to arrange a meeting with you to progress this issue on [date] at [time]. An Outlook invitation will be sent shortly.

Yours sincerely

A handwritten signature in black ink on a light-colored background. The signature is cursive and appears to read "I. Rogers".

Imelda Rogers
Director of People Services