



## Roger Walters — immediate past President

After 42 years of service with the Open University, Roger Walters, past President of the OU UCU branch from 2007 to 2012, retired at the end of December 2012 — he held a leaving event in the Hub lecture theatre which continued in the Cellar Bar on 13 December 2012 and was attended by many past and current colleagues and some staff UCU colleagues from elsewhere. Former University Secretary, Joe Clinch gave a speech about Roger as he was the one who recruited Roger back in 1970 when Roger was a long-haired politics graduate! Nigel Holt, Director of HR delivered the second speech followed by Lydia Richards, our UCU Regional Official — both spoke of Roger's commitment to the fair treatment of staff and his commitment to trade unions. Finally Kathy Taylor, current national President of UCU, spoke to the party about her first ever trip to Milton Keynes!



Roger in his response mentioned his first visit to Walton Hall in 1970 when he was shown "the" OU computer which was the size of an office and also that there was a bomb scare at Walton Hall on the very first day of OU exams in 1971, which caused a complete evacuation of the site and many staff retreated to local pubs. Roger remains on the UCU NEC and on the Branch Exec Committee as immediate past president and a member of the NEC.

See letters on page 13.

## UCU Anti-Casualisation Day of Action — 6 March 2013

UCU is holding a day of action on 6 March 2013 protesting against the over-use of casual contracts in UK further and higher education. The aims of the campaign and the focus of the day of action are:

- to recruit staff on casualised/insecure contracts
- to encourage more members to be involved in their union
- to campaign in support of negotiating improvements.

UCU has produced a charter for the treatment of casualised staff and some of these items apply to our own Associate Lecturer members. We are currently planning what action we will be taking on 6 March 2013.



- A fair rate of pay for all hours worked by hourly-paid staff including sufficient time for preparation, marking, administration, student support and scholarly activity.
- Annual pay rises and incremental progression for all staff.
- Working conditions for staff on casualised contracts that are comparable to those on permanent, full-time contracts.
- Increased job security for staff currently on casualised contracts – transferring hourly-paid to full-time or fractional permanent contracts, and fixed-term staff to permanent contracts.
- Ensuring systems are in place that significantly reduce the risk of redundancies for all staff including those on hourly-paid, fixed-term contracts or whose posts are underpinned by fixed-term external funding eg redundancy avoidance committees, effective redeployment and retraining policies.
- Ending the use of zero-hours contracts.
- Ensuring staff are employed on contracts that state they are employees and not given bogus self-employment status.
- Fair treatment and pay for postgraduates who teach.
- Support for on-going access to professional development opportunities.
- For staff that leave the sector, increased support for careers outside academia eg specialist career support and training.

## UCU presses for disability leave

Both the national union and the branch are continuing to press for a provision for disability leave, despite initial refusals by the employers nationally and locally even to discuss this.

The concept of disability leave, which was agreed in principle nationally in further education about five years ago, enables disabled staff to take time off from work for reasons related to their disability other than sickness, without this being recorded as sick leave. Examples include going on a course to “bond” with a new guide dog; routine but essential medical appointments and accommodating to new equipment or medication. If this is treated as sick leave this leaves disabled staff wide open to discrimination because of what can often be regarded as high levels of sickness absence. A proposal to initiate discussions on disability leave was included in the national claim submitted last year by all of the unions with members in higher education, but was rejected by the national employers on the grounds that this was a matter for local negotiations, despite the precedent in further education.

A similar request to the OU for local discussions was then submitted to a meeting of the OU Joint Negotiating Committee and was rejected out of hand by management on the grounds that the University was already generous with regard to sickness/absence leave and disability leave would increase absence from work. However there has now been agreement to discuss further.

This is a welcome development as failure to do so could result in OU management, alongside national employers, perpetuating a situation which allows disabled staff to be discriminated against. Roger Walters, past President of the OU UCU branch and a disabled members’ representative on the union’s National Executive committee told *The Spark*, “there is no reason why disability leave should increase absence from work since disabled staff should surely be given time off for such purposes already, but treating such absences as sick leave is simply wrong and allows discrimination. There is no evidence to the contrary and the union will continue to press for disability leave provision.”

**Dorothy Calderwood, Central Academic-Related Staff Officer, has recently completed the TUC’s Disability Champions at Work course and is keen to hear from members who consider themselves disabled, but who feel they are not being given adequate support.** Dorothy can be contacted on 01908 6(59202) or by email [dorothy.calderwood@open.ac.uk](mailto:dorothy.calderwood@open.ac.uk). Dorothy will be writing an article on the role of the Disability Champion for the next issue of *the Spark*.



## UCU National update

Delegates to the Special HE sector conference on 27 February 2013 will debate the key priorities for the 2013-14 national pay claim. Motions can be found at this address: [www.ucu.org.uk/circ/rtf/ucu487.rtf](http://www.ucu.org.uk/circ/rtf/ucu487.rtf). The Branch meeting to be held on 22 February in the Berrill Lecture Theatre at 12.30pm is **YOUR** opportunity to discuss these motions prior to sector conference. The meeting is open to all members and will also be webcast at this address: <http://stadium.open.ac.uk/stadia/preview.php?whichevent=2156&s=1>



**NEC Elections:** All members should have received election material for the UCU Officer and National Executive Election (NEC) week commencing 4 February 2013—if you did not receive this material that may be because UCU have incorrect information about your workplace. This can be updated by emailing [ucu@open.ac.uk](mailto:ucu@open.ac.uk) or to make the change yourself at the UCU eServices website please go to this address: <https://members.ucu.org.uk>

There are two members of the OU Branch Executive standing for re-election - Roger Walters, our immediate past President is standing for re-election as a Disabled Members Representative and Lesley Kane, our Hon. Secretary, is seeking re-election as one of the regionally elected members for the South Region in higher education.

The NEC make many important decisions and it is therefore vital that it is truly representative of the membership. In order to achieve this, it is important that as many members as possible vote. The Branch Executive does not make recommendations; It is **YOUR** choice. We hope that you will take the time to read election material carefully before making that choice. **The deadline for the return of ballot papers is Friday 1st March so please VOTE TODAY if you have not already done so.**

### Congress 2013

This year’s annual UCU congress will take place in Brighton from Wednesday 29 to Friday 31 May. This is the key decision making body of the union and the branch is entitled to send 5 delegates. A calling note for nominations for the election of delegates will go out shortly.



## Continental Europe (CE)

The redundancy process affecting OU staff in CE has given us some of the saddest and most questionable episodes in OU history. Some staff were unable to accept the voluntary severance package because to do so would affect their rights to claim local unemployment benefit in the aftermath.



Some former staff in the Netherlands report being told they are ineligible for benefits due to the status of the OU in NL, where it is not registered as a university, giving rise to a requirement to seek the permission of local statutory bodies to make the staff redundant. A country co-ordinator in one of the Mediterranean countries has told us that she has been unable to register with the local unemployment office because the paperwork from the OU side has been filed as if she had resigned rather than been made redundant. Apparently there is no right of appeal against this in the country concerned.

While many CE staff have accepted the severance package on offer as the best they were likely to get, it is clear that they did not want to lose their employment at all. Associate Lecturer staff in Germany were recently told to take leave during their notice periods and to have no further contact with their students, who were reallocated to ALs in the UK.

UCU feels that the application of some aspects of the severance package has been unfair, particularly over the use of the fee waiver. One aspect of the severance package negotiated with UCU, was continued use of the staff fee waiver for up to three years. Ironically, half-time PhD study with the OU now costs less in England and CE than half-time undergraduate study. A handful of CE ALs who want to seek comparable employment in academic institutions in their countries of residence have wanted to use the three-year fee waiver for part-time OU study towards a PhD, and have been refused. There was no hint of this restriction while the package was under discussion with UCU, and while only a handful of people are affected, it seems contrary to the obligation of an employer to assist with training to allow potentially redundant employees to find other work. ALs already have first degrees, and limiting their use of the fee waiver (which is part of a redundancy package) to qualifications at the level they already have seems bizarre. We are hoping the OU will think again about this.

Some staff in Austria have questioned the calculation of their severance payments and we are still waiting for a response from the OU on this.

Whatever the outcome of these matters, there is no doubt the redundancies will have a lasting impact on the staff concerned, many of whom are living in countries where economic circumstances are worse than in the UK.

The way in which these redundancies were decided raises questions about decision making in the OU. It is clear that the decision making process had been on-going for some time and was at an advanced stage before it reached OU Council and before UCU was consulted. Similar processes can affect (and have) affected UK based staff.

As UCU has already pointed out, the legal and administrative cost of the redundancy process was very high at a time of economic stringency for the OU.

**Lesley Kane, Hon. Secretary**

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## AL procedures

Ever wondered where AL Services keep their policies for ALs? They are buried here:

Intranet > Students > Student Services > Teaching and Learner Support > Associate Lecturer (AL) Services > AL Procedures. The direct link is <https://intranet-gw.open.ac.uk/studentservices/alt-services/pages/a-z.php>.

There you will find the current procedures, which were revised on 12 December 2012. Unfortunately, the link to the previous versions has now disappeared, but you can find some details here:

<https://intranet-gw.open.ac.uk/studentservices/alt-services/pages/mopp-02.php>

**David Knowles, Vice President**

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## Build the Union – recruit a colleague today

A new year sees a renewed drive to recruit members into UCU from every part of the union and you can play your part today by sending a colleague your unique link and encouraging them to join. If they do so, you are automatically entered into a draw to win a prize hamper: <http://join.web.ucu.org.uk/ref-105553&&>

Thanks to everyone who's participated in the campaign which has now almost achieved an additional 700 members nationally – further information on the campaign is at this address <http://www.ucu.org.uk/buildtheunion>.

## Problems marking \*.docx files

The branch was contacted by an AL who has had numerous problems with trying to mark \*.docx files created by the newer versions of Microsoft Word since version 2007. As of 1<sup>st</sup> November 2012, students are permitted to submit .docx files – see <http://intranet.open.ac.uk/studentsservices/ea/pages/Workingwithdocxfiles.php>



Most of the time if you download and install the Microsoft compatibility pack then your copy of Microsoft Word will open these \*.docx files – however the AL that contacted us could not get her PC to install this solution, even after several calls to the Computing Helpdesk. She was using a PC with Windows 7 but an old version of Word, version 2002. <http://www.microsoft.com/en-gb/download/details.aspx?id=3>

ALs can try using the free software Open Office or LibreOffice which are both virtually the same as Microsoft Office – however there is an issue where the default files produced by Open Office are \*.odt and again Microsoft Word will not open these, so you do need to remember to use Save as and save the files as \*.doc Word format. However Open Office will open \*.docx files that students have sent to the ETMA system, but cannot at this time save in .docx format, so have to be saved in .doc instead. <http://www.openoffice.org/download/> or <http://www.libreoffice.org/download/>

If you prefer to use Microsoft Word then ALs can get discounted software from the following website: <http://www.software4students.co.uk>. Currently Microsoft Office 2010 is £85 or there is a University edition for £80 – which requires verification of academic status after purchase. Also it is worth noting that the Home and Student version only includes MS Word, Excel, Powerpoint and OneNote, whereas the University version also includes MS Access, Outlook, and Publisher.

One of the main issues for the AL member that contacted us was the cost of the phone calls to the Computing Helpdesk which is a standard landline number (01908 653972) and not a freephone/0845 number. The issue was discussed at the last UCU AL reps committee meeting in December – their suggestion was that ALs ask the Helpdesk staff to phone them back. We have now investigated this suggestion and the Helpdesk only phones callers back if they need to investigate the issue – as a rule, they do not phone callers back on request.

Further software discount websites are listed on the OU Computing Guide: <http://learn1.open.ac.uk/mod/oucontent/view.php?id=92&section=4>

The OU branch of UCU does not regard it as satisfactory that ALs should have to spend their own money calling the Computing helpdesk, or buying software, and that this is an issue we will return to in the near future.

## HE Employers attack rights of the weakest and most vulnerable in society

The following quote from the recent paper from the department for Business Innovation and Skills leaves little doubt about what employers in some HE institutions have been up to:

*"Employers generally considered that legislation was necessary to exclude fixed-term appointees (FTAs) from the legislation. In particular, employers in the Higher Education sector felt that an exemption would remove the current requirement for them to engage in near-constant consultation over the end of fixed-term contracts."*

This will affect the rights of many employees 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.

If they get away with it, the proposed changes will put us well on track to a situation where we see large numbers of people "working on the lump", being hired and fired at will, but then that is the idea, isn't it? If anyone had any doubt about the social orientation of the Con-Dem government, the proposed changes to employment law should end any such doubts. The HE managements involved, and their collective body UCEA, should be ashamed of themselves for the part they have played in this.

While we do not know precisely which, or how many HE institutions' managements have actively lobbied for the removal of rights from fixed term staff, it is fairly clear that UCEA, (University and College Employers' Association) has, and we are now dealing with an attack on basic employment rights being carried out in the name of management in our industry.

Another worrying aspect is that the exemption from collective consultation will make the use of fixed term contracts more attractive to employers, and that we will see more of them, with consequent increasing social instability, and more people being unable to get mortgages.

The government is probably still wondering how far it can go without infringing European law and directives. Will a fixed term redundancy still be a redundancy? If not, it will impact on the minimum consultation period for many permanent employees, which is determined by the number of proposed redundancies, thereby reducing the rights of those who are on permanent contracts as well. It has never been truer that an injury to one is an injury to all.

Doesn't European law require consultation as soon as a proposal to dismiss is made? Yes, it seems to, and there are a number of responses that we may make, but ultimately it will be the support of our membership that we need in order to confront our employers and the government over this attack on basic employment rights.

The OU management has said it has no plans to change current procedures relating to redundancy consultation periods for permanent or fixed term staff, and UCU must see that any detrimental changes elsewhere are met with a robust response.

**Lesley Kane, Hon. Secretary**



## UCU Black Members' Annual Conference— 16<sup>th</sup> November 2012

The conference was held at the UCU Head Office in Carlow Street, London. It was well organised, with a large conference room for the plenary and several breakout rooms for the workshops. The theme of the conference was: 'Black people building your union: the job you save could be your own'. It was attended by approximately 50 ordinary members, which is rather disappointing when you consider that 8.2% (or about 9,800) of the 120,000 UCU members are Black or Minority Ethnic (BME) members.



In presenting his report, on behalf of the Black Members' Standing Committee (BMSC), the BMSC Chair, Jim Thakoordin, expressed grave concern at the "...continuing racism and discrimination faced by black workers in colleges and universities". He highlighted the fact that there was still inadequate - and sometimes a total absence of - representation and support for black members of UCU, in these institutions. He also noted that rather than assuring the BMSC members on real progress being made in this area, there had been "...less trust and confidence in the union's commitment to address racism".

Matt Waddup, National Head of Campaigns and Organising, presented a report on Race Equality in the UCU, which was followed by an interesting and lively panel discussion. I found the black members' survival guide, which was launched at the conference, a very handy document for any black member of the UCU. You can find it on the UCU website by clicking on this link: [http://www.ucu.org.uk/media/pdf/o/c/black\\_members\\_survival\\_guide.pdf](http://www.ucu.org.uk/media/pdf/o/c/black_members_survival_guide.pdf)

The breakout sessions included:

1. A workshop on Reparation – facilitated by Geraldine Francis, Glenroy Watson and Cecil Gutzmore who also addressed the Plenary on the subject. They believe that the systems of enslavement and colonialism against Africans by the Euro-American states were crimes against humanity and that Africans should be compensated for these crimes.
2. A workshop for new members to the conference, which I attended with about 12 other members. It definitely enlightened us on the workings of the UCU and its structures.
3. A workshop on Black Workers and changes in Education.

These were followed by a feedback session from each of the facilitators.

Two motions were put to the BMSC and NEC to take forward:

1. That the NEC maintains the current structure of the various Equality Committees and that the BMSC actively advises and supports black members; increases the number of black case workers within the branches by reviewing the process to enable black workers to receive training and become case workers.
2. That the BMSC send a message of protest to the University of Birmingham, who plan to make Dr Jose Nafafe redundant. This is despite the fact that the modules he tutors have no cover and that the Sociology programme stood to lose all expertise in the area of ethnicity, were he to be made redundant.

A final presentation was made to the conference on the situation currently in play at London Metropolitan University (LMU), where foreign students have been subject to stringent immigration controls and where LMU has had its Highly Trusted Status for sponsoring international students revoked. It was believed that LMU stood to lose credibility, students, revenue and qualifications, in particular those related to ethnicity, because of the actions of the UK Border Authority's (UKBA). At the time of writing this report the UKBA and LMU had reached an agreement to allow all current students to continue their studies to the end of the academic year or end of their course, whichever is the sooner.

### Denzil DeSouza

NB—there is a Black members newsletter on the UCU website at the following address, dated Nov 2012: [www.ucu.org.uk/media/docs/h/3/Black\\_Members\\_News\\_November\\_2012.doc](http://www.ucu.org.uk/media/docs/h/3/Black_Members_News_November_2012.doc)

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## The Spark — pass it on

A member has suggested that all OU UCU members should forward this new copy of Spark 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 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](mailto:ucu@open.ac.uk).

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## Workload pressure survey

In response to evidence of increasing pressure of work on many staff, the OU UCU branch is conducting a survey on workload of internal staff which was developed by some of our Staff Officers. The survey was launched on 12 November 2012 and so far has had 139 responses. We would still like more members to complete the survey and you can do so at this address: <http://www.surveymonkey.com/s/KVM7DSX>.



Here are some of the results gathered so far:

- 45% of the responses have been from Academic staff.
- 84% of the respondents said that their workload has increased over the last 2 years.
- 88% of the respondents said that their workload is inconsistent.
- The top 3 reasons given for the increase in workload are: new systems; reduction in resources to do the job (including staff) and changes in methods of working.
- 50% of respondents feel less secure about their job than they did 2 years ago.
- In answer to the question: do you receive adequate recognition and appreciation of your work? 58% of respondents said no.

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## Health and Safety reps wanted

The branch currently has three Health and Safety reps — we would like more members to volunteer to become Health and Safety reps so that the branch can do more work in this important area. The OU branch of UCU is invited to attend the OU Health and Safety Committee that meets twice per year as well as the Health and Safety Liaison group that also meets twice per year — if you are interested then please phone 01908 6(53069) or email [ucu@open.ac.uk](mailto:ucu@open.ac.uk).

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## ALs — have you had your CDSA?

If you are an Associate Lecturer who has had their CDSA then the OU branch of UCU would like to hear from you, in order to gather feedback. Did you feel that it was a positive or a negative experience? Did it take more or less time than you expected? Please phone 01908 6(53069) or email [ucu@open.ac.uk](mailto:ucu@open.ac.uk) with your CDSA feedback, whether it's good or bad.



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## TMA turnaround time

Following negotiations with management, we are pleased to report that the TMA turnaround time will now take Bank Holidays into account, if they fall within the 14 calendar days turnaround time (10 working days). Our Branch ALs officer, Judy Ekins, was quoted in the recent issue of the ALs newsletter, *Snowball*. You can read the whole article at this address: <http://intranet.open.ac.uk/snowball/51-january-2013/holiday.php>

## Level zero and Openings

As many of our branch members are already be aware from experience, Openings has suffered dramatically over the last year or so as a result of government imposed cuts and increased levels of fees. A large number of Openings ALs have already lost appointments due to students being unable to get a loan for less than 30 credits.

Several of the remaining Openings courses will be having their final presentations soon, but with Y176, Y179, Y180, Y182 and Y183 surviving mainly for students in the Celtic nations, where student finance is managed differently. This means there will continue to be a small number of appointments on these courses, but maybe only 10% of the current number.

There will be new 30 credit courses coming online for level zero students starting later this year, and there is reason to be optimistic that there will be some replacement work for most Openings ALs. There has never been a re-organisation of an entire academic level on this scale before, and UCU takes the view that the OU should attempt to treat Openings ALs as well as other OU staff would be treated in a major re-organisation. The situation should be regarded as one pool of work and one pool of staff, (possibly divided into Spring and Autumn) with everyone treated as fairly as possible.

We have asked that the recruitment process for the new level zero courses should be targeted at Openings ALs and at other ALs who have recently lost Openings appointments. Since some ALs have already been shed from Openings courses as a result of government policy, and some have yet to tutor their last Openings presentations, we feel it is fairer to adhere to the principles behind PC and MOLD rather than the time limits. The general principles are that the first priority for new appointments should go to Openings and former Openings tutors who are in danger of being left without any OU work, and the second priority to those who have lost work which they have not yet managed to replace.

We have also asked that the priority for keeping the remaining small number of appointments on Y176, Y179, Y180, Y182 and Y183 should belong to those who are not able to replace Openings work by making the transition to the new level zero courses, with those who are in danger of being left with no other work first in line. This should apply to all current ALs on these courses regardless of which presentation they currently tutor.

**Stop press 18/02/13:** Recent discussions and communications indicate that much of what we have proposed has been taken on board. We would have preferred ALs on all presentations of Y176, Y179, Y180, Y182 and Y183 to be treated the same, with regard to continuing on Openings or transferring to the new courses. Discussions are continuing.

**Lesley Kane, Hon. Secretary**

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## MOOC, a no brainer (personal member opinion)

I've followed with interest the development of the Course for the masses (as Snowball headlined it). It is ironic that at the same time the OU spends lots of money on Massive Open Online Courses (MOOCs) there is a question mark over continued free access to OU modules for ALs in England; the OU will continue to make our job much harder by not providing basic tools such as Assignment Booklets and Tutor Notes in print.

As for MOOC itself, I really can't get excited. Information is cheap and plentiful (put any word you like into Google). Information is also inert and quite worthless (outside the odd pub quiz?) without a teaching input.

Information only comes alive when it's used to make something useful – like in a debate or in writing an essay (which someone reads and comments on). When information is used (i.e. description made, argument built, explanation offered, judgement expressed) for a purpose it becomes valuable and learning occurs. Otherwise information (MOOC) is just data – mostly just another noise.

In my opinion this is one of the problems with the Elluminate software. Personally I find the system technically incapable of allowing ALs to deliver much teaching and learning and as this gets known fewer and fewer students participate in these sessions.

I'm not sure the relationship between information, using, learning and teaching is really understood by the senior management in the OU. If it was, we wouldn't have the periodic threat to reduce the number of TMAs needed to pass a module. If it was, we wouldn't have the OU spending money on MOOCs rather than providing England's ALs with free modules and the materials we need in print.

**John James, AL Rep, the OU in the South East**



## ePetition update — Stop the cuts in the Open University

The ePetition on the HM Government directgov website closed on 11 November 2012 and we achieved 59,168 signatures — the OU branch of UCU would like to thank everyone that signed the petition. We received the following reply from the Department of Business, Innovation and Skills – it does say that the ePetition is still open to signatures but the website doesn't appear to allow new signatures.



*As this e-petition has received more than 10 000 signatures, the relevant Government department have provided the following response:*

*Our reforms, rebalancing the costs of Higher Education (HE) more equitably between the student and the state, were introduced as a result of Lord Browne's independent review of Higher Education Funding and Student Finance, commissioned in 2009. They will also help in our drive to tackle the fiscal deficit. Our Higher Education sector is world class and to ensure that it continues to attract the funding it needs we have shifted public spending away from teaching grants and towards repayable tuition fee loans which can be paid up front to institutions on behalf of students. This means that we can ensure that the Higher Education sector – including the Open University - has access to a steady stream of funding whilst savings are made to public expenditure.*

*We believe that it is right and necessary that those who will benefit from university courses, by going on to earn higher salaries, should contribute more to the costs of HE. Those who do not go on to earn higher salaries will be protected. In England, students accessing the Government's student loans will only begin to repay the loan once they are earning more than £21,000.*

*Widening Participation and Social Mobility are priorities for Government and that is why, as part of our reforms, we have enabled part time students to access tuition loans for the first time – a move that has been widely welcomed by the part-time sector, putting part-time students on a more equal footing with their full-time counterparts. Access to a tuition loan does not depend on income, as the previous grants-based system was, so the package of student support that Government has introduced in 2012 will be available to a higher proportion of students than previously. In addition, students will continue to be able to access the OU's own loan system (OUSBA) which enables them to pay their fees via instalments during each module.*

*The Open University has set its tuition fees at £5,000 per year for students in England commencing their studies from September 2012. The Open University has also submitted an Access Agreement to the Director of Fair Access which sets out the targets and milestones it intends to achieve to support widening participation and fair access.*

[www.offa.org.uk/agreements/Open%20University%200001%20access%20agreement%202013-14.pdf](http://www.offa.org.uk/agreements/Open%20University%200001%20access%20agreement%202013-14.pdf)

*It is important to note that the OU is an autonomous body, so it is for them to decide on the levels of charges they propose, within the constraints of the fee caps we have introduced and according to the environment in which they operate. Funding will follow student choice in future, and so it will be for the OU to consider how they can continue to attract students on the basis of cost and quality of provision.*

*This e-petition remains open to signatures and will be considered for debate by the Backbench Business Committee should it*

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## Two corrections from the last issue of *The Spark* (Nov 2012)

On the front page of the last issue of *The Spark* the item on extra leave in return for changes in the leave year reported that one of the concessions negotiated by UCU was an increased entitlement from the part leave year to the next full leave year to carry forward 15 days instead of the norm of 10. This is an error – the increased entitlement is to 18 days carry forward for this one time only.

We apologise for the misinformation; however, rest assured that management are acting on the correct agreed position.

There was another error in *The Spark* on the number of fixed term contracts graph (p9) – the graph shows the number of FTCs that are within 6 months of expiry, and not the total number of FTCs at the OU.

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## New publicity contact for Student Services, East Campus

We are pleased to report that we have found another new publicity contact for Student Services in East campus — Cheryl-Anne O'Toole has kindly agreed to take that role on.

A UCU representative in every department/faculty 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, Science faculty, Finance, HR, Information Office, KMi, Learning & Teaching, OMU, Strategy Office, USO and VC's Office — please phone 53069 or email [ucu@open.ac.uk](mailto:ucu@open.ac.uk) if you could take on this role for the union.



As you know, nationally the University and College Union is the acknowledged and respected leading higher education trade union, whose strength comes from its local branches and active members within individual institutions. The collective voice of members within a university can contribute to the ethos of the institution; a local branch that has a full complement of officers, and departmental and specialist staff group representatives is highly effective.

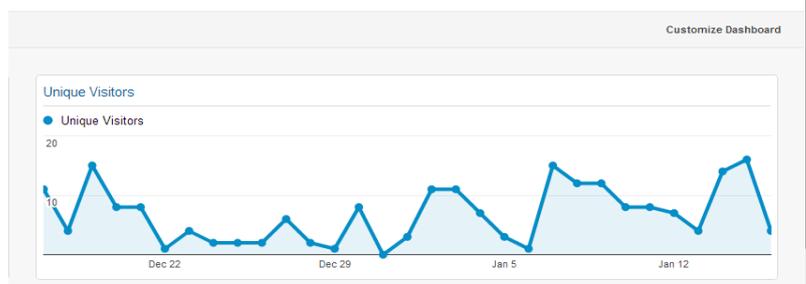
## Branch website — Google analytics now installed

The Recruitment, Organising & Campaigns Committee wanted to see how many people look at our branch website — thanks to one of our members in MCT, we now have Google analytics installed and so can easily see web traffic to our website: [www.ucu.open.ac.uk](http://www.ucu.open.ac.uk).

The website is maintained regularly; the Branch Administrator updates the News and What's new pages and she is about to start a review of the whole site, as some of the pages have not changed in over 3 years. If you have any feedback, good or bad, about the branch website then please phone 01908 6(53069) or email [ucu@open.ac.uk](mailto:ucu@open.ac.uk).



- Unique visitors to [www.ucu.open.ac.uk](http://www.ucu.open.ac.uk) range from 1 per day up to 16 per day was the highest number recorded.
- Average visit duration is 1min 43 seconds.
- The most viewed page on the website is the Officer's photos page — but that could be due to the Branch Administrator visiting that page several times recently to update it!



## Why did they join the Union?

The Recruitment, Organising & Campaigns Committee (ROCC) decided that a recruitment video might be a good idea to encourage a few more people to join UCU — so far we have the raw footage of several Exec members talking about why they joined the union. The plan is to get the first draft of a video finished and then see if we can launch it on OU life (intranet). If any member would like to appear on our video then please get in touch 01908 6(53069) or by email [ucu@open.ac.uk](mailto:ucu@open.ac.uk). Or if you are camera shy then you could just email your one sentence reason on why you joined the union and that can be used in the video!



## 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](mailto:ucu@open.ac.uk) to appear in the next issue.

Dear Spark Editor

I would like through the medium of the Spark to thank the many people who attended my leaving event in December, contributed to the many great presents given to me, and sent so many lovely messages whether on my card or separately. I was very touched by the kindness of so many people and delighted that so many people were able to join me on that day.

Those friends who would like to stay in touch should note that I have retained at least for now my OU email address: [roger.walters@open.ac.uk](mailto:roger.walters@open.ac.uk). Anyone who fancies a trip to Northampton would be welcome to join me for lunch in a suitable hostelry.

**Roger Walters, Immediate Past President**

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Dear Spark Editor

I have been involved in the collective grievance procedure taken by the OU branch of UCU. My situation was that because I was kept on a single presentation contract for three years, when the University was looking for redundancies in their cost cutting drive in 2011J, I lost my contract.

I am a long-standing AL in Region 12. I have taught arts courses at level one and level three for twenty years. For the majority of this time, I have taken two level one groups for each presentation. Until 2008 when A103 came to an end, I had two "every presentation" (EP) contracts to cover my level 1 work. This was justified by the number of students enrolling for the course for each presentation. After the change to AA100, the arrangement continued; I took two groups each year as the numbers warranted that level of work.

In the summer of 2011, my line manager phoned me with the news that my single presentation contract was to be made into an EP contract. I had rather naively been working on the assumption that the previous arrangement had simply been rolled over for the new course and that I was still on two every presentation contracts. I was being offered the change in contract to give me a 'wee bit more security', as I was told.

However, the promised contract never materialised, despite my request for the paperwork to be finalised. A few weeks later, we were into the University's policy of squeezing as many students as possible into the smallest number of groups. As at that stage I held only one every presentation contract, I was allocated just one group of students and received PILON (payment in lieu of notice) for the SP contract, worth 33% of the value of the contract. I found this rather strange as it was my understanding that PILON could only be paid on EP contracts and not on SP contracts. The number of students in the region did not fall. The group size was 22 students where the guideline for AA100 is 15, so I became eligible for the additional student allowance of 20%. Two other colleagues in the region also had groups large enough to attract the additional payment, so in total the University paid 93% of the total value of the contract - not a great saving to them and a good deal of hardship for me.

Shortly after the course start date, I noticed in the ALCR forum that Lesley Kane, on behalf of UCU, was collecting information about how the University's policy on group size and the operation of quotas had affected ALs with a view to moving forward with a collective grievance procedure. I contacted Lesley, and after a very brief chat, it became clear to me that by keeping me on SP contracts for three years in succession, the University had in fact broken its own rules. Therefore I should have been on a second EP contract from 2010. Had this been the case, my position would have been secure in 2011J.

So I was very happy that Lesley took my case forward. The first stage turned out to be something of a disappointment; the report at that stage agreed that I had indeed had three SP contracts in succession, but the first of these was an 'empty' contract as I had not been allocated any students under it. A quick check though my personal records, such as my payslips or level of TMA returns, would have shown that this was simply untrue.

After many months, we finally came to the second stage. I sent Lesley all the information I could to support my claim, and I'm pleased to say that she presented my case and persuaded the panel that I should not have been made redundant as by that time under the University's rules, my SP contract should have been converted to EP.

I have now received the 'missing pay' to make the 53% that I had received up to 100%, I have a second EP contract in place and I have received a letter of apology from the University for the delay in concluding this matter.

...continued over

## Letters to the Editor continued

Aspects of the case have been frustrating, such as the offer of the EP contract in the summer of 2011 which never materialised, and no suggestion from the region that I should be considered for a reinstatement of my second contract for 2012J even though the numbers were as good as in previous years.

I cannot thank Lesley Kane and her colleagues enough for taking this case forward. There are important matters of principal at stake, not least the inability of the University to apply its own rules, whether through oversight, incompetence or anything else. My policy from now on will be to check the details of my contracts, double check that management are following the rules (and the law), and to be very grateful that I have the UCU and its dedicated representatives to guide and support me through difficult situations.

So once again, thanks to Lesley for all her hard work, and congratulations on winning this important case!

**Linda Buckley, AL, the OU in Ireland**

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Dear Spark Editor (**personal opinions of a branch member**)

When the idea of Career Development Staff Appraisal for ALs was first put forward many of us asked “what careers do ALs have?” As ALs do not have careers we argued that not only could this quickly become Performance Management under a different name but also that some ALs could be ‘performance reviewed’ out of their job. We also asked, is it right that the least well paid and most under resourced staff in the OU should be the group most heavily scrutinised? AL performance is measured by TMA monitoring, tutorial observation, student feedback - and now time consuming CDSA. To many ALs, CDSA looked like a case of spending lots more unpaid time and energy defending ourselves - for no benefit.

Despite our initial fears CDSA appears, so far, to have been a far more positive process than many of us thought it would be. However, although some Staff Tutors have done many CDSA interviews, others have completed only a few and yet others none at all. The OU will probably not meet its target of putting all ALs through the process within the 2 years.

Despite this, it looks like the University will, this Autumn, introduce a set of increments for ALs. The OU plans to base these on ‘exceptional performance’ but it hasn’t defined this performance. This is unacceptable. Moreover, although whether or not an AL has been “CDSA’d” appears to be a matter of luck, eligibility for an award will depend on having completed a CDSA. This is also unacceptable.

We also have to ask why the OU wants to slide into the morass of subjectively decided, non-transparent (‘face fits’?) payments? It’s ironic that at the same time the OU intends to introduce Team Working involving ALs, it’s also going to introduce a wholly divisive ‘reward’ system. If there’s money available - why not use it to increase the ALs’ general rate of pay?

**OU UCU member — name supplied**

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## Your Executive Committee 2012-13

### The Open University branch of UCU

Room 015 Wilson C Block,  
The Open University,  
Walton Hall,  
Milton Keynes, MK7 6AA  
Phone: (01908) 6(53069)  
email: [ucu@open.ac.uk](mailto:ucu@open.ac.uk)  
Web: [www.ucu.open.ac.uk](http://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](mailto:ucu@open.ac.uk). Any such emails will of course be treated in strict confidence.

**President:** Pauline Collins ([pauline.collins](mailto:pauline.collins))

**Honorary Secretary:** Lesley Kane ([l.h.kane](mailto:l.h.kane))

**Honorary Treasurer:** Stephen Pattinson ([s.m.pattinson](mailto:s.m.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  
Bruce Heil  
John James  
Meridian

Mike McNulty  
John Peters  
Peter Piper  
Nicolas van Labeke  
Eric Wade

### UCU National Exec Committee Members:

Alan Carr, Pauline Collins, Lesley Kane and Roger Walters

**Father of NUJ Chapel** - vacancy

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](mailto:ucu@open.ac.uk) and we will send one to you—it all helps to raise awareness of the Union.



Canvas bag



Mouse mat



UCU mug



A5 notepad



Lanyard



Pens



Publicity posters

## Branch meetings 2013

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

Friday 22 February 2013, 12.30pm in the Berrill Lecture theatre—Special branch meeting to discuss the 2013 pay claim which will be web cast at this address: <http://stadium.open.ac.uk/stadia/preview.php?whichevent=2156&s=1>

Tuesday 19 March 2013, 12.30pm in the Berrill Lecture theatre

Thursday 2 May 2013, 12.30pm in the Berrill Lecture theatre

Thursday 26 Sept 2013, 12.30pm in the Berrill Lecture theatre

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

Elluminate room address for OU UCU meetings:

<http://learn3.open.ac.uk/mod/oulluminate/view.php?id=26122>

