

**APPROVED** minutes

DRAFT – prepared by the committee secretary  
UNAPPROVED – signed off by the Senior Officer/Chair of the committee  
APPROVED – formally approved by the committee



The University of Manchester

**STAFFING COMMITTEE**

**6 April 2022**

**Present:** Ann Barnes (Chair), Professor Danielle George, Robin Phillips and Professor Jim Warwicker

**In attendance for all items:** Professor Dame Nancy Rothwell (President and Vice-Chancellor), Patrick Hackett (Registrar, Secretary and Chief Operating Officer), Adèle Mackinlay (Director of People and Organisational Development), Sara Sawicki (Employment Solicitor), and Sally Ainsworth (Governance Manager) (minutes).

**Apologies:** Jatin Patel

The Chair welcomed Natasha Traynor to the meeting of the Staffing Committee, as an observer.

**1 Declaration of Interests**

**Noted:** that there were no declarations of interest in relation to the agenda.

**2 Minutes of the Previous Meeting:**

**Agreed:** to approve the minutes of the 3 November 2021 meeting.

**3 Matters Arising**

**Noted:** none were reported.

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

**Received:** a report from the President and Vice-Chancellor requesting Staffing Committee to consider information on fixed term employees and those on open ended contracts with finite funding.

**Noted:**

- a) The following points were noted in the report:
  - i. The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations came into force in October 2002. One of the main provisions under these Regulations is the limitation on the use of successive fixed-term contracts and the

right to open ended contractual status where the employee has been employed continuously for a prescribed period. The University introduced its Policy and Procedure on Contracts of Employment in January 2011, with the agreement of the Campus Trade Unions, to manage the level of fixed term contracts in use and to ensure that the number of transfers to open ended contracts does not create problems by their cost falling to baseline.

- ii. The joint University/Trade Union Contracts Group meets every 3 months to consult collectively on the likely number of fixed term contracts and open ended contracts linked to finite funding that are due to come to an end within a defined period.
- iii. It is therefore considered appropriate for the Staffing Committee as set out in Statute XIII, Part II and Ordinance XXIII to meet to consider those contracts at risk of termination due to redundancy for the period 1 January 2023 to 30 June 2023.
- iv. The reasons for the proposed redundancies are the end of an individual's open ended contract where this is supported by finite funding which is likely to cease or where the specific project on which they are working is coming to an end; or the end of an individual's open ended contract where this is supported by finite funding which is coming to an end and exceeds four years in duration and where there is no objective justification to refuse converting the contract to open ended.
- v. It is important to note that it is likely that the employment of many of the staff affected will not, in fact, be terminated because there are a number of potential alternatives to this course of action.
- vi. The University has a redeployment policy and procedure in place which is well known and understood by managers. The University will ensure that through a fair and transparent process an individual is correctly identified as at risk of redundancy and will explore opportunities for the avoidance of redundancy including:
  - seek redeployment opportunities within the University retrain the individual where this is practical and reasonable
  - seek an extension to the existing funding stream or
  - seek alternative sources of external funding
- vii. The University will seek to avoid a dismissal by reason of redundancy until the actions listed above have been pursued.
- viii. Consultations with School, Unit or Institute Boards are ongoing and generally occur every 3 or 4 months. The President and Vice-Chancellor was able to report that the Director of People and Organisational Development, on her behalf, has received assurances from the Deans and, where appropriate, the Registrar, Secretary and Chief Operating Officer the matter of those contracts linked to finite funding or a specific project and at risk has been discussed by the following School Boards (or Leadership Teams where School Boards do not exist) since her last report to the Committee in November 2021.
- ix. There is no impact envisaged on the workloads of the remaining staff because where funding ceases there is no requirement for the role/tasks to continue and in some cases a specific project will have come to an end.
- x. In line with the Contracts Policy and Procedure discussions are ongoing with individual members of staff and this will continue to occur at the appropriate trigger point ahead of the possible termination date of the individual's contract. The process of collective consultation with the trade unions is ongoing and meetings are conducted in a cordial manner.

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

- i. 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 January 2023 to 30 June 2023;
- ii. the University continues to take all steps outlined in the report to avoid the need for redundancy wherever this is possible

## **5 Report from the Director of People and Organisational Development**

**Received:** A report from the Director of People and Organisational Development

**Noted:**

- i. The Contracts Working Group (CWG) continues to meet two to three times per year and both parties continue to agree that this is an effective way of handling fairly the significant number of staff at risk. The trade unions had raised various requests regarding the Contracts Policy and The University is in the process of considering these. This is the formal mechanism for the University to consult on compulsory redundancies under the Contracts of Employment Policy and Procedure.
- ii. The Committee was informed that one appeal had been reported in the School of Arts, Languages and Cultures in January 2022 but that had subsequently been withdrawn. There have been no Tribunal claims associated with the implementation of the Contracts Policy and Procedure since the last report to Staffing Committee in November 2021.
- iii. The percentage of staff being redeployed or extended with over four years' service has reduced over the last reporting period from 83.3% to 73.3%. There has been an increase in the numbers who have been made redundant from 8% to 12.2%.
- iv. The question was asked as to the reason behind the increase in the contract outcomes figures in the Faculty of Science and Engineering, and if this was linked to lower funding amounts.
- v. There were no further legislative changes planned which were likely to impact on the Contracts Policy and Procedure.

**Agreed:**

That the Director of People and Organisational Development would investigate the contracts outcomes FSE figures and report back to the Committee.

## **6 Report from the President and Vice-Chancellor on Cohort 3 of the restructure of Technical and Experimental Services within the Faculty of Science and Engineering**

**Received:** a report updating Staffing Committee on Cohort 3 of the restructure of Technical and Experimental Services within the Faculty of Science and Engineering

**Noted:**

a) the following items from the report were noted:

- i. The Staffing Committee was asked to give full and proper consideration to the proposal presented in this paper which, subject to consultation, includes a voluntary severance scheme.
- ii. The proposal involves the next phase (Cohort 3) of the restructure of Technical and Experimental Services within the Faculty of Science and Engineering (FSE). There are 192 posts “in scope” and 24 posts “in scope and at risk” with a proposed reduction of 6 posts and the creation of 221 new posts resulting in a net increase of 29 posts. Of the 29 posts, 12 are fixed-term associated with the surge in student over recruitment in 2020 and 2021 due to grade inflation during Covid; 23 of the 29 posts are at G4 and G5 which are lower than those posts that will be lost. We expect some of the individuals in roles that will be lost will be able to benefit from opportunities to take up the new posts.
- iii. Cohort 3 will be cost neutral owing to the increased cost of £443k in technical teaching support associated with this surge in student numbers due to grade inflation during Covid. This increased resource will reduce over the coming 3-4 years in line with the Faculty’s 5-year student number plans. The removal of these additional costs will deliver the full £1.6m pay savings from the review, albeit deferred to 2025.
- iv. Subject to consultation, and only if it becomes necessary, we will later request approval from the Board of Governors for implementation of the procedure for dismissal of members of staff by reason of redundancy pursuant to Statute XIII Part II and Ordinance XXIII.
- v. Cohort 3 of the Technical Review covers the remaining two service groups: Research and Teaching, completing the final on-campus component of staff and services comprising c. 200 members of technical staff.
- vi. The Faculty of Science & Engineering aims to deliver a sector-leading Technical and Experimental Service for the benefit of the University through improved skills and capabilities and a new delivery model, which will optimise efficiencies, technologies and facilities.
- vii. The People and Organisational Development (P&OD) process will attempt to match all existing staff to roles as its primary duty. However, it should be noted that different skills and different grades are required alongside a time-limited increase in the number of technical staff overall.
- viii. The University will ensure that a rigorous, fair and transparent process is followed for each member of staff identified “at risk” of redundancy and will explore opportunities for the avoidance of redundancy as set out in the Security of Employment Policy as agreed with the trade unions
- ix. The School Boards and the PS Leadership Team will be consulted during the formal consultation period.
- x. By adopting a phased approach via cohorts of staff, we can mitigate against increased workload on individuals and destabilising research and teaching as we avoid a significant number of staff transitioning to a new structure and roles simultaneously. Cohort 3 is not expected to increase the workload on the remaining staff. It is intended to benefit staff in Cohort 3 and remaining staff in Cohort 4 as they will be assigned to the new management structure without significant changes to

their roles, to maintain business as usual across teaching, research and the move to MECD.

- xi. The University will engage in a meaningful consultation process with the recognised campus trade unions on the proposals as set out in this paper and will include consultation in respect of both voluntary severance and compulsory redundancy. It is proposed that this will commence as soon as the Board has endorsed these proposals, recognising that they are subject to consultation with the trade unions.
- xii. It is proposed that the University offers those staff at risk a targeted voluntary severance package which must be accepted by a specified deadline. Staff at risk will be given the opportunity to discuss the voluntary severance option with either their line manager or their Human Resources Partner.

b) In response to comment and challenge from Staffing Committee members, the following assurances were provided:

- i. That there will be support for staff throughout the change process. The Faculty has undergone a great deal of change recently, including the move to MECD, and the Professional Services restructure, and it is vital that staff know that support is available to them

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

- i. that the University should enter into consultation with the campus trade unions about the proposals relating to the Technical and Experimental Services outlined in this report to reduce posts by six from an “at risk” pool of 24 posts, create 221 new posts resulting in a net increase of 29 posts (12 of which are fixed term due to the investment needed for the over recruitment of students in 2020 and 2021) and, subject to consultation, should progress with its proposals for voluntary severance;
- ii. that the University continues to take all steps outlined in the report to avoid the need for redundancy wherever this is possible and, in particular, to support the use of the University’s Voluntary Severance Scheme in the affected areas;
- iii. that the Staffing Committee should continue to oversee these proposals in accordance with Part II of Ordinance XXIII.

## **7 Update on third phase of the Student Experience Programme**

**Received:** A report updating the Committee on the Student Experience Programme

**Noted:**

- a) the following items from the report were noted:

### **Cohort 2**

- i. On 15 July 2021, The Staffing Committee received a proposal to progress the implementation of Cohort 2 of the Student Experience Programme (SEP) that covered grades 6 to 9. This exercise placed 223.3 (FTE) posts “in scope” of which

27 (FTE) are “in scope and at risk”. 208.2 (FTE) new posts were created, with an overall reduction of 15.1 (FTE) posts.

- ii. A targeted voluntary severance scheme received 5 applications which were accepted, the remaining post reduction was achieved via recruitment to newly created roles in the structures at a more senior grade and through redeployment within the organisation. As a result there was no need to move to compulsory redundancy.

### **Cohort 3**

- iii. Cohort 3 of the SEP is the third and final phase of the programme that impacts around 600 staff at Grades 2-5. There was no staff reduction in this phase, therefore, no voluntary severance scheme will be needed.
- iv. The proposed new structures will result in changes in job content and design and implementation of new ways of working. Consultation with staff and Trade Unions will begin at the end of April 2022 with proposed implementation of new structures being staggered between August 2022-January 2023. These dates are in line with new student system releases.

b) In response to comment and challenge from Staffing Committee members, the following points were also noted:

- i. Members noted that the new Director of IT, when in post, would be able to lead on the technology and process changes that would be needed to support the next steps of the SEP.
- ii. Improved communications and transparency will assist with the next steps, and in managing expectations. This will additionally help towards improving job satisfaction amongst staff, and have a positive impact on the student experience.

## **8 People Committee Terms of Reference**

**Received:** A report from the Director of People and Organisational Development, detailing the amended Terms of Reference for the People Committee (formally Staffing Committee)

### **Noted:**

- i. The People Committee has a broad remit to consider staff, organisational development and related people issues (including equality, diversity and inclusion) and recommend and report to the Board of Governors on relevant matters. The Committee’s remit covers the requirement (as set out in Statute and Ordinance) to give full and proper consideration to any proposals to dismiss academic and academic-related staff on grounds of redundancy: this role was previously fulfilled by Staffing Committee. The Committee will meet on a quarterly basis with additional meetings being convened if deemed necessary.
- ii. Following comment and debate by Committee members, several amendments were agreed to the Terms of Reference for the newly formed People Committee.

**Agreed:**

- i. That the Committee recommends approval of the amended Terms of Reference to the Board of Governors.

**9 Any other business**

**Noted:**

The Employment Solicitor informed the Committee, that a recent tribunal claim had been brought against the University, which had been unsuccessful, but that the outcome report had been quite critical of a number of areas and processes across the University, including the Contracts Policy; Redeployment Policy and the Statutes and Ordinances relating to Employment. As such, a small working group has been established to look into the criticisms and comments, and Staffing Committee will be kept updated of any outcomes from the working group.

**10 Next meeting**

**Noted:** that the next meeting of Staffing Committee would be 15 July 2022. Pending Board approval of the new Committee Terms of Reference, this will be the inaugural meeting of the People Committee.