

THE UNIVERSITY OF MANCHESTER

STAFFING COMMITTEE

4 November 2020

The meeting was conducted remotely via video-conference

Present: Mrs Ann Barnes (Chair), Mr Michael Crick, Professor Danielle George, Dr Reinmar Hager and Ms Bridget Lea.

In attendance: Professor Dame Nancy Rothwell (President and Vice-Chancellor), Patrick Hackett (Registrar, Secretary and Chief Operating Officer), Karen Heaton (Director of Human Resources), Sara Sawicki (Employment Solicitor) and John Marsh (Senior Governance Manager) (minutes).

1 Minutes of the previous meeting: 8 July 2020

Agreed: to approve the minutes of the 8 July 2020 meeting.

2 Matters Arising

Noted: that there were no matters arising.

3 Staffing Committee Terms of Reference

Received: for review, the Committee's Terms of Reference.

Agreed: to report to the Board of Governors, that there were no proposed amendments to Staffing Committee's Terms of Reference.

4 Report from the President and Vice-Chancellor on fixed-term employees and those on open-ended contracts with finite funding

Received: the President and Vice-Chancellor's report on fixed-term employees and those on open-ended contracts with finite funding, which requested Staffing Committee to recommend to the Board of Governors the next steps detailed in the report regarding the implementation of the University's Contracts Procedure, and all steps identified to avoid redundancy wherever this was possible.

Noted:

- a) that the reasons for the proposed redundancies were:
 - i. the end of an individual's open-ended contract where this was supported by finite funding which was likely to cease or where the specific project on which they were working was coming to an end;
 - ii. the end of an individual's open-ended contract where this was supported by finite funding which was coming to an end and exceeded four years in duration and where there was no objective justification to refuse converting the contract to open-ended;
- b) the numbers of staff at risk were as follows:

Month	Open-ended Contract Supported by Finite Funding
July 2021	115
August 2021	53
September 2021	72

October 2021	48
November 2021	28
December 2021	65
Total	381

- c) 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;
- d) that the University had a well-developed redeployment policy and procedure in place which was well understood by managers. The University would ensure that through a fair and transparent process an individual was correctly identified as at risk of redundancy and would explore opportunities for the avoidance of redundancy including:
- i. seeking redeployment opportunities within the University;
 - ii. retraining the individual where this was practical and reasonable;
 - iii. seeking an extension to the existing funding stream or to 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;
- e) that the financial impact of retaining staff who no longer had a role because the underpinning funding or specific project had ceased was not sustainable and would adversely affect both the unit's and the University's financial viability. In addition it would prevent new staff being recruited on fresh grants to stimulate further innovative research;
- f) that consultations with School, Unit or Institute Boards were ongoing and generally occurred every 3 or 4 months. No points of feedback had been raised via consultation for consideration by Staffing Committee;
- g) in discussion, the following:
- i. that the numbers of staff at risk were higher than normal due to the impact of the Pandemic;
 - ii. the University's Policy and Procedure on Contracts of Employment had been introduced in January 2011, with the agreement of the Campus Trade Unions, and aligned the University with the provisions of the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations (2002);
 - iii. that while student recruitment numbers were much better than previously anticipated, the risk of significant levels of attrition remained;
 - iv. the 2020 Voluntary Severance Scheme represented an important step towards reducing the University's operating costs, and ensuring its financial sustainability;
 - v. there was no indication that the quality of the University would be adversely affected through failing to retain high calibre staff. The circumstances of the Pandemic had reduced academic staff career mobility, and targeted investment in key areas such as blended learning was establishing new posts across the Faculties;
 - vi. a large proportion of staff at risk in BMH were on NHS contracts, which tended to run for the duration of the academic year, and were usually renewed on a rolling basis.

Agreed: having given full and proper consideration to the issues presented in the paper, to recommend to the Board of Governors that:

- a) it approves proceeding with the process outlined in the Contracts Procedure to deal with those staff considered to be at risk on open-ended contracts linked to finite funding for the period from 1 July 2021 to 31 December 2021;
- b) the University continues to take all steps outlined in the report to avoid the need for redundancy wherever this is possible.

5 Report to the Staffing Committee from the Director of Human Resources

Received and noted: updates on the following:

- a) the Contracts Working Group and ongoing collective consultation with the Trade Unions;
- b) the implementation of the Contracts Policy and Procedure (CPP);
- c) the number and nature of formal grievances, appeals and tribunal claims as a consequence of the implementation of the CPP;
- d) an overview of the analysis of the outcome data;
- e) legislative changes which impact on collective consultation, individual consultation or the implementation of the CPP.

6 Analysis of Equality and Diversity Data

Received: a report presenting the equality and diversity outcome data by protected characteristic for the period 1 August 2019 to 31 July 2020 in relation to staff covered by the Contracts Policy and Procedure.

Noted: the following key findings:

- a) overall, women had slightly better outcomes than men;
- b) in terms of fixed-term contracts:
 - i. 83% (10 individuals) of disabled staff had their contracts extended/redeployed, while 78% (149 individuals) who did not report a disability had their contracts extended/redeployed. Two disabled staff had their contracts terminated, compared to 17 staff with no disability;
 - ii. 71% (20 individuals) of BAME staff had their contracts extended/redeployed, while 80% (139 individuals) of White staff had their contracts extended/redeployed.

Agreed: that in view of the low numbers for certain protected characteristics, a longitudinal analysis (both qualitative and quantitative) of EDI data would be key in identifying areas of concern regarding protected characteristics. **Action: Director of Human Resources**

7 Report on the Voluntary Measures Scheme

Received: a report detailing information on the May-July 2020 Voluntary Measures Scheme.

Noted:

- a) the scheme had run from 21 May 2020 to 31 July 2020. Colleagues could apply for one of four measures: voluntary severance, voluntary salary reduction, reduction in hours, or a career break. The measures were open to all University colleagues;

- b) the report provided detail on:
 - i. voluntary severance applications: applications received, acceptance rates; leaving dates; length of service of accepted case;
 - ii. applications for other voluntary measures;
 - iii. financial information: savings from measures and cost of voluntary measures;
 - iv. equality and diversity analysis of applications and accepted cases by gender, ethnicity, disability and age;
- c) in discussion, the following:
 - i. that while some Schools were currently lacking sufficient staff due to increased student recruitment, there had been no indications to date that approved voluntary severance applications had been detrimental in this regard;
 - ii. applications for voluntary severance had been assessed on a case by case basis, and consideration of longer term factors such as key person dependencies;
 - iii. decisions regarding voluntary severance applications by Professional Services staff had also been informed by anticipated student recruitment, and by strategic change priorities. The reshaping of Professional Services had been identified as a priority pre-Pandemic, and remained so, due to the need to deliver efficiencies to ensure the University's financial sustainability;
 - iv. approximately 10% of Professional Services staff had left the University via voluntary severance. It was anticipated that there might be a number of short term service delivery challenges prior to the implementation of new processes and systems;
 - v. the Professional Services Staff Assignment Group (PSSAG) was redeploying Professional Services staff on a temporary basis to provide additional expertise and support. Recruitment of graduate interns, and student ambassadors was also addressing service needs;
 - vi. several Schools had redeployed research staff whose contracts were ending, to provide additional teaching capacity in the light of above target student recruitment. Graduate Teaching Assistants were also being utilised, particularly in the Faculty of Humanities;
 - vii. key factors accounting for the higher number of rejected voluntary severance applications in FMBH included the contractual status of clinical staff whose salaries were paid by the NHS, the greater prevalence of fractional posts, and anticipated high levels of student recruitment in medicine and dentistry;
 - viii. that subject to the decision of the Board of Governors, it was not anticipated that there would be generalised use of compulsory redundancy at the University, but that if voluntary severance measures and natural wastage failed to achieve targeted efficiencies and downsizing in those areas under review, then specific targeted compulsory measures would remain an option.

8 Observations from Lay Chairs of Appeal Panels: Update

Received: an update on the recommendations presented to October 2019 Staffing Committee regarding the observations made by lay members of the Board of Governors chairing appeal/disciplinary panels and actions to address these points.

Noted:

- a) that disciplinary and appeal panels had been put on hold for a period of time due to COVID-19 but had since restarted;

- b) additional guidance had been developed and implemented to cover investigation, disciplinary and appeal meetings being conducted “virtually” and was in line with ACAS guidance.

Agreed:

- a) that Staffing Committee continues to receive updates regarding the observations made by lay members of the Board of Governors chairing appeal/disciplinary panels;
- b) that themes highlighted regarding data protection and legal privilege in relation to appeal hearing feedback and learning points be considered by HR and DLABS to facilitate continued opportunities for learning from panels, while ensuring individuals’ privacy. **Action: Director of Human Resources and Employment Solicitors**

9 Additional Business Raised in the Meeting

Noted: that the next meeting of the Committee had been rescheduled to 5 February 2021.