

The Spark — May 2013

Sickness absence and PIPs

UCU has not received any new complaints with regard to this issue but we have continued to support several UCU members with their specific issues in this regard. Following UCU's request for an update on progress from HR with regard to revised guidelines, we have been informed that the review will be completed at the end of April and therefore we expect the revised guidelines for comment during May 2013.

Branch meetings—how can we get more of you to attend?

The secret of union power is having a strong and active branch. The Executive Committee is committed to building the strength and activity of the OU Branch - are YOU? Attendance at General Meetings will help keep you informed of key issues and creates the space for discussion. Members can engage face to face or through remote participation. Whichever works best for you, we are keen to increase participation in Branch meetings and would like to hear your thoughts on this. What are the barriers to involvement? How might meetings be structured differently? Would you be more likely to attend if we had a speaker focusing on one of the key issues for OU members?

Everyone wants to be treated fairly and with respect and dignity. Everyone knows that this isn't always the case at work. Unfortunately not everyone always know that something can be done to change this. Together we are stronger - it's YOUR union - get involved!

CDSA update

The union is still engaged in talks with HR management on the implications of the imposition of the management guidance in January 2013. We have now added the 1987 and 2007 CDSA agreements, between the OU and the OU branch of UCU, to our branch website — they are on the Rules page: <http://ucu.open.ac.uk/rules>.

A further statement of clarification will be issued to members shortly.

Help build the union—forward the email

Please forward *the Spark* email to a friend or colleague who is not currently a member of UCU—encourage them to visit www.ucu.org.uk/join and JOIN UCU today. Together we are stronger.

The logo features the words "BUILD THE UNION" in a bold, sans-serif font. "BUILD" and "UNION" are in a bright pink color, while "THE" is in white and set within a dark blue circle.

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Roger Walters and Lesley Kane re-elected to UCU NEC

We are pleased to report that two of our Branch members, Roger Walters, Immediate Past President and Lesley Kane, Honorary Secretary have both been re-elected to UCU's National Executive Committee (NEC). The full NEC election results are at this web address: <http://www.ucu.org.uk/6338>. Roger is elected as one of the representatives of disabled members and Lesley as one of the geographically-elected members of the NEC for HE in the South.



UCU Congress 2013 delegates

Since the Calling Notice was issued asking for nominations to the UCU Congress in Brighton, we are pleased to report that we now have five delegates from the OU branch of UCU who will be attending Congress at the end of May 2013:

- Bethan Norfor, Vice President
- Eric Wade, Exec member
- Lesley Kane, Honorary Secretary
- Bruce Heil, Exec member
- Judy Ekins, ALs Officer

Calling the OU Computing Helpdesk

We have had a few reports from Associate Lecturers having to wait up to an hour before they can get through to the OU Computing Helpdesk for IT support. Please note that the Helpdesk is open until 9.30pm on week days and so it might be better to call in the evening, when they are not quite as busy.

We have also heard that the AL Executive has suggested to IT that ALs be provided with Microsoft Lync software—they could then use it to make calls to students free of charge. MS Lync uses internet telephony so the phone call is being made over the internet for free rather than through your landline and costing you money. You would need to have a microphone and speaker on your PC/laptop but any AL who has used Elluminate would already have those items and a headset is the recommended option.



OU Computing Helpdesk opening hours: Monday to Friday 09:00 to 21:30; Saturday & Sunday 09:00 to 17:00 and Bank Holidays 10:00 to 16:00.

OUBUCU members' forum — do you want one?

We would like to hear from members about whether they would use an OU branch of UCU members' forum – it would only be open to UCU members and it would allow the branch to communicate with some of its members without using email – what do you think? It would be an OU/VLE style forum using the shared activities tools: <http://learn.open.ac.uk/course/format/sharedactv/>



Member extols Latin to DJ Chris Evans

UCU member Paula James, senior lecturer and staff tutor in the Classical Studies department, was the mystery guest on Chris Evans' Radio 2 Breakfast Show on 28 February 2013.

In three minutes Paula succeeded in explaining the merits of learning Latin and how its teaching has changed, and taught an enthusiastic Chris his first Latin words and grammar.

She also explained how thousands of students have learnt Latin with the OU and invited Chris to join them. Unfortunately the show is no longer available on BBC iPlayer.

When asked about the experience Paula said: "It was truly scary as it had to be spontaneous so I went into what I imagined would be chirpy Radio 2 mode, I had translated the pope's resignation speech and everything but in the end just went with the flow!"



Merit awards

Last year a UCU member raised the issue of inconsistency in merit awards between faculties/units, when the OU should have a consistent formula which applies to all OU staff.

UCU have requested further information from HR about the differences in merit awards and understand that each unit can decide on its own awards within a budgetary allocation. Usually there is a pot of money to be divided between the number of staff who are getting an award, so more people means a smaller award per person.

In the good old days there used to be money set aside for discretionary awards which was 1.75% of the OU staffing budget and the JNC used to receive an annual report on the awards given. However this was when the awards were OU-wide and administered centrally and the report stopped when giving awards was delegated to each faculty/unit.

Additional salary increments are better for staff than merit awards as the money is then included in pensionable service. UCU feels that the merit awards criteria are not really fair, as the line manager has to submit a case, so it is more likely to be those more vociferous about their work/achievements who receive an award, rather than the more modest members of staff who do not promote themselves as well as others.

See OU Guidance 2012_09 circulated on 1st October 2012— please contact the branch office if you missed this Management Guidance email.

We are still waiting for the comprehensive breakdown promised by HR, in order to enable progress to a more open, transparent and equitable system.



UCU workload campaign

UCU has, with the support of the National Union of Students (NUS), launched the "Workload is an Education Issue" campaign.

While NUS is asking colleges and universities to ensure there are enough staff to support students properly without excessive workloads, UCU is calling for a joint approach at every institution and a joint commitment to stamp out unfair time and deadline pressures.

Further information at this address: <http://workload.web.ucu.org.uk>.



Update on legislative changes and HE management

On page 6 of the last issue of *the Spark* we carried an article on proposed legislative changes to redundancy consultation, and the role played by UCEA (University and College Employers' Association).

The legislative changes have now been announced by the government and are, if anything, worse than expected. The requirement to consult is removed for all fixed term contract staff, not just the ones that expire on a given date. This opens the door to employers creating contracts that are legally fixed term by including a clause that is almost a tautology along the lines "when you have finished your last project (or piece of work) for us you will be redundant" and taking the staff outside the consultation process. The fact that fixed term staff are no longer counted in the total number of redundancies, means that in some cases there will be no obligation for a collective consultation at all, even when a large number of staff are at risk.

In addition, the minimum consultation period for large scale redundancies of permanent employees is to be reduced from 90 days to 45 days. This will effectively deny employees and their trade unions a chance to propose alternatives when faced with mass redundancies.

All this will affect the statutory rights of many employees not only in HE and FE, but also in industries like tourism and construction, which employ some of the poorest and most vulnerable workers in society. In practice, the proposed legislative changes are likely to remove the few employment rights that remain to these employees, because such rights only become enforceable when the situation comes to the attention of a trade union.

As stated in our last issue, there is no doubt that UCEA, along with managements in about a dozen HE institutions, have actively lobbied the Con-Dem government for these changes, and government papers repeatedly refer to this as justification for the changes. The fact that this has been done in the name of our industry increases our responsibility to do something about it.

This must not become another piece of Conservative anti-union legislation that is allowed to lie on the statute books for an indeterminate time. We need to seek an alliance with other affected unions and campaign for its reversal, while protecting our own members at local level. Our branch's motion to national UCU Congress asks for this commitment from national UCU.

Lesley Kane, Hon. Secretary

Changes to UK employment law

The government has been busy making plans to change employment law, these changes come into effect on different dates, some are unconfirmed as yet but on 6 April 2013 the following changes took effect:

- the reduction in the minimum consultation period where an employer proposes 100 or more redundancies at one establishment within 90 days. The minimum consultation period falls from 90 to 45 days. Please note that the change only affects cases where **the employer's proposal is "made" after 6 April 2013.**
- The scope of the collective redundancy consultation rules is also amended so as to exclude the expiry of fixed-term contracts from the calculation of the number of redundancies taking place in the relevant period.
- ACAS are to introduce new guidance on collective redundancy consultation, addressing issues such as what constitutes an **"establishment"**, but this is not yet available.



In addition, SMP will increase to £136.78 and statutory sick pay will increase to £86.70 from 6 April 2013.

Other changes of note are the changes to the civil justice system. These are very complex but essentially mean that claims under **"no win, no fee" arrangements continue to be available via UCU's preferred law firms, Thompsons and Slater & Gordon** (formerly Russell Jones and Walker). However, members will still recover the full amount of any compensation awarded to them. These changes do not materially affect the distinction hitherto made between stress personal injury claims and non-stress personal injury claims. The former will **still be unlikely to be accepted by our agents under the "no win, no fee" arrangements** we have with them owing to the much more difficult legal regime applicable to stress personal injury cases.

Other changes are in the pipeline and we will update you as these come into force.

Michael Scott, UCU National Head of Legal Services and Employment Law

UCU Congress 2013 key issues

OU branch delegates to the UCU congress want to be informed by the views of OU branch members—please get in touch if you have a view on any of these issues, see page 2 or contact the UCU office: ucu@open.ac.uk.



UCU's National Executive Committee has agreed to provide a 'key issues bulletin' to aid branches in their deliberations in advance of Congress and its sector conferences. While there are always many motions on the agenda of Congress, the aim of the bulletin is to advise members of "motions to Congress which call for industrial action or the settling of disputes and any other motions considered by a majority of the NEC to be major issues of principle."

The following motions (text set out in full at ucu.org.uk/circ/html/ucu499.html) were agreed by a majority of the NEC to be key issues about which members should be consulted by their branch officers:

Union wide Congress business

SFC13 Budget - This motion is to ratify the financial budget for UCU for the next two years which seeks to reduce annual expenditure by £2m by 2015 in response to falling membership.

SFC14 Subscription rates - This motion asks Congress to endorse the NEC's proposal to increase subscription rates by 3.2% in 2013/14.

SFC15 Finance and Strategy - This motion asks Congress to recognise the "potential seriousness" of UCU's financial position; oppose compulsory redundancies of staff, raise subscription levels "as necessary", review UCU's property portfolio and pursue an on-going recruitment campaign.

SFC23 Union Democracy - This motion proposes a ballot of Congress delegates to determine one of seven options for the future size of the National Executive Committee (see ucu.org.uk/commission for the options).

SFC24 Democracy in UCU - This motion asks Congress to agree to a reduction in the size of the NEC to 63 members, in line with Option C of the report by the Commission elected by the 2012 Congress. Clause (i) of this motion conflicts with the proposal in motion SFC23 from the NEC to ballot Congress members on 7 options for an NEC structure.

Higher Education sector business

HE1 National claim/negotiations with UCEA - This motion proposes support for the recommendations of the National Negotiators with regard to the claim and potential industrial action.

HE2 Pay negotiations 2013, call for joint union action - This motion calls for joint industrial action with other unions where possible in support of the 2013 claim.

HE4 2013 pay claim - This motion proposes that any UCU industrial action in support of the claim during the summer be limited to working to contract and that the summer be used to mobilise for a major campaign of industrial action in the autumn.

HE5 Industrial action - This motion proposes that a HEC working party be formed to come up with a template of escalating industrial action to be reported to branch representatives in autumn 2013.

Discussion of key issues in branches

The NEC asks that as a matter of good practice branch officers call meetings to discuss at least the key issues set out above, and would encourage members to get involved in this process either at meetings or by participating in a vote.

The NEC recommends that where meetings to decide policy on Congress business are attended by less than 20% of eligible members, a ballot of members on the key issues should take place.

The full list of Congress and sector conference motions submitted for debate can be found in the Congress Business Committee's first report: ucu.org.uk/circ/html/ucu499.html

Bradford score formula – a reminder

The Bradford Factor is a Human Resources tool used by many organisations to measure and identify areas of absenteeism. The theory is that short, frequent and unplanned absences are more disruptive than longer absences.

The formula for the Bradford Factor is: $E \times E \times D = \text{Bradford Factor Score}$

Where E is the number of episodes of absence and D is the total number of days absent in a rolling 52 week period.

UCU has concerns about the effect on certain vulnerable groups of members, as well as in general about the pressure on people to come into work when they are not well.

ROCC update — want to get involved?

The OU UCU Executive Committee recently renamed its Recruitment Sub-group to the Recruitment, Organisation & Campaigns Committee (ROCC) and the members of that group are now as follows, with their photos below:

- Jeni Aldridge, Chair of ROCC and Exec member
- Bruce Heil, Exec member
- Lydia Richards, UCU Regional Official (photo to appear in a future issue)
- Deb Shann, Branch Administrator



Jeni Aldridge, WH

Bruce Heil, AL & R11

Deb Shann, UCU



The ROCC meets 4 or 5 times per year to discuss recruitment activity and campaigning. The group currently has 2 main objectives:

- To increase membership especially amongst younger members of OU staff.
- To increase the number of WH departmental reps that we have, as well as to get a full set of Regional/National Centre reps.

Currently there are 30 OU units and so far we have 19 reps, although some units have more than one rep. In the Regional/National centres we have 11 reps, so there are just two centres without a rep at the moment. The AL Reps committee is well established and meets 5 times per year — we have an AL rep in all regions/nations apart from Ireland. You can see the names of all our reps on the branch website: <http://ucu.open.ac.uk/people>.

UCU nationally have created a new website all about building the union: <http://btu.web.ucu.org.uk> and they want members to **volunteer as a "contact"** - see email from Sally Hunt on 25 April 2013. A contact is someone who is willing to take on a range of smaller tasks that help raise the profile of the branch among your immediate colleagues. A contact is also someone who helps members in your work area feel that the union is present, relevant and listens to them. If you feel able to volunteer, please register at this address: <http://btu.web.ucu.org.uk/volunteer>. **Not every branch's needs are the same, but if you do volunteer you should be happy to do the following:**

- Distribute union literature on behalf of your branch or the national union to department or work area colleagues. This could be in the form of passing on emails, putting up posters and distributing leaflets or newsletters.
- Act as a point of liaison between members in your immediate work area and the branch. To be clear, this does NOT involve representing members or taking on individual cases or meeting management. But it means making sure that members know **you will let your branch officers know about what's happening locally.**
- Distribute union messages to non-members. This could be in the form of passing on emails to your colleagues asking them to join or passing on union literature promoting UCU membership.

Find out more about our contacts here: http://btu.web.ucu.org.uk/resources/the_role_of_the_contact/

We are in the process of arranging an OU UCU Reps/Publicity contacts meeting for Walton Hall departmental and Regional/National UCU reps/publicity contacts to get together. The meeting will take place on 19th June 2013 at 12.30pm in the Library Seminar room 1, which has video conference kit and the invitation email will be sent shortly.

Twitter account—#oubucu

The branch has started to use its Twitter account again, our account name is oubucu — to start with we will mainly re-tweet the tweets from the national UCU twitter account. If any member has an idea for a "tweet" then please get in touch: 01908 6(53069) or email ucu@open.ac.uk.



ETMA on maths courses? At whose expense?

Up to now Maths MSc ALs have been issued with laptops with touch screens in order to enable the marking of electronically submitted TMAs. The purpose of this is to allow annotation of the student's script by "writing" on top of what the student has written, which is something one needs to be able to do when correcting a piece of maths, plus the special character sets make typing all corrections impossibly time consuming.

However, it now appears that MCT is under pressure to move all maths courses over to ETMAs at zero cost, and some of the proposals for how this can be done are alarming. iPads have been mentioned, but not all ALs have an iPad, and buying one is a totally unacceptable additional cost for ALs who have already used their modest computer allowances towards the cost of a desktop computer for OU work.

As a UCU Health and Safety rep I think the small size of the screen disqualifies an iPad for use in marking ETMAs. An iPad simply isn't fit for purpose, and I'm surprised that there are not serious academic concerns about marking students' work in an environment which only allows a small part of it to be seen at once.

It is unacceptable for the OU to expect ALs to cover the cost of extra new equipment that is specifically necessitated by the requirements of the AL job. In this case it means that for maths tutors the effective rate of pay will be lower than for other ALs. Furthermore, ALs are entitled to a rate of pay determined by national and local agreements with UCU, and if the new technology means that TMAs take (say) 50% longer to mark, then each TMA should be weighted at 1.5 for purposes of determining the salary band.

We welcome members' views on this by email to: ucu@open.ac.uk.

Lesley Kane, Hon Secretary

$$e^{i\pi} + 1 = 0$$

$$e^{iu} = \cos(u) + i \sin(u)$$

$$\gamma = \lim_{n \rightarrow \infty} \left(1 + \frac{1}{2} \dots + \frac{1}{n} - \log(n) \right)$$

$$V - E + F = 2$$

$$S-1 = \sum_{n=1}^{\infty} \left(\frac{B_n}{(2n)} \right) (f^{2n+1}(0) - f^{2n}(0)) + R$$

AL Interim Agreement to continue for another year

The AL Interim Agreement that we agreed last year in order to protect AL employment at entry level will continue for a further 12 months. In the 2012 ballot of AL members there was a 96% majority in favour of it, and the details are still on our website at http://ucu.open.ac.uk/associate_lecturers.

We are also taking part in talks with management facilitated by ACAS, to evaluate how much scope there is for resuming negotiations for a new AL contract.

Continental Europe redundancies

As the process of dismissing OU staff in Continental Europe as redundant draws to its sad close, we believe the total cost of the redundancies exceeded management estimates, and it will actually take longer than the estimated 10 years to break even.

These redundancies have taken place at great cost to the OU, and to the individuals concerned. The individuals have been our outpost in CE, often for many years, and the OU was the main employment for some of them. It was an "off the beaten track" sort of career in the countries concerned, which will make it hard for them to find alternative employment, let alone comparable employment, in their countries of residence.

In this context we regret the stance by management that they could not use the staff fee waiver, negotiated as part of the severance package, towards a research degree, since this was the only hope of a comparable career for some of our former CE ALs.

Compensation for the years of non-compliance in some countries seems to have been somewhat patchy, for which the affected staff may pay a further price in years to come.

UCU believes many of these redundancies were unnecessary. Staff in Germany (for example) did not need to be dismissed because there were no immediate compliance issues. The relatively small number of staff in states where there were immediate problems of compliance could have been adequately compensated at a lesser cost than has been paid for over 100 redundancies.

Lesley Kane, Hon. Secretary



Changing presentation patterns

As the University moves to the new qualification structure, there are many unprecedented changes in module presentation patterns taking place. Sometimes modules with one or two presentation lines move their start and end dates, sometimes modules move from one to two presentations per year and sometimes from two presentations to one presentation per year and occasionally other changes e.g. from four presentations to two presentations per year.

In most cases ALs tutoring on modules where the presentation pattern is changing have been offered the choice of a contract on a new presentation line or redundancy (e.g. if they can't manage the workload on the new schedule). The Union supports this approach.

However there is sometimes a problem where a module with two presentations per year moves to one presentation. The problem occurs when one of the presentation lines is continuing and the other is not. The OU has not really had much experience of this type of change and initially wanted to treat the presentation lines independently. This would have resulted in all the ALs on the presentation line which was ending, losing their appointments, whilst all those on the continuing presentation line kept theirs. Those losing their appointment on the ending presentation line would then be able to apply for posts on the remaining presentation line, if there were vacancies, but their PC/MOLD status would come into play and they would be potentially in competition with ALs who had not been tutoring the module.



UCU has been seeking to avoid this situation and in most cases we have managed to get the University to modify this initial procedure and so avoid all the ALs on the ending presentation automatically losing their appointments.

The system of treating presentation lines independently originates from the situation near the end of module life. It is appropriate when a module is reaching the end of its life, for its presentation lines to be treated independently: they end at different times and ALs cannot continue tutoring the same module on a different presentation. The system of PC and MOLD is considered appropriate for ALs applying to teach on other modules, after their current module ends—although UCU is seeking a better system where ALs won't have to continually re-apply for their jobs.

However when one presentation line is continuing, the Union feels that it is inappropriate to treat presentation lines independently. We feel that ALs on all presentations should be considered together. In most cases where two presentation lines are merging, the student numbers on the remaining presentation line rise considerably and ideally all ALs should be offered contracts on the remaining presentation line (or redundancy, if they do not wish to change presentation). If there are insufficient student numbers for all the ALs who have been tutoring the module, to have a standard group, smaller groups should be considered, followed by implementation of the normal procedures for insufficient student numbers. The first stage of this process is to ask all ALs tutoring the module if they wish to volunteer for redundancy, before moving on to the criteria for ending the appointments of some ALs.

The Union meets every month with management to consider possible AL redundancy situations. We try to avoid redundancies and so keep as many ALs in their jobs as possible. In cases of changing presentation patterns, we have usually met with somebody from the Faculty concerned, as well as Student Services and HR representatives to discuss the situation. In almost all cases, we have managed to achieve a satisfactory outcome, with the University transferring ALs to the continuing presentation, wherever possible and without redundancies.

An exception was a module where student numbers had dropped dramatically, because most students had been sponsored by their public body employer and the sponsorship stopped with cuts and increased fees. Here most ALs on both presentation lines unfortunately lost their appointments.

There are a couple more modules changing their presentation patterns in the next year or so. We are having discussions to try to avoid redundancies on these modules. If you, or somebody you know, tutor on one such module and feel that you have not been treated fairly, then please do get in touch with UCU. We will investigate the situation.

The situation as regards the Openings modules is more complicated. The numbers of students have fallen dramatically over the last couple of years, with the change in fees and student loans in England. Most of the current 15 point Openings modules are finishing. The ones which will continue, outside England, will have much smaller student numbers and so require considerably fewer tutors. Most English students will take the new 30 point Openings modules, for which it is anticipated there will be a large number of tutors required. We have agreed with management to extend the periods of PC and MOLD for Openings tutors, who lost appointments over the last two years, in order for them to apply for the new modules and to tailor the appointments procedure to fit the unprecedented situation. At the moment, it looks promising, in that there will be enough students for all the Openings ALs to have an appointment on either a continuing or new module, if they wish. However student number predictions are notoriously unreliable and we are monitoring the situation carefully. The University thinks that it has identified all the ALs who have tutored Openings modules over the last two years, explaining the situation to them and telling them about the timetable for appointments to the new modules. If you or somebody you know has been missed, please do get in touch. We would be interested in hearing from Openings tutors involved in the appointments process for the new modules, about how it is going from their perspective. Do get in touch if you feel there are any problems.

....continued over

...Changing presentation patterns continued

The Union position on changes in presentation patterns is based upon the AL terms and conditions of service, which state that:

Staff will be employed on the basis that they are engaged to teach one or more course presentation lines each of which will last for the duration of the course life as determined by the University. The start and end dates for the first presentation of a course (presentation) line on which an Associate Lecturer is engaged is given in the notice of appointment. Dates for subsequent presentations will normally be similar, although the University reserves the right to vary these dates, and such variation will not terminate the appointment, or employment as an Associate Lecturer.

The individual AL contract (or notice of appointment) to tutor a module, says something very similar and also states that the contract will normally be for the life of the course (or module). So UCU feels that changes in presentation patterns should not automatically result in a group of ALs losing their appointment, before module end of life. All ALs, who wish, whenever possible should be transferred onto the new presentation line(s) and if there are insufficient students for standard sized groups for them all, smaller groups should be considered and then normal procedures should be followed for the whole cohort.

With a lot of hard work, we have managed to get the University to do this in most cases and we will continue to press for this in the future.

Judy Ekins (AL Officer)

The OU doesn't give a Kaspersky for ALs

On the 28th March 2013 the OU suddenly (and as far we know, with no consultation with anyone at all) announced it would **cease to offer ALs the Kaspersky internet security package. ALs' use of this facility will peter out over the next few weeks.**

It looks like the new advice from the OU will be to use the free Microsoft Security Essentials download package for Windows 7, XP and Vista which is said to be very good (a recent Which report was very positive) but some critics ask, is it as good as Kaspersky? If you want to continue with Kaspersky it could now cost you around \$60.00 a year.

There is free protection software available but we have to ask how good is it and how long will it be before it comes with a hefty price tag?

We live in a VLE which is surrounded by malware of viruses, spyware, worms, Trojans, rootkits, key loggers, adware, diallers and zombies. There's constant phishing aimed at getting us to follow spoof links (and some of these frauds are almost invisible - and just a click away) and inadvertently give criminals access to our bank accounts, debit and credit cards. There are also loads of cookies which store our valuable information and track our movement on the Internet. It's a potentially dangerous world out there and it's not going to get better - and when you are 'infected' it's a real pain to sort it out.

Once again, it seems that the AL is the OU's poor relation. It's quite simple, the more ALs use the Internet and communicate via email the more vulnerable they become. And as every AL knows, the OU demands an ever increasing on-line presence. Moreover, like most ALs I also use OWA and as my students' mailboxes get hacked this makes me vulnerable. In some weeks, hardly a day goes by without some authentic looking but dodgy email from a student arrives in my in-box.

As it's the OU which demands I increasingly use the VLE I reckon:

- the OU should provide me and its other ALs with the protection we need

And as the dangers from malware, phishing and cookies increases all the time — so too should the protection the OU provides its ALs.

But, what does the OU do? It does the opposite. Without any consultation or discussion with anyone and with precious little notice it reduces the protection some ALs use. No wonder many ALs are, so to speak, hacked off!

John James, AL and Exec member

NB—Snowball article on the same subject at this address: <http://intranet.open.ac.uk/snowball/52-march-2013/antivirus.php>



What sort of manager are you, or do you have?

The following text is taken from a Wikipedia article, http://en.wikipedia.org/wiki/Theory_X_and_Theory_Y



Theory X and Theory Y are theories of human motivation created and developed by Douglas McGregor at the MIT Sloan School of Management in the 1960s that have been used in human resource management, organisational behaviour, organisational communication and organisational development. They describe two contrasting models of workforce motivation. Theory X and Theory Y have to do with the perceptions managers hold on their employees, not the way they generally behave.

Theory X

In this theory, which has been proven counter effective in most modern practice, management assumes employees are inherently lazy and will avoid work if they can and that they inherently dislike work. As a result of this, management believes that workers need to be closely supervised and comprehensive systems of controls developed. A hierarchical structure is needed with narrow span of control at each and every level. According to this theory, employees will show little ambition without an enticing incentive program and will avoid responsibility whenever they can. According to Michael J. Papa, if the organisational goals are to be met, Theory X managers rely heavily on threat and coercion to gain their employees' compliance. Beliefs of this theory lead to mistrust, highly restrictive supervision, and a punitive atmosphere. The Theory X manager tends to believe that everything must end in blaming someone. He or she thinks all prospective employees are only out for themselves. Usually these managers feel the sole purpose of the employee's interest in the job is money. They will blame the person first in most situations, without questioning whether it may be the system, policy, or lack of training that deserves the blame. A Theory X manager believes that his or her employees do not really want to work, that they would rather avoid responsibility and that it is the manager's job to structure the work and energise the employee. One major flaw of this management style is that it is much more likely to cause diseconomies of scale in large business.

Theory Y

In this theory, management assumes employees may be ambitious and self-motivated and exercise self-control. It is believed that employees enjoy their mental and physical work duties. According to them work is as natural as play. They possess the ability for creative problem solving, but their talents are underused in most organisations. Given the proper conditions, Theory Y managers believe that employees will learn to seek out and accept responsibility and to exercise self-control and self-direction in accomplishing objectives to which they are committed. A Theory Y manager believes that, given the right conditions, most people will want to do well at work. They believe that the satisfaction of doing a good job is a strong motivation. Many people interpret Theory Y as a positive set of beliefs about workers. A close reading of *The Human Side of Enterprise* reveals that McGregor simply argues for managers to be open to a more positive view of workers and the possibilities that this creates. He thinks that Theory Y managers are more likely than Theory X managers to develop the climate of trust with employees that is required for human resource development. It's human resource development that is a crucial aspect of any organisation. This would include managers communicating openly with subordinates, minimising the difference between superior-subordinate relationships, creating a comfortable environment in which subordinates can develop and use their abilities. This climate would be sharing of decision making so that subordinates have a say in decisions that influence them.

| Theory X managers believe employees | Theory Y managers believe employees |
|---|--|
| <ul style="list-style-type: none"> • need to be controlled • don't like work • need to be pushed to be more productive • need incentive schemes • have to be directed to do things that they don't enjoy | <ul style="list-style-type: none"> • want to be involved • can think for themselves and make decisions • share ownership of tasks • will find work more rewarding if given responsibility and a variety of tasks • have good ideas • can engage in some level of self-management |

References

McGregor, D. (1960) *The Human Side of Enterprise*, New York, McGrawHill.

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Disability Champions @ work

Earlier this year I completed the TUC's Disability Champions @ Work course. For members unfamiliar with the term 'disability champion' (DC), the following offers a brief overview of the role. It also gives information on the Equality Act 2010, the support available to disabled staff, and some links which colleagues may find useful.

What is a disability champion?

A trade union representative trained to advise and guide staff (including employers) on disability issues.

What might the role include?

- Ensuring that the employer supports disabled staff.
- Working with the employer to find solutions which enable staff.
- Sharing information and ideas.
- Considering accessibility and inclusion in all aspects of work.
- Using the union structures to influence policy on disability issues.
- Campaigning actively on behalf of disabled staff.
- Liaising with external organisations.
- Contributing to workplace documentation on disability.
- Helping to raise awareness of disability in the workplace.



The Equality Act 2010

The Equality Act came into effect in October 2010 and replaced previous anti-discrimination laws. Disability is one of nine **protected characteristics within the terms of the Act**; a person is considered disabled if he/she has 'a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on [his/her] ability to carry out normal daily activities'. In this context, 'substantial' means more than minor or trivial, and 'long-term' refers to a condition lasting (or likely to last) for 12 months or more. More detailed information can be found at <http://odi.dwp.gov.uk/docs/wor/new/ea-guide.pdf>.

Employers have a legal obligation to make reasonable adjustments so that disabled staff are not disadvantaged in their work. The criteria by which employers can decide whether an adjustment is reasonable are:

- its effectiveness
- its practicality
- the costs involved
- **the organisation's resources**
- the financial support available for the adjustment to be made.

If the adjustment is reasonable under these criteria and the employer fails to make it, the disabled employee may be able to take the employer to an employment tribunal for breaching the law. Examples of reasonable adjustments might include:

- making adjustments to premises
- **allocating some of the disabled person's duties to another person (following discussion with the disabled person)**
- **altering the disabled person's working hours**
- allowing the disabled person to work from home
- acquiring or modifying equipment
- allowing the disabled person time off work to attend treatment/rehabilitation relating to his/her disability.

The Equality Act 2010 doesn't apply in Northern Ireland: information on disability is available from [NI Direct](#).

...continued over

...Disability Champions @ work continued

Available support

Access to Work (a fund administered by Jobcentre Plus) can help employers to meet the cost of making adjustments for staff whose disability prevents them from carrying out some parts of their job. The amount of funding is dependent upon the type of support needed, the number of employees in the workplace, and the length of time the disabled person has been employed.

Links

You may find the following links useful.

UCU Guide – disclosing a disability

http://www.ucu.org.uk/media/pdf/m/n/Disclosing_a_disability.pdf

TUC Disabled worker guide

<http://www.tuc.org.uk/extras/disabilityandwork.pdf>

Access to work funding

http://www.direct.gov.uk/en/disabledpeople/employmentsupport/worksschemesandprogrammes/dg_4000347

Dorothy Calderwood, Central Academic-Related Officer
(dorothy.calderwood@open.ac.uk)

The Spark — pass it on

Please forward this new copy of *the Spark* newsletter to a few non-members — please forward to anyone you think would be interested in reading our news.

The Branch Administrator, Deb Shann, sends colour copies of *the Spark* to a few members who leave it in their shared areas/ common rooms — if you can do the same please contact her on 01908 6(53069) or ucu@open.ac.uk.

New WH rep for the Science Faculty

We are pleased to report that we have found another new WH departmental rep for the Science faculty — Geoff Bradshaw has kindly agreed to take that role on.

A UCU representative in every unit across the Open University would give the union even greater visibility and strength. In the first instance it would only involve making sure there is a UCU poster and an application form holder on all of the notice boards in all OU buildings.

We are still looking for Walton Hall publicity contacts in these units: Audit, BDU, Communications, Development Office, Finance, HR, Information Office, KMi, Learning & **Teaching, Office of PVC Academic, OMU, Strategy Office, USO and the VC's Office** — please phone 53069 or email ucu@open.ac.uk if you could take on this role for the union.



OU branch of UCU roles and what they do

The following table has been adapted from another UCU branch. We want to find more UCU contacts and the table shows the current roles that we have, excluding the new contact role, please refer to ROCC update on page 6 to see what a UCU contact can do for the union.

| Role | Responsibilities | Time requirement | Why get involved? | Skills/knowledge developed | Training available, comments and further information |
|--|---|---|--|--|--|
| <i>Exec Committee member</i> | <p>Attending meetings when possible in order to discuss UCU business.</p> <p>Responding to emails on a variety of topics.</p> <p>Representing the views of colleagues.</p> <p>Participating in negotiations on areas of interest.</p> | <p>Exec Meetings take place 6 times per year for 2 hours.</p> <p>Attendance is not mandatory – come along when you're available.</p> | <p>Increase understanding about what is going on at the University.</p> <p>Influence decisions about the way the union operates.</p> <p>Give something back.</p> | <p>How the university operates</p> <p>Negotiating</p> | <p>As an Exec member you can attend any of the regional or national conferences, working groups and training courses for your specialist staff group. You can also attend Casework training if you are interested.</p> <p>We currently have a vacancy for an Equality Officer on the Exec.</p> <p>http://www.ucu.open.ac.uk/</p> |
| <p><i>WH Department Rep</i></p> <p><i>Regional/ National Centre Rep</i></p> <p><i>AL Rep</i></p> | <p>First point of contact for members and potential members in each department.</p> <p>Stick up posters.</p> <p>Pass on communication from UCU to colleagues.</p> <p>Pass on departmental concerns/issues to committee.</p> | <p>Minimum time commitment – sticking up posters when you can and you will be invited to the Branch Away day annually.</p> | <p>Make a difference in your department – identify issues and raise them to the attention of the union.</p> | <p>Networking</p> <p>Communication</p> | <p>No training required but you can attend the UCU rep's training courses which are run regularly throughout the year.</p> <p>This role can be a good introduction to UCU activity. We currently have vacancies in several WH units, 2 regional/ national centres and for ALs there is a vacancy in Ireland.</p> <p>All reps and vacancies listed on this page: http://www.ucu.open.ac.uk/people</p> |
| <i>Personal caseworker</i> | <p>Support colleagues in other departments who are dealing with work-related issues which are causing them concern.</p> | <p>You decide what type of cases you feel comfortable dealing with and how many you take on – according to the amount of time you have available.</p> | <p>You can help make a real difference when members are experiencing difficulty at work. You learn a lot about how things work at the University and you learn about employment law.</p> | <p>Communication</p> <p>Negotiation</p> <p>Mediation</p> | <p>Caseworkers attend the Branch Casework training (1 day) but then can also attend UCU rep's training courses – further information is available here: http://www.ucu.org.uk/index.cfm?articleid=4808</p> <p>New caseworkers are provided with an existing caseworker to mentor them as long as needed. You will not be expected to deal with cases until you feel ready to do so.</p> <p>http://www.ucu.open.ac.uk/casework</p> |
| <i>Contribute to the Spark (branch newsletter)</i> | <p>Contribute articles of interest to colleagues.</p> | <p><i>The Spark</i> is produced 3 or 4 times per year and you decide which edition you can produce an article for.</p> | <p>You get the opportunity to express your personal views on matters of interest.</p> | <p>Written communication</p> | <p>None required</p> <p>http://www.ucu.open.ac.uk/the_spark</p> |
| <i>Encourage your colleagues to join UCU</i> | <p>Talk to your colleagues about what UCU is doing and encourage them to join.</p> | <p>Chat to your colleagues informally as the opportunity arises.</p> | <p>Getting your colleagues to join makes us stronger and that means that we can achieve more towards improving terms and conditions for our members.</p> | <p>Influencing skills</p> | <p>None required</p> <p>It's quick and easy to join UCU:</p> <p>www.ucu.org.uk/join</p> |

Letters to the Editor

Spark welcomes letters from branch members on any issues likely to be relevant to the branch. Please email your letter to ucu@open.ac.uk to appear in the next issue.

Dear Spark Editor

Does anyone know why, for some time now, some OU regional/national offices routinely no longer answer the phone?

On several occasions recently I've rung a regional office to talk to a Staff Tutor about an issue and sometimes got the 'there's no-one to take your call - please call back' or, even worse, a sequence of machine delivered questions inviting me to fill in the blanks - each followed by 'then press star'. I used to think the canned music was bad - I now think we've gone a step further back.

I was delighted to actually reach a person the other day (I think they were passing the Reception desk) but was then quite **bluntly told the person that I wanted 'was not available - send an email'. Does the OU not understand that email is (a) really time consuming and (b) asynchronous communication which often leads to (c) other long and time wasting emails?**

Organisations can easily get a reputation for poor communications (not answering the telephone through to automated-menu **welcomes and instructions**). **This gives out entirely the wrong message to employees and students. The 'front desk' is simply not the post to cut back on. I thought everyone knew this.**

Name & address supplied

Guardian article re mature student numbers

There was an interesting and alarming article in the Guardian on Monday 1st April 2013, under the headline 'Mature student numbers fall off a cliff'. It ranges over the issues but essentially HEFCE says the number of part time (i.e. mature) has fallen by 40% since 2010/11. The reasons (all debated) appear to be the:



- huge increase in student fees (which mature students know are not just 'numbers')
- current economic crisis (with students reluctant to ask their employer for support)
- effect of the ELQ (so that two thirds of potential mature students are not eligible for a loan)
- increased financial risk of taking a loan with little prospect of it leading to increased earnings (but it definitely leading to more debt)
- lack of understanding of the needs of mature students at many universities.

Of course, this may not apply to the OU. We await the figures. But I can't help repeating that the OU should have thrown its very considerable weight behind the anti-fees campaign. We could have made a real difference - but I suppose that's water (or students) under the bridge now.

Read the full article on the Guardian website at: <http://bit.ly/Z5RjQX>

John James, AL R13 & Exec member





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Web: www.ucu.open.ac.uk

Need help?

One of the most important services provided by UCU is support for individual members experiencing problems in their employment, or with other members of the University. If you want any advice on employment related problems, please email ucu@open.ac.uk. Any such emails will of course be treated in strict confidence.

Your Executive Committee 2012-13

President: Pauline Collins
Honorary Secretary: Lesley Kane
Honorary Treasurer: Stephen Pattinson
Vice Presidents: Bethan Norfor and David Knowles
Immediate Past President: Roger Walters
Equality Officer: vacancy
Central Academic Staff Officer: Sheila Tyler
Central Academic-Related Staff Officer: Dorothy Calderwood
Regional/National Academic Staff Officer: **Philip O'Sullivan**
Regional/National Academic-Related Staff Officer: Hilary Partridge
Associate Lecturers Officer: Judy Ekins
Ordinary Members:
Jeni Aldridge
John Bennett
Chris Bollom
Eric Bowers
Gill Clough
Bruce Heil
John James
Meridian
Mike McNulty
John Peters
Peter Piper
Nicolas van Labeke
Eric Wade
Photos of these people are on our branch website: ucu.open.ac.uk
UCU National Exec Committee Members:
Alan Carr, Pauline Collins, Lesley Kane and Roger Walters
Father of NUJ Chapel - vacancy

UCU resources

The following resources are available for any member who wants one, please call into room 015, Wilson C block, Walton Hall and collect one or email ucu@open.ac.uk and we will send one to you—it all helps to raise awareness of the Union.

- Hessian bag
- Mug
- Lanyard
- Pens
- Mousemat
- Publicity posters



Branch meetings 2013

Future branch meeting dates are as follows and all members are welcome to attend:

Thursday 26 Sept 2013, 12.30pm in the Berrill Lecture theatre
AGM - Tuesday 26 November 2013, 12.30pm in the Berrill Lecture theatre