



University of Birmingham

# Joint Unions Report 2018

**Fair Pay, Equal Pay: Towards a new settlement for  
working life at the University of Birmingham**

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# COVERING LETTER TO THE UNIVERSITY OF BIRMINGHAM

Date: 02/11/2018

Sent to: Professor Tim Jones, Provost and Vice-Principal  
Professor James Arthur, Deputy Pro Vice Chancellor  
Adrian Buckley, Assistant Director of HR

Dear University of Birmingham negotiators,

We are writing to you following the establishment of both national and local disputes over fair and equal pay. Nationally, sector trade unions including UCU, UNISON, UNITE and GMB put a comprehensive pay claim to UCEA to address the erosion of pay in our sector over the past 8 years, and to demand concrete action from employers to address issues of inequality, casualisation, and workload. Locally, UNISON, UNITE, and GMB put a local pay claim that mirrored the national claim for bands 200 to 500, in line with local pay bargaining arrangements.

Nationally, 82% of UCU members (87% at the University) rejected the UCEA offer of 2%. The UCEA offer did nothing to address any of the broader issues of inequality, casualisation, or workload, and again failed even to match inflation. In the recent formal ballot 76% of UCU members at the University voted to take strike action and 86% voted to take action short of strike action on a record turnout. Locally, a similar offer was rejected by the support staff unions UNISON, UNITE, and GMB, with UNISON currently conducting an indicative ballot for industrial action.

This report systematically lays out our joint demands on pay - namely, that the University become fully living wage accredited; implement a 7.5% pay rise across bands 200 to 500, or £1,500, whichever is greater; and lobby, openly and publicly, for UCEA to match the national pay claim put by the sector trade unions. It also lays out our local demands on equality, casualisation, and workload as per the nationally agreed framework.

Having consulted our members on these demands at great length and discussing and voting on them at several members meetings, we are determined to see them delivered. We believe

the demands in this report represent a unique opportunity for a better working environment for all, are a starting point for a more constructive relationship between the employer and the campus trade unions, and benefit the University by making it an attractive and productive place to work. All these demands draw on the significant collective experience of the trade unions, particularly through our case work, and represent both real issues and real opportunities for change.

In short, these demands will ensure that our colleagues are free to pursue their academic and professional careers free from discrimination, exploitation, and damaging levels of overwork within a cohesive and supportive community. Due to the seriousness and gravity of the issues at stake, along with the potential timeline for industrial action, they must now be addressed as a matter of urgency. Furthermore, we believe these demands to be entirely consistent with the University's own obligations to education, to research, and to the public good.

Finally, we recognise that some of these demands have a financial impact and that the first step in actioning these requests will be for the University negotiating team to promptly and carefully cost them. We ask that the detailed costing of these proposals and their supporting methodologies be shared with staff in a clear and transparent manner.

On review of the University's annual accounts, we draw your attention to a surplus of £137m through the 2016 and 2017 financial years, investment assets of £144m as of the end of the 2017 financial year, and a cash position of £209m as of the end of the 2017 financial year. We also point out that we have already requested the 2018 draft accounts to July, but that this request was declined despite the availability of the information. Nonetheless, it remains clear that while some of the proposals in this report require more detailed costing, they are all manifestly affordable many times over; both in terms of cash outlay and in terms of the significant on-going benefit they will generate for staff and the University. These demands are also being presented in the absence of the concrete action demanded by the national trade unions from you throughout this dispute.

We look forward to discussing how we can take forward the ideas presented.

University of Birmingham branches of UCU, UNISON, UNITE, and GMB.

# WHO WE ARE

## UCU

The University of Birmingham branch of UCU (BUCU) represent academic and academic-related staff of the University of Birmingham. Nationally UCU negotiate pay on behalf of staff on the national pay spines (at the University of Birmingham this applies to grades 6 and above) with UCEA. Locally BUCU represents members in collective bargaining and one to one support, as well as lobbying the University to support staff in national disputes; for example, the USS pensions dispute and the current HE pay dispute.

## UNISON

The University of Birmingham UNISON branch represents support staff and academic-related staff either directly employed by the University of Birmingham, the Guild of Students, or by private contractors. We negotiate for better pay and conditions collectively for all support staff, whether they are UNISON members or not. We also help individual members with advice and representation, and we campaign for a fairer and better society.

We support staff at:

- The University of Birmingham
- The Guild of Students
- The new subsidiary company (The Hotel and Conference Park)

## UNITE

UNITE organises workers in all areas of education in the UK and Ireland. Our members work as research, technical, IT, administrative, estates, support and maintenance staff. At the University of Birmingham we work with UNISON and GMB to negotiate pay for staff on bands 200 to 500 and support our members on local issues.

## GMB

Our members are mostly support staff and staff within the Administrative, Professional, Technical and Clerical groups. The GMB offer its members a dedicated professional service and is represented at a local level by University staff officials. At the University of Birmingham we work with UNISON and UNITE to negotiate pay for staff on bands 200 to 500 and support our members on local issues.

# TERMS OF REFERENCE

**Academic, support, and academic related staff:** These are the main categories of staff according to the University of Birmingham's terms of reference, and all relate to a wide range of different roles across campus. Academic and academic related staff are represented by UCU in national pay negotiations for grades 6 and above, while support staff are represented by the support staff unions (UNISON, UNITE, and GMB) in local pay negotiations. However, it is possible for a member of staff to join any of the recognised trade unions on campus and we collaborate on issues that collectively affect all of our members.

**Pay (in)equality:** Equality issues refer to the differing or unfair treatment of groups of staff. This may refer to low pay or unfair treatment of staff based partially or entirely on gender, ethnicity, sexuality, or disability, or to more specific groups, for example, those with caring responsibilities or specific visa requirements. The national pay claim makes specific reference to pay equality, while this report refers to specific issues that have impact on pay equality, for example, through job security, progression, and fair and equal rights.

**Casual or precarious contracts and job (in)security:** These terms are used to refer to similar issues that undermine the right to stable and secure employment. 'Casual' or 'precarious' employment refers particularly to employment on variable, hourly paid, or short fixed term contracts. Many such contracts at the University of Birmingham diminish basic employment and trade union rights, for example, the right to sick pay, maternity pay, paid time off for trade union duties and training, and the ability to plan for the future.

**Fair pay:** This term demands the narrowing of pay inequality between different groups of staff. We also demand that our pay keeps up with both the cost of living via basic living wage accreditation and that our pay settlement makes up for some of the ground lost due to real-term pay cuts over recent years. Academic staff pay has fallen by 20% in real terms since 2010, with support staff pay seeing a similar fall, and at the University of Birmingham women are paid 20% less than men and 66% less in bonuses. The next section summarises both the national and local pay claims.

**UCEA:** The University Council for Educational Administration is the body that represents employers in national pay negotiations with the sector trade unions.

# SUMMARY OF NATIONAL AND LOCAL PAY CLAIMS

## Introduction to the national and local pay demands:

The national pay claim, supported by UCU, UNISON, UNITE, and GMB, puts together a comprehensive claim for fair and equal pay and can be accessed via the link below. The University of Birmingham has a special arrangement with the support staff unions for local pay bargaining for grades 200 to 500. The support staff unions have presented a local claim that largely mirrors the national claim.

The national pay claim demands that:

- All Universities implement a 7.5% pay increase for all staff, or £1,500, whichever is greater;
- All Universities pay at least £10 per hour and become fully accredited living wage employers;
- Concrete action is taken to address pay inequality;
- Concrete action is taken to minimise precarious contracts;
- Concrete action is taken to reduce excessive workloads.

To date the University of Birmingham has made no effort to address any of the above and continues to support the UCEA position of a below inflation pay offer of 2%. This is also the offer they have made to the support staff unions in local negotiations, with the only difference being a commitment to match the living wage for just one year. The University of Birmingham was therefore issued with a notice of an intention to ballot by UCU as part of the national negotiations.

Locally, the pay claim covering bands 200 to 500 also recommends the restructuring of the pay spines with equal numbers of semi-automatic increments within each band. Negotiations have taken place through September and October 2018 and have led to all support staff unions rejecting the University's offer of 2%/£425 for bands 200 to 500, with no action on equality, casualisation, or workloads, and no improvements to the scales within each band. UNISON has asked their members to vote on an indicative ballot for strike action.

Finally, both UNISON and UCU have adopted the position through branch resolutions of demanding a 10:1 pay cap between senior management and the lowest paid. We urge the University to take action to address the inherent unfairness of its pay structure and to implement a fair pay deal for staff covered by local negotiations while at the same time lobbying UCEA to do the same as part of national negotiations.



# EQUALITY

## #1 Draw up an action plan to close the gender pay gap by 2020

- this should consist of a report detailing the concrete action to be taken by the University to close the gender pay gap. We call for the University to consult widely on such a document, and work with all of the campus trade unions.

According to government statistics the University of Birmingham pays women on average 20%, or over £8,000 per year less than men and a staggering 66% less in bonus payments. This means that if you are a female member of staff and there was no gender pay gap you would be earning up to £160 more per week in basic pay.

## #2 Provide properly subsidised childcare for all staff by 2020

We ask the University to provide:

- 52 weeks of childcare for children of nursery age to all staff, capped at a total cost of 10% of annual salary, by 2020 via an accredited workplace nursery scheme;
- nurseries at the University should be exempt from generating surpluses;
- the University should provide an on-campus crèche or soft play-area for children, making campus more parent-child friendly.

We are all carers at some point in our lives, but the burden of care for our loved ones falls particularly on women and evidence shows that this is a major contributor to the gender pay gap nationally.

We are calling for a not-for profit childcare provision on near campus available to *all* staff. This initiative would also be a good measure for improving productivity and allowing members of staff to work with the comfort and ease of mind of their children being well looked after nearby.

## #3 Commit to rewriting the flexible working policy in negotiation with the trade unions

While we support the statutory right of all staff to request flexible working, through our casework we have seen a consistent unwillingness on the part of the University to consider caring responsibilities when considering flexible working requests. Such consideration is absolutely

necessary to support those staff with caring responsibilities in remaining in work. We call on the University to:

- guarantee that caring responsibilities will be properly and consistently considered when staff submit flexible working requests, and to acknowledge that discriminating against carers is an equality issue;
- implement an independent appeals process for flexible working and allow any potentially discriminatory actions to be dealt with through the grievance process.

#### **#4 Ensure a minimum of 50% quotas for women or non-binary panel members on all appointment and promotion panels**

The gender pay gap exists also because women are denied the same opportunities as men. Women can make up most of the staff membership, and yet receive a collective pay package lower than men's because they are disproportionately employed on lower grades. Indeed, this was referenced by the Vice Chancellor as the primary reason for the gender pay gap at the University of Birmingham.

We demand executive action to introduce and enforce a minimum of 50% quotas for female members of staff on appointment and promotion panels. This should extend to all work commissioned by the employer and be staffed by women or non-binary staff members of a minimum equivalent grade as the advertised post. We see this as the only way to remove barriers to career progression for women and casualised staff.

#### **#5 Address Trade Unions' concerns in relation to the campus in Dubai**

As recognised trade union branches, we have not been consulted on the opening of the Dubai campus and on the policies that will apply to the members of staff who will be working for the University in Dubai. Many of our members have raised concerns about the lack of adequate and clear assurances that their rights will be upheld while working in Dubai. In order to have a constructive dialogue and better understanding of the practicalities of working and studying on the Dubai campus, we have asked the University for a number of basic guarantees, which include:

- providing unions and staff with all the policies and processes that will be applied to staff working in Dubai;
- guaranteeing the protection of staff and students, especially women and LGBTQ people;

- the establishment of fair and transparent recruitment processes;
- guaranteeing the provision of adequate support for staff and students on campus and beyond;
- guaranteeing academic freedom and ensure that there will be no disparity between the UK and Dubai curricula;
- all staff and students should receive all paperwork relating to their contracts in English.

As the recognised trade unions we call on the University to follow our mutual recognition and procedure agreements, and to ensure that all policies and practices are properly discussed and negotiated with us. Failure to do so puts the University management in breach of the University's own written policies.

## **#6 Commit to a single Welfare and Wellbeing Services strategy and ensure proper support structures and safety of College Welfare and Wellbeing staff**

The demand for welfare and wellbeing support at the University is growing, but practitioners within both central services and within colleges often feel overworked and unsupported. There's a clear need for both local expertise from dedicated, college-based staff and properly resourced central services able to advise and accept referrals in cases where it's necessary.

What's needed is a single strategy at the University that preserves existing college-level expertise, while supporting all practitioners with the following practical, centrally provided steps:

- a single University strategy for welfare with direct input from Welfare and Wellbeing staff;
- offer proper and consistent clinical supervision to all Welfare staff;
- risk assessments for all Welfare staff;
- provide panic alarms to all Welfare staff;
- fair and standardised recruitment;
- clear referral route to central counselling;
- DBS checks should be paid for by the University for all Welfare and Wellbeing staff.

## #7 Disclosure of the 'ethnicity pay gap'

The University sits within one of the UK's most diverse cities, slated to become the UK's second "plural city" (lacking a White British majority) by 2024. The University clearly fails to reflect this diversity in the number of BAME staff in management, professional and senior roles at the University. Action needs to be taken to address this.

We call on the University to commit to disclosing an 'ethnicity pay gap' alongside the gender pay gap for 2018. The disclosure should mirror the gender pay gap and include:

- mean and median averages for pay and bonuses;
- the proportion of staff in each category receiving bonuses;
- the proportion of staff in each category in each quartile of the University's pay structure.

## #8 Stop the pricing out of staff from the Sports Centre

It is becoming clear that the lowest-paid staff are paying the price for the new Sports Centre building. For example, swimming fees at the old centre were **£12.50 per month**. They almost doubled to **£23 per month** earlier this year, and in August they **were increased further to £30 per month**. This is an **increase of 140%**, while year-on-year the University has given staff pay rises below inflation.

The University has already invested in a policy on wellbeing that takes physical activity as one of its 'Five Ways to Wellbeing' but low pay prevents its staff from participating in this initiative. By implementing the Wellbeing Agenda, the University already recognises the huge benefit exercise has in terms of productivity and mental health, but it should adopt a holistic charging model that offers these opportunities to its poorest employees who currently cannot rely upon the Accredited Living Wage.

## #9 Support the Period Dignity campaign

We support UNITE's Period Dignity Campaign and echo their calls for access to sanitary products in the workplace and schools to be as normal as having access to things such as toilet roll <https://unitetheunion.org/perioddignity>

## **#10 Commit to working with the unions to implement a comprehensive domestic violence and harassment policy**

UNISON has drafted a model domestic violence and harassment policy and we call on the University to work with us to see it implemented here. The aim in developing an effective policy on domestic violence/abuse and stalking is to create a workplace where the dignity and safety of our colleagues are respected. Such a policy would support the University's:

- commit to family-friendly working and ensure the welfare of individual members of staff;
- maintain the reputation of Birmingham University as an employer of choice, acknowledging that a safer working environment benefits women's professional development and the University's commitment to ongoing gender equality, removing a barrier to women's success, as outlined by the Athena Swan;
- fulfil the legal responsibility to safeguard the welfare and safety of all staff, as per the Health and Safety at Work Act (1974) and the Management of Health and Safety at Work Regulations (1992).

## **#11 Provide adequate car parking facilities and work with the trade unions on campus to better incentivise sustainable transport**

The University is consistently operating below its allocated number of spaces, which is the cause of a great deal of stress to those staff who need to drive onto campus. Furthermore, large swathes of new and existing car parks are being set up as "purple permit" only car parks in an attempt to commit staff to driving onto campus every day, rather than taking public transport when they are able to. The lowest paid staff at the University were previously exempted from car parking charges and even though their pay has not increased in real terms they are now expected to pay parking fees if they use car parks within the charging periods. Finally, we are concerned that the distribution of "blue badge" spaces is no longer fit for purpose due to the sheer level of construction work on campus. We demand that the University commits to:

- maintaining the number of spaces allocated them by Birmingham City Council;
- all new car parks being pay-as-you-go (blue permit) or pay and display;
- exempt band 200 staff from car-parking charges;
- review the locations of blue badge bays to ensure that all buildings have sufficient spaces within the legally defined distance.

## **#12 Support non-EU and EU staff by providing certainty of employment status**

The University should support non-EU and EU staff by providing certainty of employment status, and covering all visa fees and application costs necessary for their employment. This should also extend to providing financial support to staff and their families in achieving settled status after Brexit.

# CASUALISATION AND JOB SECURITY

## **#1 End all 9 month teaching and research contracts, with a minimum length of 12 months for standard positions**

This demand calls for an end to casual teaching and research contracts that don't pay outside term time. We work all year round to improve education and often receive pay only for 9 months of the year. In the summer, we often struggle to make ends meet and are poorest at the start of term. We demand an end to in-work poverty by abolishing fixed-term 9 month contracts, and demand that all casual tutors are put on continuous contracts with full employment rights.

## **#2 Ensure that all staff are employed on full employment contracts, with the University as the recognised employer**

The University must ensure that all support staff, including undergraduate and postgraduate students working through Worklink and all teaching staff, including postgraduate students working through Worklink are employed on full employment contracts, with the University as the recognised employer. Similarly, for all academic related and support positions, we call on the University to ensure full employment rights by employing all staff on full employment contracts, with the University as the recognised employer. This will ensure:

- full maternity and paternity rights for all staff;
- the same rights to sick pay for all staff;
- equal protection against unfair dismissal for all staff;
- full rights to fair treatment and equal under the University's policies and procedures relating to employees of the University.

## **#3 Guarantee that the opportunity to enroll on the University's HEA accredited PGCHE will be made available to all teaching staff**

This demand calls for equal access to paid teaching-related training. Everyone deserves to become a better teacher and not enough has been done to explore the contribution that teaching makes towards becoming a better researcher. We demand that financial support be put in place to help and encourage people to make the time to do so. This should include all hours needed to attain the desired certification. This is particularly important where staff work on hourly paid contracts.

## **#4 Reduce the number of disciplinary proceedings against Cleaning Services Staff**

The support staff unions are alarmed by the high rate of disciplinary proceedings being taken against cleaning staff. We believe this is grossly unfair and that cleaning staff do one of the most difficult and important jobs at our University. We ask that the University commits to the following principles:

- counselling must be exhausted before a disciplinary case is brought in all but serious cases of misconduct;
- HR must ensure that counselling has been exhausted before agreeing to process a request for a disciplinary investigation;
- the number of disciplinaries within Cleaning Services should be broadly in line with other departments at the University.

## **#5 Where any member of staff has worked on fixed term contracts for more than 4 years the University must have a policy in place committing them to a permanent contract, as required by employment law**

As the campus trade unions we are alarmed at the level of redundancies and consistent poor practice in relation to staff on fixed-term contracts. We believe that the treatment of staff in not having a process in place to 'automatically' transfer them onto permanent contracts after 4 years breaches both employment law, where this right is clearly stated as part of the Fixed Term Employees Regulations (2002), and our procedure agreement with the University on how redundancies should be handled.

We also point to a recent redundancy case in LES that was overturned on appeal in which the panel found systematic failings in the handling of the case by the University.

## **#6 Sign the TUC Dying to Work Charter**

Many workers get a serious illness at some time in their working lives. They may require time off, often many months, to get treatment or recover. There is helpful guidance produced by the TUC that deals with cases of long-term illness, or return to work for those who are disabled as a result of an illness or injury. However, sometimes there is no effective treatment. In these cases the worker may face a time of huge emotional stress, fear and uncertainty. UK Social Security legislation defines a terminal illness as: "a progressive disease where death as a



consequence of that disease can reasonably be expected within 6 months”, however many patients can have a terminal illness and survive much longer than 6 months.

The dying to work charter has been signed by a wide range of different employers, including NHS trusts, Lloyds Banking Group, Local Authorities, Severn Trent Water and other Universities. It requires employers to make just three basic commitments for the protection of any of their staff who contract a terminal illness:

- review sick pay and sickness absence procedures and include a specific statement that they will not dismiss any person with a terminal diagnosis because of their condition;
- ensure that that they have an Employee Assistance Programme that has the capacity and competency to provide support to any person with a terminal illness, including access to counselling and financial advice;
- provide training to line managers and all HR staff on dealing with terminal illness, including how to discuss future plans with any worker who has a diagnosis of a terminal illness, and on what adaptations to work arrangements that may be necessary.

We call on the University to make these commitments and to sign the charter. More information about the campaign can be found at: <https://www.dyingtowork.co.uk/the-campaign/>

## **#7 For all teaching and research staff, full employment contracts should be drawn up with a clear description of the role of the job in question and offered *before* the start of term so that staff can be paid during the month that they start work**

When our contracts are not issued on time, we are not paid on time either. On the ground, many of us are forced to work without pay for up to half of the calendar year. We demand that contracts are issued and signed at least one month prior to the start of work, so that we can be paid within a month in accordance with the law.

## **#8 Have union representation on all disciplinary hearing panels for all staff**

All staff are entitled to be accompanied to disciplinary meetings by a colleague or union representative in accordance with ACAS guidance and statute. However, the disciplinary panels that *make* the decisions themselves are constituted in very different ways for different groups of staff - those for staff on Academic-related contracts include representation from recognised trade-unions, while support staff hearing panels are made up of a single manager

and HR advisor. We feel that this mismatch is unfair and that the independence of disciplinary processes would be greatly improved if this provision was extended to all groups of staff.

We call on the University to commit to this and to work with us on instituting this provision in a way that's fair, independent and workable.

## **#9 Stop the creeping implementation of any '5 in 7' or 'annualised hours' contracts**

As part of their contracts support staff generally have fixed or determined working hours, usually 36 hours per week if they are full-time. The first letter they receive from the University when they are offered the post contains the line "your hours are as *agreed* with the Head of Budget Centre (or nominee)". Traditionally, this would involve fixed working hours that do not change from week to week or changed according to a set pattern.

The University, however, has increasingly increased the number of unusual working patterns, where staff are either required to work the same number of hours across any 5 days in the week or are required to work varying numbers of hours to meet an annual total. The University claims that this is entirely at the discretion of local managers and does not record numbers of staff on these different contracts.

We strongly feel that the use of these contracts should be minimised to give staff the benefit of stability and a family life as well as ensuring limited staff resource is not spread too thinly across the working week. We also feel that setting working hours should be a mutual process between staff and line manager where both individual circumstances and business requirements are considered. Collectively, we call on the University to:

- monitor the number of staff on fixed working hours, 5 in 7 or annualised hours contracts;
- consult with the unions if a vacant or occupied fixed working hours post is changed to 5 in 7 or annualised hours;
- keep to specific local agreements surrounding the recruitment of staff on 5 in 7 and annualised hours contracts in HAS;
- ensure working hours are clearly advertised and then mutually agreed with staff from the beginning of employment;
- consult with staff individually and collectively when proposals to change working hours cannot be agreed by mutual consent.

## **#10 Ensure cases of absence are referred to and seen by Occupational Health before any formal processes are implemented**

The attendance and absence monitoring policies of the University lay out a clear role for the University's Occupational Health service in reviewing cases of ill health to determine what action the University can take to reduce sickness absence for particular individual members of staff. The attendance management policy further contains the provision that all sickness absence will be assumed to be genuine without clear evidence of abuse.

In the light of this, it is clearly essential to obtain the advice of Occupational Health practitioners before any formal action is taken against a member of staff due to sickness. We call on the University to do this in all cases of:

- absence investigations;
- disciplinary cases linked to sickness absence;
- capability investigations.

In addition, the University should ensure that any requests for reasonable adjustments are properly considered by managers and that the advice of expert practitioners is not disregarded as to the feasibility of requests and their likely impact on enabling staff to return to and remain in work.

## **#11 Commit to extending sick pay in cases of serious illness and disability-related absence**

The University's sickness absence policies for all groups of staff contain limited provisions for the extension of sick pay. For example, support staff terms and conditions state that sick pay "may be extended at the discretion of the University on the basis of full pay, half pay or no pay", while the terms and conditions of Academic and Related staff contain a similar provision for extension at the discretion of the University's council.

Despite this, we know from our casework that the University does not extend sick pay, particularly for support staff, except in cases of terminal illness where life expectancy is short or when a return to work is due within weeks. We feel this is contrary to the University's duty of care to its staff and can often delay a return to work in cases of stress-related illness. There should be a fair and transparent process for the extension of sick pay. In particular the nature of the illness should be considered, alongside factors such as disability and any work-related factors that contributed to the absence.

## **#12 Bring staff in the Hotel and Conference Park back in-house**

The University's own Hotel and Conference park was outsourced to a wholly owned subsidiary company in July of this year. Staff transferred from the University are seeing major deteriorations in their working conditions, contrary to the assurances by management, while other staff are receiving inferior pay and benefits (including lower holiday entitlements and a lack of trade union recognition). This is contrary to the University's duty as a public educational body, and we call on the University (as the controlling entity of the new company) to:

- recognise the same trade unions (UNISON, UCU, UNITE, GMB) for all staff in the Conference Park (including newly recruited staff);
- equal rights with staff at the University of Birmingham;
- commit to bringing the staff back in-house;
- end the institutionalised bullying and divisive separation of newly recruited and transferred staff by allowing all staff to attend meetings and social events);
- stop requiring fingerprint ID for clocking in;
- give staff enough time to complete the work assigned to them and specifically stop allocating transferred staff less time to clean rooms than their newly recruited colleagues;
- ensure all staff have access to social events and team meetings;
- commit to fair working hours including not sending staff home unpaid midway through their shifts, giving them proper notice of their shifts and not compelling staff to work on bank holidays/University closed days.

Overall we feel the University should not be outsourcing its staff to maximise the generation of profit and maintain that the Hotel and Conference park should be brought back in-house.

## **#13 Formal agreement that all casualised committee members of recognised trade unions are entitled to the same level of paid facilities time to carry out trade union duties as full-time staff**

This should be guaranteed and paid for the full University year (August to July) and should not be subject to completion of timesheets. Trade union officers are among the greatest contributors to maintaining and innovating a safe and secure work environment. The knowledge and skills of officers and activists - such as equality representatives, casualised representatives, and health and safety representatives - is outstanding. Universities cannot

afford to lose this resource and must offer financial support to develop it. We demand that a special hourly rate - with annual increments above inflation - is established for casualised members of staff who are elected as officers of the campus unions. This financial support should be sufficient to incentivise a member to carry out their duties in facilities time used outside of their casual contracts instead of looking for a second job or refusing to work altogether.

# WORKLOAD

## #1 Fair and consistent workload

### Support and academic-related staff:

There is currently no model in place to calculate the numbers of professional services staff required at the University and change processes in different departments betray radically different conceptions of the number of staff required for widespread roles.

Academic-related staff have no fixed working hours and the weekly working hours expected from them varies across the institution - some are expected to work at the weekend in addition to work in the week without additional remuneration.

Excess workload needs to be addressed both as a hazard and as a hindrance to the efficient functioning of the University. To do this we call for:

- flexi-time schemes to be in place by default for school and college administrators and in any other area where the business need does not specifically prevent it;
- consultation to take place with recognised trade unions on a basis for assessing workload and for professional services staff;
- a recognition that the 37.5 hour guideline working week for academic-related staff relates to Monday to Friday, and any work on weekends should be paid as overtime.

### Academic staff:

The University of Birmingham employs 69.6% of all academic staff on some form of fixed term or precarious contract. This means that staff have little job security, are not being paid what they deserve, and their career progression is severely hampered. Given our outstanding contribution to education, we demand that our work is fully recognised in the development of new workload allocation agreements, and are paid on the basis of a 1,650-hour year. For this to be possible we call on the University to:

- ensure that any and all changes to workload models are negotiated with the relevant trade unions;
- recognition of the 1,650 annualised hours (based on a 37.5 working week) for all teaching and research workload allocation models and ensure that all hourly work is fully recognised and paid for on an equal basis.

## #2 An end to unreasonable marking deadlines for written assignments

Where tutors are asked to assess written assignments coming to more than 80,000 words in total then all such marking must be exempted from the University's 15 day marking turnaround.

## #3 Offer genuine double pay and time off in lieu to all support staff who work on bank holidays and University closed days

Recently the University implied that almost all shifts worked on a bank holiday or closed day should count as normal working days and that staff are not entitled to enhanced pay for these and that if staff currently receive enhanced pay for working a bank holiday or closed day, this is either due to some form of local arrangement or custom and practice, or an error. The University has proposed rewording the terms and conditions to make bank holiday working clearer, but this would mean us accepting a lower enhanced rate in order to ensure everyone who works a bank holiday or closed day gets it.

We demand that work on bank holidays and University closed days is kept as voluntary, and that everyone who works on these days is paid double and time off in lieu.

## #4 Adopt the recommended HEPI (Higher Education Policy Institute) student-to-counsellor ratio, and recruit 21 accredited counsellors

Currently, the University of Birmingham has approximately 35,000 students, and only 4 FTE counsellors. According to the HEPI (Higher Education Policy Institute) report in 2016, universities ought to maintain a student-to-counsellor ratio of 1 : 1,358; however, the University of Birmingham ratio is 1 : 8,750. The University has therefore failed in caring for its students and needs an urgent plan to **recruit 21 more counselling staff (FTE), and counselling should be provided in-house.**

Year after year, the waiting list for students to access counselling on campus has become longer and harder to manage; at times, the counselling service team was forced to suspend all sign-ups. Numerous reports have been published in the media about the lack of student support on the University of Birmingham campus, and the staff are feeling the pressure to see more students in shorter periods of time. This leads to burnout and stress, and a demoralising feeling of letting students down. **This must stop.** *While we welcome the expansion of Wellbeing and Welfare teams on campus, their role is not to replace counselling services.* The University of Birmingham's staffing levels for counselling are much below the average ratio in the UK. We call on the University to adhere to the HEPI recommended ratio as a matter of urgency.

## **#5 End vacancy saving targets for Budget Centres and ensure all positions are well-resourced**

The University relying on vacancy saving targets to cut costs is supremely inefficient - leaving posts vacant leaves staff unable to 'add value' as they are constantly trying to cover for vacant posts. This increases the chance that others will leave causing a domino effect of other posts that remain vacant. Staff leave because they cannot take annual leave, cannot attend training courses and their secondments are refused. Some areas are having to take drastic action to address the lower overall pay offer compared to the University's competitors, while others are increasingly contracting agency workers to do the work, instead of offering contracts.

We call on both individual departments and the University centrally to cease relying on leaving posts vacant as a cost-saving measure, and instead to recognise that keeping posts fully filled and staff happy is a more consistent and reliable benefit to the institution.



# CONTACT DETAILS

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# APPENDIX: SENIOR MANAGEMENT PROGRESS ON JOINT UNION REQUESTS

Key	
Management commit to implementing action point in full, with appropriate policies agreed with the recognised trade unions published on the University intranet.	
Management make a substantive offer addressing the request, but falls short of full implementation.	
Management fails to address the request or fails to make solid commitment in writing.	

Summary of local and national pay claims	
<b>National pay claim:</b> to lobby openly and publicly in favour of the joint union claim for 7.5% increase across the pay spines to UCEA	
<b>Local pay claim:</b> to implement a 7.5% pay increase across bands 200 to 500, or £1,500, whichever is greater	
<b>Local pay claim:</b> to commit to becoming a fully accredited living wage employer	
<b>Local pay claim:</b> to commit to restructuring pay spines through bands 200 to 500 to ensure equal numbers of semi-automatic increments within each band	
<b>Joint UNISON and UCU branch resolution:</b> to introduce a 10:1 pay cap between senior management and the lowest paid	

Equality	
#1 Draw up an action plan to close the gender pay gap by 2020	
#2 Provide properly subsidised childcare for all staff by 2020	
#3 Commit to rewriting the flexible working policy	
#4 Ensure a minimum of 50% quotas for women or non-binary panel members on all appointment and promotion panels	
#5 Address Trade Unions' concerns in relation to the campus in Dubai	
#6 Commit to a single Welfare and Wellbeing Services strategy and ensure proper support structures and safety of College Welfare and Wellbeing staff	
#7 Disclosure of the 'ethnicity pay gap'	
#8 Stop the pricing out of staff from the Sports Centre	
#9 Support the Period Dignity campaign	
#10 Commit to working with the unions to implement a comprehensive domestic violence and harassment policy	
#11 Provide adequate car parking facilities and work with the trade unions on campus to better incentivise sustainable transport	
#12 Support non-EU and EU staff by providing certainty of employment status	
Casualisation and job security	
#1 End all 9 month teaching and research contracts, with a minimum length of 12 months for standard positions	
#2 Ensure that all staff are employed on full employment contracts, with the University as the recognised employer	
#3 Guarantee that the opportunity to enrol on the University's HEA accredited PGCHE will be made available to all teaching staff	
#4 Reduce the number of disciplinary proceedings against Cleaning Services Staff	

#5 Commit to automatically transferring all staff who have worked on fixed term contracts for more than 4 years onto permanent contracts	
#6 Sign the TUC Dying to Work Charter	
#7 Ensure full employment contracts are drawn up and offered before the start of term so that staff can be paid during the month that they start work	
#8 Have union representation on all disciplinary hearing panels for all staff	
#9 Stop the creeping implementation of any '5 in 7' or 'annualised hours' contracts	
#10 Ensure cases of absence are referred to and seen by Occupational Health before any formal processes are implemented	
#11 Commit to extending sick pay in cases of serious illness and disability-related absence	
#12 Bring staff in the Hotel and Conference Park back in-house	
#13 Formal agreement that all casualised committee members of recognised trade unions are entitled to the same level of paid facilities time to carry out trade union duties as full-time staff	
<b>Workload</b>	
#1 Fair and consistent workload	
#2 An end to unreasonable marking deadlines for written assignments	
#3 Offer genuine double pay and time off in lieu to all support staff who work on bank holidays and University closed days	
#4 Adopt the recommended HEPI (Higher Education Policy Institute) student-to-counsellor ratio, and recruit 21 accredited counsellors	
#5 End vacancy saving targets for Budget Centres and ensure all positions are well-resourced	