

THE UNIVERSITY OF MANCHESTER

STAFFING COMMITTEE

30 October 2019

Present: Mrs Ann Barnes, Chair
Mr Michael Crick (by telephone link)
Prof Danielle George
Dr John Stageman (substitute member by telephone link)
Dr Delia Vazquez (substitute member)

Apologies: Dr Reinmar Hager
Ms Bridget Lea

In attendance: President and Vice-Chancellor
Registrar, Secretary and Chief Operating Officer
Director of Human Resources
Director of Legal Affairs and Board Secretariat
Deputy Secretary

1. Minutes of the meeting held on 8 May 2019

Resolved: The minutes of the meeting held on 8 May 2019 were approved by the Committee.

2. Matters Arising

All matters arising were covered elsewhere on the agenda.

3. Terms of reference

Resolved: to confirm the Committee's terms of reference and modus operandi.

4. President and Vice-Chancellor's Report on fixed term employees and those on open-ended contracts with finite funding

Received: A report from the President and Vice-Chancellor on proposed redundancies for staff members on fixed term and open-ended contracts with finite funding, in line with the obligations of paragraph 5 of Ordinance XXIII.

Reported

(1) The reasons for the proposed redundancies were:

- (i) the end of an individual's open ended contract where this was supported by external funding which was likely to cease or where the specific project on which they are working was coming to an end.
- (ii) The end of an individual's fixed term contract where this was supported by external funding which was coming to an end and exceeds four years in duration and where there was no objective justification to refuse converting the contract to open ended

- (2) The University had in place through its redeployment policy and procedure, a fair and transparent process to identify correctly staff at risk of redundancy for the reasons set out above and thereafter:
- (i) seek redeployment opportunities within the University;
 - (ii) retrain the individual where this is practical and reasonable; and
 - (iii) seek an extension to the existing funding stream or seek alternative sources of external funding.

The University would seek to avoid a dismissal by reason of redundancy until actions (i), (ii), and (iii) had been pursued.

- (3) As previously reported it was unlikely that the employment of many of the staff affected would be terminated, because of the potential alternatives available to this course of action.

| Month | Open Ended Contract Supported by Finite Funding |
|----------------|---|
| July 2020 | 100 |
| August 2020 | 61 |
| September 2020 | 82 |
| October 2020 | 31 |
| November 2020 | 22 |
| December 2020 | 71 |
| Total | 367 |

Note: No dismissals would take place until the end of the 90 day collective consultation period and taking into account the extended three month notice period as agreed with the campus trade unions.

- (4) In terms of financial considerations, the Committee was reminded that, should the sources of external funding cease with no renewal and there was no requirement for the associated role and no other source of funding to support the activity, if dismissal were not considered, those individuals would drop onto the baseline where there was no finance to support the role. This situation might then place other much needed roles at risk.
- (5) The impact on the workloads of remaining staff had been considered, and in these instances no adverse impact on remaining staff was envisaged. This was because where the funding ceased there was no requirement for the role/tasks to continue and in some cases a specific project had/would come to an end.
- (6) In line with the agreed Contracts Policy and Procedure (CPP), discussions were ongoing with individual staff members and would continue to occur at the appropriate trigger point ahead of the possible termination date of an individual's contract. The process of collective consultation with the trade unions was ongoing and meetings were conducted in a cordial manner.
- (7) Details of the consultations with School Boards or Leadership Teams that had occurred since May 2019 were provided. No points of feedback were raised for the Staffing Committee from these meetings.

Noted:

- (1) The relatively high number of potential terminations in July was not unusual and overall the number and pattern of potential terminations was similar to previous years. Numbers in the

School of Medical Sciences were higher than average and this reflected the nature of grant funding. Academic numbers shown included postdoctoral researchers (technicians and clerical staff were shown separately).

- (2) Affected staff were given ample opportunity to find appropriate redeployment opportunities which matched their knowledge and skillset but the University was cognisant that multiple, consecutive fixed term contracts was not an optimal outcome for employees.

Recommended: having given full and proper consideration to the Report of the President and Vice-Chancellor:

- (1) that the University proceeds with the process outlined in the agreed CPP to deal with those staff considered to be at risk on open ended contracts linked to finite external funding for the period from 1st July 2020 to 31st December 2020 and
- (2) that the University continues to take all steps outlined in the report to avoid the need for redundancy wherever possible. **Action: Director of Human Resources**

4. Report from the Director of Human Resources

Received: A report from the Director of Human Resources on the process and consultations adopted as part of the above process.

Reported:

- (1) The Contracts Working Group (CWG) continued to meet every three months and the University and the Trade Unions agreed that this was an effective way of handling fairly the significant number of staff at risk. All parties remained content with the data presented and no significant issues had been identified.
- (2) The University continued to fulfil its legal collective consultation requirements by submitting the Section 188 letter (in line with TULCRA) and notifying the Department for Business Innovation and Skills of those at risk of redundancy using form HR1.
- (3) There were no appeals ongoing and no Tribunal claims associated with the implementation of the CPP since the last report in May 2019.
- (5) The Committee considered the outcome data relating to contracts ending in the period from 1st February 2019 to 31st July 2019.

| | Over 4 years' service (%) | Under 4 years' service (%) |
|-----------------------------------|---------------------------|----------------------------|
| Percentage terminated | 9.1 | 22.2 |
| Percentage resigned | 8.9 | 11.2 |
| Percentage redeployed / extended | 79.2 | 66.6 |
| Extended "3 months" notice period | 2.8 | -- |

- (6) The percentage of staff being redeployed or extended with over four years' service remained relatively stable at 79.2% (comparative figure for 1 August 2018 to 31 January 2019 was 72.5%). The year on year analysis of numbers of staff at risk with over four years' service also showed a relatively stable pattern since 2013-14.
- (7) Analysis of the above data by protected characteristics was included later on the agenda.
- (8) No legislative changes were likely to impact on the CPP.

- (9) There was a specific issue relating to the need to terminate (subject to three months' notice) the employment of an individual appointed to a Knowledge Transfer Partnership between the University, Let's Play Everywhere (LPE) and the government agency, Innovate UK. The individual was employed as an Associate to manage and deliver the project; partnerships were funded partly through the government, with the balance of project costs coming through the company partner (in this case LPE was responsible for 33% of the employment costs). LPE had made no payments since the inception of the project in May 2018 and the decision had been made to close the project. Negotiations with the company to agree a payment plan had been unsuccessful and the relevant School now faced a significant liability in addition to salary costs for the notice period.

Noted:

- (1) The redeployment rate for staff with over four years' service was good; staff with under four years' service were, typically, more likely to obtain alternative employment when their contracts were about to end.
- (2) Depending on the eventual Brexit outcome and the consequent impact on EU grants, the potential for an increase in the number of staff at risk.
- (3) There was scope for the number of at risk staff in Professional Services to grow given the extensive change programme (for example relating to the Student Experience Programme) and consequent need for an increase in the number of fixed term roles.

Recommended: The individual referred to in (7) above be given three months' notice whilst being treated as an employee; as the individual had less than two years' service they were not entitled to a redundancy payment and the relevant School will fund any shortfall in their salary.

Action: Director of Human Resources

5. CPP Equality and Diversity outcome data: 1 August 2018 to 31 July 2019

Received: a report presenting the equality and diversity outcome data by protected characteristic for the period 1 August 2018 to 31 July 2019 in relation to staff covered by the CPP.

Reported:

- (1) The analysis of staff on different types of contract was as follows (total staff headcount was 11,159 excluding 1,699 graduate teaching assistants). Academic and research roles were the biggest proportion, with clerical staff on fixed term contracts generally linked to a specific project or providing cover for maternity leave or long term sickness absence.

| Open ended/fixed term over 4 years | Fixed term under 4 years | Total |
|------------------------------------|--------------------------|-------|
| 1012 (38%) | 1653 (62%) | 2655 |

- (2) In each of the above categories, the report presented data relating to the following protected characteristics: gender, disability, ethnicity and age.
- (3) Overall, women on fixed term contracts had slightly better outcomes than men (although men on open-ended contracts fared better than women). Disabled and Black and Minority Ethnic (BAME) staff were less likely to have their contract extended or be redeployed and were more likely to have their contract terminated because of redundancy, to resign and to retire

Noted:

- (1) Trend data, any intelligence gleaned from review of exit questionnaires and an assessment of

the statistical significance of data would aid Committee understanding and this should be included in future reports. Previous analysis has not revealed any significant disparities but an update of this would be helpful.

- (2) Data from the Graphene Engineering Innovation Centre should be included in the overall Faculty of Science and Engineering numbers.

Action: Director of Human Resources

6. President and Vice-Chancellor's Report on changes to the Directorate of Information Technology (IT) Services

Received: A report from the President and Vice-Chancellor on proposals which, subject to consultation, included a voluntary severance scheme and, if necessary, and subject to Board of Governors approval, implementation of the procedure for dismissal of members of staff by reason of redundancy pursuant to Statute XIII Part II and Ordinance XXIII.

Reported:

- (1) The Directorate of IT Services was undertaking a modernisation programme over the next five years. Proposed changes in the Office of the Chief Information Officer (OCIO) and the Strategy and Demand Architecture (SDA) would result in a reduction in posts. Specifically the Resourcing, Recruitment and Directorate Support team (in OCIO) and the Architecture and Strategy team (in SDA) were the wrong size and shape for the current and expected nature and/or volume of work.
- (2) The breakdown of posts either in scope or at risk from the required restructuring was set out in the report; in total 33 posts were in scope (including one vacant post) with 19 posts were both in scope and at risk, and a proposed reduction of 14 posts.
- (3) The report also outlined, inter alia, how the University would explore alternatives to redundancy as set out in the Security of Employment Policy, alignment of the proposal with the University's Strategic Plan, financial considerations (estimated annual savings contribution of £350,000), an analysis of the impact of proposed redundancies on other activities and the process of planned consultation.

Noted:

- (1) The significant investment in the modernisation programme required the acquisition of new skills and thus either employment of new staff or retraining of existing staff-University staff would be complemented by external specialist staff in specific areas. The changes meant that some staff would need to leave the organisation.
- (2) Whilst modernisation would include more extensive IT self-service, this would not be a "one size fits all" approach and there was recognition of the potential to increase administrative burden on academic staff through wholesale transfer to self-service (and that some activities were better retained by academic staff)
- (3) The skillset of at risk staff meant that there was significant potential for employment opportunities outside the University.
- (4) It was important for staff to recognise the opportunities offered by the change and to acknowledge that change was now an integral part of worklife. The size and shape of required future services would be impacted by the evolving University Digital Strategy.
- (5) The University's Voluntary Severance scheme was relatively generous when compared to the sector as a whole.
- (6) Potential mitigation in the event of any disruption to business as usual activity resulting from implementation of the changes had been considered.
- (7) Whilst every effort would be made to avoid Compulsory Redundancy, it was a potential endpoint.

Recommended: after giving the proposals full and proper consideration:

- (1) To achieve the required changes to two domains in IT Services (OCIO and SDA), the University should enter into consultation with the campus trade unions about the proposals outlined in the report and, subject to consultation, should progress with its proposals for voluntary severance.
- (2) The University continues to take all steps outlined in the report to avoid the need for redundancy wherever possible and, in particular, to support the use of the University's Voluntary Severance Scheme in the affected areas.
- (3) The Staffing Committee continue to oversee these proposals in accordance with Part II of Ordinance XXIII.

Action: Director of Human Resources

7. Observations and recommendations from lay Board members acting as chairs of appeal and disciplinary hearings

Received: a report setting out observations from lay Board members who had chaired appeal and disciplinary hearings.

Noted:

- (1) The observations and responses from the Director of Human Resources were very helpful.
- (2) Improvements would be led by the new Head of HR Operations who would take up post shortly; this would include the development of a pro-forma to enable standardised and consistent feedback from lay Panel members (and ensure feedback on suggestions for improvements and enhancements). The Head of HR Operations would be responsible for ensuring timely progress and adherence to deadlines, reporting directly to the Director of HR
- (3) Some improvements to process were dependent on reform of Statutes and Ordinances and the trade Unions were reluctant to agree to these; they were keen to retain lay member involvement in hearings. Further meetings were taking place with the trade unions shortly.
- (4) Given the extent of planned organizational change and increased emphasis on performance management, there was potential for an increase in the number of hearings.

Resolved: that a pro-forma be issued to lay Board members to facilitate feedback after hearings and an annual report be submitted to the Committee summarising key findings.

Action: Director of Human Resources

8. Date of next meeting: Tuesday 4 February 2020 at 4.30pm