

The Open University branch of UCU  
[www.ucu.open.ac.uk](http://www.ucu.open.ac.uk)

## The Spark — November 2014



### USS Pension Dispute – Boycott of all setting and marking course work and assignments to begin Thursday 6<sup>th</sup> November 2014

A further attack on our pension has outraged members who voted for industrial action should the employers impose proposed changes. The vote for action was achieved with the highest turnout in UCU's history. 78% of members who voted said YES for strike action and 87% voted for action short of a strike, to include a marking boycott.

**To protect our pension we will need every member to support our democratically agreed action in the coming weeks.**

The proposed changes have been prompted by an expected deficit in USS. However, UCU has challenged the methodology used to determine the deficit. USS is not at risk and has seen investments grow by £8bn, an 18% growth in membership and returns on investment outperforming both average earnings and inflation.

**Boycott of assessment and examinations activity** - Full guidance and FAQs can be found at this address: <http://defenduss.web.ucu.org.uk/resources/>

**This action short of a strike does not apply to any member whose designated role consists entirely or substantially of assessment and examinations work.** This will usually affect only a small number of specialised administrative staff, for example, a registry examinations officer who centrally administers examinations.

**Assessment** covers any form of student work which attracts a mark or score or other form of evaluation, and which formally contributes to the award or classification of any formal qualification. As well as final awards or qualifications, the boycott also applies to assessments which determine or contribute to decisions relating to a student's suitability to continue with their studies or to undertake particular courses or options, even where such assessments do not contribute to the final award. Assessment, therefore, includes any assessed work on all courses, whether undergraduate or postgraduate, full-time or part-time and whether delivered on campus or by distance learning. It includes all forms of assessed student work, not only formal examinations. Thus, essays, project work, placements, practical work and performance are included, as well as undergraduate and postgraduate dissertations and theses, including research degrees.

**External Examiners are exempt from this action.**

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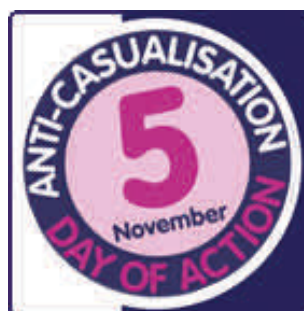


### Associate Lecturers—workload survey

As part of the UCU Anti-casualisation day of action (5th Nov 2014), we are launching a survey into the workload of Associate Lecturers. The email will be sent to all OU ALs, not just UCU members and we will share the results after the survey closes on 5th December 2014.

Please complete the survey at this address: [www.surveymonkey.com/s/NY69Z29](http://www.surveymonkey.com/s/NY69Z29). The survey is anonymous but if you want to be contacted about one of your comments on the survey then please provide your name and email address in the last box.

Further information on the UCU Anti-casualization Day of Action: [www.ucu.org.uk/index.cfm?articleid=7247](http://www.ucu.org.uk/index.cfm?articleid=7247).



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## ...Assessment boycott continued

### Members should not:

- set examinations or other assessable student work falling within the above description
- mark or examine any such work, including projects, dissertations or theses with regard to their mark, grade or assessed progress
- process marks or assessments in any way - including those which originate before the beginning of the assessment boycott
- attend or participate in any way in any meetings or parts of meetings in which student work is assessed or examined
- provide informal guidance to students.

### Continuation of other duties

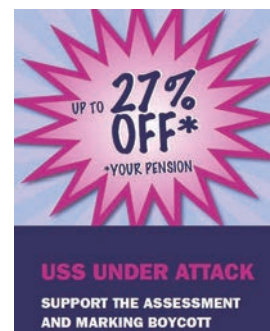
Members should be clear that they should at all times continue with their other normal duties which are not part of those duties described above.

### Associate Lecturers

The following guidelines should be observed by ALs who are members of UCU. (ALs who are not members of UCU should continue as usual.)

1. Teaching comments such as "please follow the referencing standards set out in the module guide" or "you need to use set notation consistently" should be made on TMAs. However, comments such as "excellent" or "you have fulfilled all the learning outcomes" should be avoided, so that the grade cannot be determined from your comments.
2. eTMAs should be returned to the OU by a mechanism yet to be determined.
3. Paper TMAs should be returned in the normal way, but without marks or totals on the PT3 form.
4. Formative questions may be given a mark, because it will not contribute to the overall grade.

At the end of the boycott, TMAs (or PT3 forms for paper TMAs) will be returned to ALs for them to review the TMA and fill in the marks.



## AL Interim Agreement and AL redundancies, Autumn 2014

As reported in our last issue, the OU management pulled the plug on the group size pay set by the AL Interim Agreement two years ago. Management justified this by saying that student numbers had stabilised and refused to engage in further negotiation in spite of past undertakings that they would negotiate over what was to follow the AL Interim Agreement.

The results are twofold: if you have a group between 115% and 129% of standard size you no longer get the 10% pay supplement for the extra work; and it is no longer possible to run small (less than 80% of standard size) groups for 85% of standard pay.

Although an exception was negotiated for some level 1 Languages modules, the reversion to previous group size pay makes it very difficult to negotiate with faculties to run small groups to cope with a drop in student numbers.

On the basis of data received so far we know at least 320 appointments were lost in 2014J, but there may be more data still to come and this figure does not include those who took leave of absence (LOA). The reality is likely to be around 400 lost appointments in 2014J. This hardly supports management assertions about student numbers having stabilised.

The majority of appointment losses this October, were on level 2 and 3 modules. This may be due in part to problems with progression, and some modules were also affected by changes in progression rules and presentation patterns.

The AL Interim Agreement has been successful over the last two years in avoiding the majority of level 1 redundancies that would have taken place as a result of higher student fees. This is because it allowed a two year window in which the redundancy threshold was set at 70% of standard group size, and this gave time for the size of the level 1 AL workforce to adjust by natural turnover.

UCU believes the university has just as much responsibility to protect the employment of level 2 and 3 tutors as it had to protect level 1, perhaps more since some of the reasons for these appointment losses are internally generated.

UCU believes management's pulling the plug on the possibility of running small groups was premature. We also think the reverted group size pay is unfair. We have told management that we will be taking this issue of group size pay to arbitration.

**Lesley Kane, Hon. Secretary**

## A member's account of our USS meeting, 9 Oct 2014

### Understanding pension valuations

Valuations are not objective and neutral, because they depend on assumptions about the shape of the workforce, inflation, yields on assets, salary rises and longevity. In addition valuations can be highly volatile from month to month. Any figure that varies by 40% from one month to the next suggests that the appraisal method is not 'accurate'. Pensions are valued by law every 3 years but USS also undertakes very regular internal valuations.

The formula used to value USS liabilities is based on the performance of gilts, but this is misleading. Only 20% of the investment is in gilts, with the remaining 80% in a range of better performing investments. So this picture is unduly pessimistic in relation to the actual value of the fund. It should be noted that the gilt rate is the lowest since the 17<sup>th</sup> century at the moment.

(See UCU position paper: <http://defenduss.web.ucu.org.uk/2014/march-2014-uss-valuation>)

USS pays out 1.5bn in pensions annually but takes in 2.6bn. Assets have gone up by 25% in the last 3 years, outperforming many other funds. (The fund managers have had significant financial rewards for this performance.) The number of new members is also rising because of the government's 'auto-enrolment' scheme—18% in the last few years. A high proportion of these are in the early part of their career and unlikely to draw benefits for decades so the "cash flow" will become even more positive in future years.

Last year USS provided a reassuring press release about the long-term stability of the fund. This was in response to a BBC Newsnight programme looking at concerns about a reported deficit. The obvious question to ask is what's changed and if the proposals made really are taking a pragmatic long-term view.

### How is USS actually run?

Originally USS was a mutual scheme created in the 1970s between what was then AUT and the then-university employers' organisation. At the time all VCs were in USS—more recently most very senior staff including VCs have opted out of USS because of changes to tax regulations for very high earners. So there is no longer a community of interest between staff and the most senior managers. UCU has three representatives on the USS board (their fee goes back to UCU or charity) while UUK has four. There are between three and five other trustee directors. Over the last few years more 'independent expertise' has been brought into the board, and the result seems to be an assumption that USS should operate like other private funds without reference to its mutual origins. Remuneration expectations are much closer to 'City' practice. For example USS created a subsidiary company that is apparently outside the constitution of the original USS board, which made it easy to circumvent UCU (or, indeed, UUK) challenges on things like pay and fee structures levels for USS staff and Board members.

Changes go through the Joint Negotiating Committee, which has 5 members from UUK and 5 from UCU and an 'independent' Chair. The proposals currently under consideration have been provided by UUK to this Committee. Note: these are just proposals and they are not very detailed. For example, the 'cap' proposed on calculating the career average portion is £40,000 (now increased to £50,000). There is no proposal about raising this in line with inflation and every expectation that in future this cap could be lowered again.

In 2011 major changes were implemented on the basis that these were necessary for the long-term health of the scheme. The result was a two-tier system that UCU tried hard to fight. While a career-average scheme can work well and fairly in practice, the career-average scheme that was suggested and eventually implemented was poor. This change resulted from the Chair casting a deciding vote. This meeting was encouraged to 'take USS back' from these so-called independents.

### The Proposed Changes

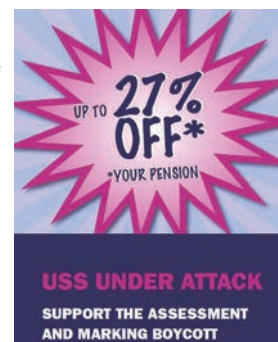
The proposals have these elements:

1. End the final salary scheme and move everyone to a career average
2. Career Average would apply only to the salary up to a cap of £40k (now £50k). The calculation of pension accrued each year would not be fully adjusted for inflation. While schoolteachers pensions are adjusted by CPI rate plus 1.6%, the new USS scheme would be adjusted by CPI only causing a loss of about 2% each year against an adjustment based on the average earnings index. Year on year this is a huge overall loss as inflation rates used for the calculations have a huge impact over time.
3. For anyone earning above £40k (now £50k) in salary, contributions on the portion above this cap would not be part of the Career Average. Instead they would go into a new Defined Contribution Scheme whose yield would depend on investment performance and would not be guaranteed. This is why it is called a 'hybrid'. The results of this are unknown because of the fluctuations in the stock market and this is a major risk.
4. Increase employee contribution rates, so each person is paying more for reduced benefits. Employers would pay less into the proposed new defined contribution scheme.

### How bad are these proposals?

All UK public sector pensions are significantly better than these proposals. The Teachers Pension Scheme (TPS) is the most directly comparable. (This is the scheme which applies to school teachers, FE teachers and staff in the post 1992 Universities.)

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## ... continued A member's account

The firm of actuaries who provided the UCU modelling (available on the UCU website here: <http://defenduss.web.ucu.org.uk/2014/analysis-reveals-huge-losses-proposed/>) has worked for UCU previously and is very conservative in approach. It is possible that the results of these proposals could actually be *worse* than revealed in the models—for instance if the 'cap' for the career average does not rise in line with inflation as assumed. Even so, it is possible for those on professorial salaries to lose more than £200,000 over a roughly 25-year retirement period.

Staff paid on the lower scales can use some of the UCU modelling to see the proportion of the loss and work this out. UCU is also seeking to distribute some further information on the effects for part-time staff and those on lower grades.

The employers seem to have accepted the pessimistic valuations for reasons that are unclear. Part of the attraction in the detail seems to be to drop the proportion of employer contribution over time. Affordability for employers is a key element in the USS 'engagement document' that started this negotiation. There is also an assumption that good pensions are unaffordable because of increased longevity. The current assumption for longevity is 23.7 years for males after retirement at age 65. Life expectancy for women is roughly 2 years longer so their losses will be proportionately greater. For people who are currently young, the longevity figure is expected to rise.

For these reasons UCU is ready and willing to look at reasonable adjustments to USS that are fair and sustainable. The current proposals are neither, they will result in enormous losses to members, and they are unnecessary in relation to the actual USS liabilities/potential deficit.

UCU members were encouraged to vote 'Yes' for willingness to take strike action. Only a strong 'Yes' vote can give the negotiators sufficient leverage to persuade UUK to rethink these draconian proposals.

### Caitlin Adams, UCU Arts Faculty Rep

Any inaccuracies in the notes are the fault of the note-taker and not of the speaker

### THE article published, 16 October 2014:

[www.timeshighereducation.co.uk/news/uuk-data-misleading-over-the-impact-of-uss-reform/2016390.article](http://www.timeshighereducation.co.uk/news/uuk-data-misleading-over-the-impact-of-uss-reform/2016390.article)



## UCU Intellectual Property Protect—new service

I am delighted to let you all know of a brand new legal service has been launched. It is called UCU IP Protect and will provide members with up to 1.5 hours of expert legal advice on intellectual property rights, what they are and how to exploit and protect them. The new service will be accessible via the UCU Support Centre (<https://ucu.custhelp.com>) and is now visible. The service is being offered in a collaboration with international law firm Maclay Murray Spens LLP. Unfortunately, MMS LLP cannot advise in relation to matters in Northern Ireland but we are actively seeking a partner law firm to offer the service to our members in Northern Ireland.



**Michael Scott, UCU National Head of Membership and Professional Support**

## CDSA reminder

We wanted to remind our members that while CDSA forms should be completed, the Valued ways of working and Learning Competency Framework attachments are optional, and mainly for the purpose of self-appraisal. We would encourage staff to reach agreement through meaningful discussion with their appraiser about the most appropriate way of obtaining quality feedback from others on performance, and the best ways of utilising frameworks such as Valued Ways of Working and the Leadership Competency Framework. Where the appraiser and appraisee agree to use them, the VWW and LCF attachments should always be kept confidential and not part of an official record.

The agreement between the University and UCU on CDSA can be found at this address on the HR intranet, under CDSA principles: <http://intranet6.open.ac.uk/human-resources/policies-and-procedures/c#documents>. As stated, there has been no change to agreements reached in 2007 and 1987 and both documents are now on the OU branch of UCU website: <http://ucu.open.ac.uk/rules>.

## Use it, don't lose it!

### A brief guide to Annual leave, Study leave and your contractual rights

As the financial pressures hit Higher Education hard things that used to be easy to do are becoming more difficult as Senior Management tighten their policies and procedures to reflect the changing world. At UCU we are getting increasing queries from staff about their ability to take their study leave with requests being denied that might previously have been accepted.

Similarly with Annual leave, staff are finding that increasing workloads make it difficult to find time to take their leave and at the same time are being held to the fact that carry over of leave is restricted. This brief guide aims to explain your rights so that you can be clear about your entitlements. This is however a brief guide and if you want more detailed advice specific to your circumstances then you should always seek advice from your UCU representative.

#### Study Leave

There are two changes that we are noticing in relation to study leave. The first is the fact that the University is putting more onus on the fact that study leave must support the aims and objectives of the University. In guidance from the PVC Research issued in 2004, examples are given of relevant purposes for study leave including "institutional research of relevance to current issues, RAE research, a change in direction of teaching, or career development". There is clearly a fine balance to be held between requirements that study leave support the aims of the University, and the need for Academic Freedom to allow staff to research areas that they believe are relevant to their subject and each case will be different, so if you do have difficulties then consult your union representative.

From a contractual position, whilst the policy states clearly that you are entitled to your study leave, it does also state that this has to be agreed, which makes it not an absolute right, but one that is qualified. The agreement from your employer "will not be unreasonably withheld" however much hangs on the definition of "unreasonably". If you wish to prove that agreement has been withheld unreasonably then you need to make sure that requests for leave follow the guidance and clearly state the purpose and ways in which it meets the aims set out. As with any case that you may wish to raise with your employer, the more evidence you have in writing the stronger your claim will be.

The second issue that arises in relation to study leave is the ability to carry over leave. Again the guidance from the PVC makes it clear that the carryover of such leave is not to be desired and that whilst taking leave in the correct year "cannot always be achieved...the intention must be that study leave wherever possible is not accrued". The guidance states that "outstanding balances [should be] advised and agreed with individuals on an annual basis". Again this is a qualified right and it is vital that you keep clear records of any requests that you have made that have been denied, along with written evidence of any agreements with your manager relating to carry over of leave to the following year. Do not think that because you had a conversation about it and thought that you had agreement that it is necessarily the case. Managers change and conversations can be understood differently. Always make sure that agreements are put in writing and conversations relating to agreements are followed up in writing. You do not have to wait for your manager to put these things in writing and it is entirely reasonable to write to them stating your understanding of the situation and seeking their confirmation that you have got it right. In the absence of any rebuttal of your view then it can be taken as a clear acceptance that your understanding is correct.

#### Annual leave

As regards annual leave the main issue that we have from staff is that they are unable to carry over leave that they have been unable to take. Firstly, whilst we all know that workloads are becoming heavier and deadlines more pressing, you should always take your leave. The reason that it is now a legal requirement to have at least 28 days off work is a straightforward one; working without a break is bad for your physical and mental health and has a serious impact on your work life balance. It doesn't matter how important your work is, you need to take breaks from it.

From a contractual point of view, an employee is allowed to carry over 10 days of leave in each year. There is also an exceptional situation where a member of staff is unable to take some of their holiday in a particular leave year "due to request made of them by the University" where more days may be carried over "by agreement with the Head of Unit or Sub-Unit". Again this is not an automatic right and it must be with agreement. In order to access this you will need to show that you have not been able to take your leave because of the University. In most instances, this does not mean that your workload was so great that you could not find the time for leave, it means that you have been specifically told not to take your leave, or have had requests refused. There are numerous cases of staff who didn't actually book leave because they were too busy, only to find when requesting a greater carry over than ten days, that their manager refuses because there was no agreement in advance that they could do so.

Please remember: it is a legal requirement to take at least 28 days leave in a year. This requirement is created by the Working Time Directive and is there to protect your health and the health of those around you. Follow the same advice for annual leave as for study leave. Keep records of requests and any agreements to carry over greater amounts of leave (if you really really have to). Book your holiday in advance as much as possible to allow you to prepare for your absence. If your workload is so great that you cannot find the time for annual leave then you should be raising this with your manager at the earliest possible opportunity, again keeping records of any requests and refusals to take leave, or refusals to reduce your workload.

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## ...continued....Use it, don't lose it!

You need to have clear agreed records of conversations relating to leave requests and you should never assume that you will be refused and so not even ask in the first place. If you are going to make a case about your leave and inability to take it then you need evidence to demonstrate what has been happening.

So, in brief for either Study Leave or Annual Leave:

- Put requests in writing
- Seek confirmation of any verbal agreements or instructions in writing
- Do not make assumptions about whether you will have requests accepted or rejected and so not bother to ask in the first place
- Do not assume that you have an automatic right to carry over any form of leave and make sure that you have agreement to do so in writing
- If your workload is such that you do not feel able to take your leave then raise this with your manager and seek an adjustment to your workload (easier said than done but this is a subject that UCU is looking to raise and campaign on. If you would like to get involved in such a campaign then contact the UCU office on [ucu@open.ac.uk](mailto:ucu@open.ac.uk))
- If you are in doubt then do seek advice from your union representative via the UCU office.

**Lydia Richards, UCU Regional Official**

NB—the Leave policy for ALs is at this address: [www2.open.ac.uk/tutors/employment/leave](http://www2.open.ac.uk/tutors/employment/leave)



## UCU Online safety for education staff

The union's CPD programme UCU Learning for Life is now providing some advice on E-Safety and as well as internet safety resources for education staff from the UK Safer Internet Centre.

<http://cpd.web.ucu.org.uk/2014/07/17/internet-safety-resources-keeping-yourself-and-your-students-safe-on-the-internet>

## Don't assume we know

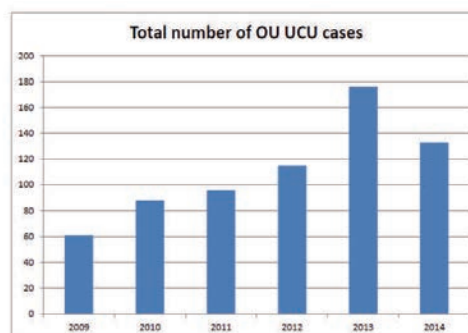
If there is restructuring, reorganisation or refocussing in your OU unit or faculty then please don't assume that the OU branch of UCU knows about—please speak to your UCU rep or contact the Branch office: 01908 6(53069) or email [ucu@open.ac.uk](mailto:ucu@open.ac.uk).

## OU UCU Casework stats – October 2014

Here's some statistics on the total number of current cases the OU branch of UCU is working on, some of them are new and some of them are ongoing.

### By Case Type

Case Type	Current cases
AL issues	19
Fixed term contract	13
Health issue	12
Bullying & Harrassment	8
Line Management issue	6
Study leave	4
Initial enquiry/Deb doesn't know	4
Job description	4
Redundancy & Restructuring	3
Probation	3
Workload issue	3



## Results of the Academic-Related Staff survey

The last issue of *the Spark* launched the 2014 Academic-Related Staff Survey, which aimed to identify priority issues for our members in this staff category. The survey ran over the summer, during which time 142 academic-related staff submitted their views. Approximately 11% of respondents were from Regional and National Offices. Thank you to everyone who completed the survey, this is invaluable feedback which will help us to plan our future activities.

The survey asked respondents to rank up to 13 issues in order of priority:

- Bullying and Harassment
- Career Paths and Development
- Equality Issues
- Fixed Term Contracts
- Flexible Working Options
- Health and Safety
- HERA / Role Grading
- Job Descriptions and Content
- Pensions
- Performance Management Process
- Sickness Management Process
- Workload Problems
- Other (respondents were asked to provide further details)



The mean average rankings indicated that the **top 5 issues for academic-related staff are:**

1. **Workload**
2. Career Paths and Development
3. Flexible Working Options
4. Job Descriptions and Content
5. Pensions

Looking at the most commonly ranked highest priorities, the same issues are identified in the top three places, but priorities 4 and 5 differ:

1. Workload – ranked 1<sup>st</sup> by 30 respondents.
2. Career Paths and Development – ranked 1<sup>st</sup> by 28 respondents.
3. Flexible Working Options – ranked 1<sup>st</sup> by 17 respondents.
4. Pensions – ranked 1<sup>st</sup> by 15 respondents.
5. Fixed Term Contracts (FTCs) – ranked 1<sup>st</sup> by 14 respondents.

This indicated that whilst a particular group of staff consider FTCs to be the highest priority, on average respondents are more concerned by Job Descriptions (ranked highest by only 9 respondents) than by FTCs (where the average ranking was 8<sup>th</sup>). Issues raised in the 'Other' category included lack of job security, the pace of change, lack of support from management, and disability issues. However, only 7 respondents categorised their 'Other' issue as their highest priority.

### Next Steps

The survey identified that the highest priority issues by some way are Workload and Career Paths and Development.

Workload has also been identified as a common issue emerging from casework, affecting all categories of staff. The branch is intending to take this forward as a potential campaign, and will ensure that academic-related staff concerns are well represented.

Career Paths and Development is also a very important issue for all staff, but manifests in different ways for different staff categories. For academic-related staff there are particular concerns over the recognition of 'technical' skills and knowledge, the absence of 'technical' (rather than 'management') paths to advancement, and a lack of opportunities within an often small pool of staff roles. As a result of the survey, we will explore how we can work to improve career paths for academic-related staff, and to ensure that their areas of expertise are recognised. We will keep you up to date with our progress and how you can help in future issues of *the Spark*, but in the meantime if you have any examples of good or bad practice in this area, please send them to [ucu@open.ac.uk](mailto:ucu@open.ac.uk).

For the remaining high priority issues, we continue to keep a watching brief and will take any opportunities that arise to bring about positive improvements. The recent introduction of Agile Working, for example, is subject to monitoring and review by the University and we are keen to ensure that staff views are fully reflected. If you have any feedback about how it is operating in practice, please get in touch.

**Kate Servant, Central Academic-Related Staff Officer**

## Agile working: does it do “what it says on the tin”?

The reason for the question is that we don't know the answer to that because there have been few requests for this brought to our attention. It may be, of course, that there are now a number of happy staff who have been permitted agile working, and therefore did not feel the need to let us know of their success. If so, well done to those who got it, but please let us know about your experiences because they would be helpful to us.

As a caseworker I have dealt with only one person who was asked to consider asking for agile working but, after reviewing the policy and guidance, the individual felt it not to be appropriate to the circumstances. However, that review caused the following concerns:

### Requests are time limited:

Requests for a temporary change may be made only once in six months;

Requests for a permanent change may be made only once in 12 months.

### Appeals:

An appeal against refusal may be made only on two grounds:

- (i) new information;
- (ii) a failure to follow procedure.

What Appeals do not consider is the fairness or reasonableness of a decision. Such a failure is surprising because the way staff are treated is supposed to be underpinned by the principles of justice and fairness. Inevitably there will be occasions when a refusal will be clearly unfair and unreasonable but under the current system there is no appeal against this.

### Temporary changes:

Temporary changes can be ended with one month's notice due to business need, and there is no appeal against the decision. The lack of an appeal is odd, and seems unfair and unjust. Though a further request is permitted, one wonders if a new request will succeed when the original successful request has been terminated.

### No transferability:

Where a request has been granted, whether a permanent change or a temporary one, that is not transferable between units. For example, if an individual moves from Arts to Social Sciences, then a new request for agile working has to be made. Should there be different business needs in the new unit there is no guarantee that the request will be granted.

Agile Working could be improved by making changes to take account of the above comments.

### John Bennett, outgoing OU UCU Exec member and former President

*The branch would like to thank John for his service to the OU branch of UCU—John is not standing for the Exec committee for 2014-2015 but has offered to be on any future picket lines!*

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## Staff organising for Sustainability

The handbook “Staff Organising for Sustainability” was launched at UCU Congress this year, it can be found at this address: [www.ucu.org.uk/environment](http://www.ucu.org.uk/environment). This handbook is about how our branches can make sustainability an organising issue linked to decent jobs and social justice. It is an extremely useful resource for our reps and also worth reading for anyone interested in these issues. The handbook is a vital part of UCU's environmental campaigning and we have also called for increased staff and student involvement in universities and colleges' efforts to reduce carbon emissions.



### Ronnie Kershaw – UCU National Organiser

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## UCU mugs and canvas bags

UCU have produced some new “Build the union” mugs and canvas bags, see photos — the mugs cannot be posted as they don't ever arrive in one piece but if you are at Walton Hall then please call into room 015, Wilson C block and collect one. If you would like a canvas bag then please phone 01908 6(53069) or email [ucu@open.ac.uk](mailto:ucu@open.ac.uk). Other UCU items are available: pens, lanyards, A5 note pads and UCU pin badges.





## OU UCU AL Reps committee

We sent out a recruitment email in September to 4800 OU Associate Lecturers who are not members of UCU. We were pleased to recruit an extra 29 new AL members. Here's a photo of our AL Reps committee who currently meet 4 times per year at the OU office in Camden.



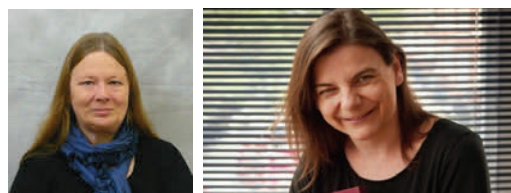
## UCU Annual Equality conference—2 members attending

Two members, Pauline Collins and Costas Athanasopoulos, from the OU branch of UCU are attending the UCU Annual Equality conference, 13th—15th November 2014, at the Manchester Conference Centre.

Thursday 13th November 2014—Women Members' Conference; Friday 14th November 2014—Black Members Conference; Friday 14th November 2014—Disabled Members Conference and Saturday 15th November 2014—LGBT Members Conference

A workshop will be organised on Friday afternoon for those who are not attending the black members conference or disabled members conference but travelling home later on Friday or staying for the LGBT conference

Speakers will include UCU President, Liz Lawrence and General Secretary, Sally Hunt.



## UCU's Learning for life programme

A reminder that UCU now offers a free continuing professional development (CPD) programme with an extensive range of courses and downloadable guides providing practical help at work, and many branches are finding this a great way to promote UCU, to staff who've not yet joined: <http://cpd.web.ucu.org.uk/>.



## Former Branch President in hospital

We are sad to report that former Branch President Roger Walters had a stroke at the end of August—he has been in Northampton General Hospital, but has now been moved to the Danetre Hospital in Daventry. Visiting hours are 12.00-1.30pm and 4.30-8.00pm. Access after 6pm is via a buzzer at the main entrance.

The hospital is situated on the B4038 and the address is Danetre Hospital, London Road, Daventry, NN11 4DY. There is free parking on-site.

The main hospital number is 01327 708800, 7.30 am - 6pm, Mon to Fri. The direct line to the ward is 01327 702113.

## Gender inequality

The latest Sex and Power report has been published by the Centre for Women and Democracy. It makes for depressing reading. This report highlights that gender inequality in the workplace is alive and well. For example women make up only:

### Politics

23% of MPs  
23% of cabinet ministers

### Private sector

17% of FTSE 100 companies  
12% of FTSE 250 companies

### Media

0% of CEOs of television companies  
5% of National Daily Newspaper Editors  
28% of Directors of Television News Companies  
32% of National Theatre Companies

### In the health sector where most staff are women, women CEOs only make up:

0% of Ambulance NHS Trusts  
25% of Strategic Health Authority Trusts  
32% of Mental Health NHS Trusts  
38% of Acute NHS Trusts

### Universities

With about 60% of staff in universities being women, the number of women Vice-Chancellors is still only at 14.2%, the same as in 2013. This percentage has only increased 2% in 10 years, since 2003.

<http://www.cfwd.org.uk/>



## TUC report on discrimination against older women

There is a TUC report on discrimination against older women. The report can be accessed at this address:  
[www.tuc.org.uk/sites/default/files/Age\\_Immaterial\\_Women\\_Over\\_50\\_Report\\_2014\\_LR.pdf](http://www.tuc.org.uk/sites/default/files/Age_Immaterial_Women_Over_50_Report_2014_LR.pdf)

The report looks at the work experiences of women over 50. It finds that women in this age group earn a fifth less than their male counterparts. Half of women aged 50 to 64 are working in jobs where they deliver public services. This has put them in the front line of funding cuts and outsourcing.

Women over 50 are the first generation to have been protected by equal pay and sex discrimination laws, and the first to have rights to paid maternity leave. Yet after decades of hard work, many of women of my generation feel, to be frank, short changed.

**Lesley Kane, Honorary Secretary**

## The Opaque University?

Staff at the Regional/national centre in Bristol were surprised to have a new "opaque" window fitted so that staff cannot be seen by any visitors to the building!



## Milton Keynes Pensioners Association

MK Pensioners Association appeals each year to trade union branches in Milton Keynes for financial help. We wanted to tell you that our current battle is to defend the quality of life that we have. Our main concern is the aim of the Government to privatise the NHS. Turning the name into a brand name with all services eventually run by the private sector. Plans announced by the Government to make changes in the A&E is to suit private companies who see no profit in A&E and just want to pick off the parts of the NHS where they can make money.

The policy of MK Pensioners Association is to oppose their plans up to the general election and afterwards if need be. Our battle is your members' battle that's why we need your support. We are an active association sending delegates to the Blackpool Pensioners Parliament, NPC Home Counties North in Luton. With delegates ready to attend the NPC Transport Conference in London and the biannual delegates conference in Stoke on Trent. We remind branches that it would be helpful if they would encourage their members to join the association at £5 per year from 55 years old.

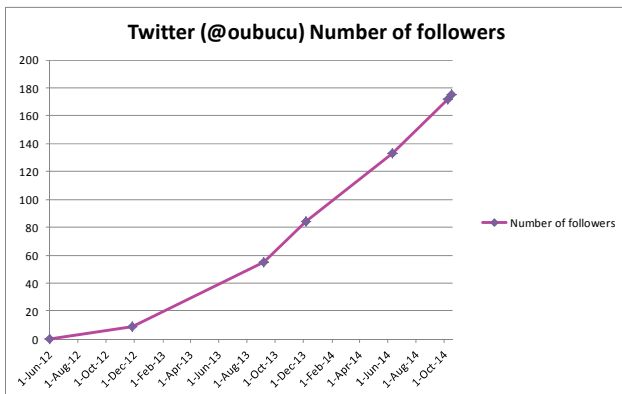
**Dennis Brett, MK Pensioners Association**  
Tel: 01908 617405 or [d.brett49@btinternet.com](mailto:d.brett49@btinternet.com)

## Tracking our Twitter account—follow oubucu

If you are a Twitter user then please follow the branch account—the account name is **oubucu** and the following graph shows the number of twitter followers we've had since the account was launched in 2012. Our target is to be as popular as the Leeds University branch of UCU, they currently have 1944 followers and their branch is smaller than ours! As at 28 October 2014, we have 177 followers.

<https://twitter.com/oubucu> (OU branch of UCU)

<https://twitter.com/leedsucu> (Leeds University branch of UCU)



## UCU Anti-casualisation twitter activity

UCU has a separate Twitter account for its Anti-Casualisation Committee and you can follow their Twitter account at this address: [https://twitter.com/UCUAnti\\_Cas](https://twitter.com/UCUAnti_Cas).

UCU's Anti-Casualisation Committee: Campaigning against [#zerohours](https://twitter.com/zerohours) "flexploitation" and casual contracts in further and higher education.



## Black and Minority Ethnic (BME) Conference report, 21 Oct 2014

On Tuesday 21<sup>st</sup> October 2014 a half-day conference was held at the Open University's (OU's) Walton Hall Campus. It was organised by the Open University, the University and College Union (UCU) and the OU's own BME Network.

The primary objective of the conference was to consider the following question:  
**In today's multicultural Britain, just how diverse are our Universities?**

The afternoon also afforded the OU's BME Network to launch its own constitution and statement of purpose.

The conference started with a networking lunch, offering delegates the opportunity to make acquaintances and to meet the speakers. There were approximately 50 attendees at the conference:

The following speakers agreed to attend and presented their topics with aplomb:

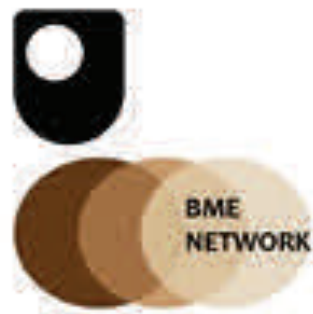
- Prof Gus John – International Consultant & Executive Coach; Honorary Fellow and Associate Professor, Institute of Education - University of London  
Title: [Quickening the Pace! - The power of Global Majority activism in H.E.](#)
- Prof Harinder Bahra - The Change Management Consulting Group  
Title: [Tackling race discrimination in the work place](#)
- Prof Gargi Bhattacharyya - University of East London  
Title: [Recruitment - The "Whitening" of the H.E. Sector](#)

The presentations were followed by an in-depth and thought-provoking Questions & Answers session, Chaired by Mr Sas Amoah from the OU BME Network.

The overall consensus of delegates was that the conference was a success and that we really should build on this event to drive future initiatives.

A vote of thanks needs to go to the Open University for agreeing to host this important event; the local branch of the UCU, who agreed to provide administrative and financial support for the event; the UCU Head Office, who also provided financial support, and in particular the Equality Support Official, Chris Nicholas who provided valuable guidance; and finally the speakers, who availed of their valuable time to address the conference.

**Denzil DeSouza – BME Network**



## Branch response to the Locations Analysis Project team

On 17th October 2014, the OU branch of UCU sent a five page document to the Locations Analysis Project team. We have provided the introduction and conclusion from that document but if you want to read the full version, it's at the top of the Campaigns page on the branch website: <http://ucu.open.ac.uk/campaigns>

### Introduction

The Locations Analysis starts from the position that the current environment has changed considerably since the 2009 Review which had concluded that the closure of regional centres would be costly and not improve the service for students. The analysis argues that the operating model is now very different with the advent of Student Support Teams. Its starting position is that the decline of face to face tutorials, an increase in use of technology for the delivery of modules plus the reduction of the external facing role of regional offices mean that there is now much less need for a regional presence.

This paper presents an alternative position. In particular it challenges the notion that because there are SSTs, there is less need for a regional presence; indeed it argues the very opposite.

### Buy-In from University Staff and Trade Unions

The Locations Analysis document does not identify the need for buy-in from the University Staff and the Unions are only identified as key stakeholders, 'to be kept informed'. This is worrying given the growing numbers of staff, both academic and non-academic, concerned at the current direction of travel of the University. Staff are entitled to evidence on what is currently working, a full cost-benefit analysis regarding any proposed changes, including consideration of opportunity costs.

### Conclusion

In summary, the existing regional structure is in a strong and flexible position to take advantage of a changing political environment and the development of local as well as national partnerships. Internally, there have been significant changes with the switch to qualification-based study, higher tuition fees and the establishment of SSTs. These changes need time to be fully embedded and assessed. A quality student experience will require a balance of old and new systems and practices, in particular the preservation of all that marks the OU out from other online distance learning providers. A regional infrastructure remains crucial to widening access, ensuring quality student experience and the successful completion of qualifications.

### OU Branch of UCU Regional Campaign team

*If you want to get involved with the Regional Campaign team then please contact the branch office—the next meeting is on 5th November at 2pm. Our next event is a lobby of the OU Council meeting on 25th November 2014.*



## Build our regions—together we are stronger



**CHALLENGE**—We want members to take a “selfie” photo and post it to our photo wall any time from now until Christmas. A Rosie-the-riveter style head scarf has been posted to each OU Regional/national centre and there are spare ones in the UCU office. You can take as many “selfies” as you want, try taking one with another member of OU staff, as long as you have that person's permission to tweet the photo.

If you use Twitter then you can tweet your photo using the hashtag:

**#buildourregions.**

Further information on the photo wall will be sent to all members.



## Getting Legal Advice from the Union

Many employment queries do not actually need formal legal advice and you should always seek initial advice from the Union Office. The UCU Regional Office has prioritised giving advice to local representatives to support them in handling casework and we will normally refer all queries back to the branch in the first instance. **If you need advice on an employment matter you should get in touch with the local branch at [ucu@open.ac.uk](mailto:ucu@open.ac.uk).**



In the event that your case is complex and you think that you are going to need more formal legal advice then you should make that request to the Branch office. Your local caseworker can help you gather the materials that you need to seek more formal advice and then if they cannot assist you they can make a referral to the regional office for further help. We will need to have:

- A clear explanation of your case along with a chronology of events
- A copy of your current contract and any previous contracts that might have relevance to your case
- A copy of any correspondence or e-mail exchanges relating to your case
- A copy of any procedures relating to your case
- A completed pro forma which can be obtained from your local caseworker.

Gathering this information is an extremely important stage in this process as we will be unable to advise you correctly without it. We need to be able to see the evidence in order to advise you on the merits of any particular claim and cannot give advice when we do not have it.

Once a case has been referred to us by your local representative, the Regional Office will establish whether the query can be handled by us or whether we need to ask for a solicitor's opinion. In most instances the Regional Office will be able to give you the initial legal advice however if we need to make a referral you should be aware that it can take up to three weeks to get an initial opinion from our solicitors. UCU will not then simply take legal action on your behalf unless our internal processes have been followed and this can mean that we need to refer your case to our legal aid panel for their approval to support your case financially.

In most cases, taking a case to an Employment Tribunal has to be done within three months of the act of which you are complaining. This means that we need to have all of the information as quickly as possible so that we can pursue legal advice for you. Until UCU has formally agreed to support your legal case then the responsibility is on you to ensure that legal deadlines are met.

Legal action can be lengthy and stressful and if it is at all possible to negotiate with your employer to reach an agreed outcome then we will always explore that option with you. You should also note that you now must explore the option of conciliation through ACAS if you have a legal claim to make and it is normally not possible to go to an Employment Tribunal unless you have been to ACAS first. UCU can provide you with advice on this process however further information can be found on the ACAS website at <http://www.acas.org.uk/earlyconciliation>

If you have a potential claim for Personal Injury then this is handled separately from our usual employment law processes. If you wish to find out whether you have a claim for personal injury then you can fill out the form directly on the UCU national website either on our Home Page or at <https://ucu.custhelp.com/app/ask>

If you have any queries about this process then please do not hesitate to contact the OU UCU branch office at [ucu@open.ac.uk](mailto:ucu@open.ac.uk) or 01908 6(53069).

**Lydia Richards, UCU Regional Official**

## Share action USS campaign

I'm in the same pension fund as you, and I want to make sure that my savings reflect my views about the Living Wage and other ethical issues. USS is the UK's largest pension scheme, making investments all over the world on behalf of people like us working in higher education. This is a huge opportunity to influence company behaviour for the better, and to ensure our money is helping to make the world a better place – both for current and future generations.

Major concerns have been raised by USS members in recent years, on issues ranging from living wage, to child labour, tobacco, armaments and climate change. Many of these issues may also put at risk the long term financial returns of our pension investments. But our views have not been listened to by the USS Trustees, stating that they are not able to incorporate our ethical concerns into the scheme's investment policy. That's why a group of fellow USS members and I have decided to launch a petition today, calling on our pension fund to properly listen to our views:

**[Click here to sign your name and add pressure on USS.](http://listentouss.org/)** (<http://listentouss.org/>)

At a time when the financial benefits of our pension scheme are under threat, it is more important than ever that we hold USS to account and demand that our concerns are listened to. We also have a strong legal endorsement to persuade USS, following a recent landmark report from the Law Commission, which confirms that pension schemes may incorporate members' ethical views directly into investment policy in certain circumstances.

But it's only going to happen if USS hears from us in big numbers! In the past, we have been successful in achieving change, thanks to a powerful 'Ethics for USS' campaign in the 1990s, which many of us were involved with, leading to USS becoming the first scheme in the UK to appoint a responsible investment officer. It's time to hold USS to account once again, and demand a proper say in where and how our money gets invested.

Together we are stronger – whilst they might politely ignore individual emails from us, they can't ignore thousands of members' signatures publically holding them to account. So let's get as many of us together as we can, and then we'll deliver the petition to the USS board personally, at their annual Institutions' Meeting in December.

Please join me:

**[We have just 6 weeks for USS to hear our demands - sign and share the petition with your colleagues now.](#)**

**Professor Tim Valentine**  
**USS Member and former Chair of 'Ethics for USS' campaign steering group**

P.S. This campaign is officially supported by ShareAction and the University and College Union (UCU). You can find out more here: [www.listentouss.org](http://www.listentouss.org)



## Brief history of USS

Before OU staff were members of USS for their pension, the scheme was called the Federated Superannuation System for Universities" (FSSU). The scheme was a Defined Contribution scheme, the benefit being through annuity or cash payment payable at age 60.

Membership was compulsory and the member had to nominate an Insurance Company, mine for example, was Scottish Widows, as I liked the advert! But this was one of the many draw backs of the scheme, members received little or no advice on an appropriate insurance company. As a consequence members received differential benefits at the age of 60 depending on the success of the insurance policy, yet all staff were paying the same defined contribution.

The Association of University Teachers (the union name before UCU was formed in 2006) in the late 1960s/early 1970s was anxious to remedy this anomalous and unequal situation and campaigned for a Defined Benefit based upon final salary administered by an independent company.

The employers together with the FSSU were less than enthusiastic, nevertheless the AUT's campaign was successful and the USS was introduced on 1<sup>st</sup> April 1975. It would appear to me that in the current situation the employer is seeking to reverse the gains of the 1970's based upon disputed data concerning the sustainability of the USS scheme by trying eventually to introduce a defined contribution scheme suffering from the same draw backs of FSSU.

**Eric Wade, Exec member**

## Reps and Publicity contacts photo gallery

There are now 3 photo grids on the notice board outside the UCU office, they show Exec members, Walton Hall Departmental reps and Regional/national centre reps. This grid shows the regional/national centre reps.

<p><b>OU in London</b> Matt Staples (rep)</p> 	<p><b>OU in the South</b> <b>Vacancy</b></p> <p>UCU members working in the Oxford regional centre, please get in touch if you could be our contact or rep?</p>	<p><b>OU in the South West</b> Liz White (rep)</p> 	<p><b>OU in the West Midlands</b> Martina Gibbons (rep)</p> 
<p><b>OU in the East Midlands</b> Brendan Quinn (rep)</p> 	<p><b>OU in the East of England</b> Glenis Moore</p> 	<p><b>OU in Yorkshire</b> Elvira Haeussler (rep) &amp; Karen Woods (publicity contact)</p> 	<p><b>OU in the North West</b> Sarah Wilkinson (rep)</p> 
<p><b>OU in the North</b> Graham Storey (rep)</p> 	<p><b>OU in Wales</b> Ceri Phillips (rep)</p> 	<p><b>OU in Scotland</b> George Callaghan (rep)</p> 	<p><b>OU in Ireland</b> Philip O'Sullivan (rep)</p> 
<p><b>OU in the South East</b> Paula James (rep)</p> 	<p>East Grinstead office closes on 30th November 2014.</p> 		



## Three new UCU reps/contacts

We are pleased to report that three new UCU reps/contacts have come forward:

- Kyren Burns is now a third UCU rep in LTS
- Caroline Holland is now a third UCU rep in HSC
- Steve Clayton is now a second UCU rep in Social Sciences.

**We still need to find UCU contacts/ reps in these Walton Hall units—please email [ucu@open.ac.uk](mailto:ucu@open.ac.uk) if you want to find out what's involved:** BDU, Development office, Estates, Finance, HR & Student Services.

## Why did you join UCU?

**Answer from a UCU member:**

*I joined UCU because I know that power is frequently abused. Rights and respect for individuals somehow disappear when money-saving and pet projects are being forced through. The union has a big enough presence to insist that agreements and processes are honoured.*

The branch would like to make a video showing members explaining why they joined the University and College Union. You do not have to appear in the video but we can use your reason if you send it to us.



## Did you get your ballot paper from Electoral Reform Services?

A few members contacted us during the USS dispute ballot as they had not received their paper ballot paper from Electoral Reform Services. Some of those members had an old home or workplace address on the UCU membership database, although some members' information was correct on the database and yet they still did not receive the ballot paper.

Please make sure UCU has the correct workplace and home address for you — login to the members area and check: <https://members.ucu.org.uk>.



## Minorities and Philosophy organisation: MAP

MAP is a collection of students in English-speaking philosophy departments that aims to examine and address issues of minority participation in academic philosophy. More information about who we are and what we do can be found here: [www.mapforthe-gap.com/about.html](http://www.mapforthe-gap.com/about.html).

Recently we have had a number of schools start chapters in the UK, and given this expansion we are seeking a volunteer based in the UK to coordinate our activities there. For details on the role and how to apply, download the application document here: [www.mapforthe-gap.com/home/uk-regional-directorship-applications-open](http://www.mapforthe-gap.com/home/uk-regional-directorship-applications-open).

If you have any questions about the application process, or about the MAP organisation more generally, please feel free to contact us at: [mapforthe-gap@gmail.com](mailto:mapforthe-gap@gmail.com) We look forward to hearing from you!



**Costas Athanasopoulos, Branch Equality Officer**

## 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 The Spark Editor

I am writing to you in response to the letter about the failure of some managers to apply fair selection processes in recruiting academic staff to roles. I know of a specific recent case in my Faculty where this has been done - where someone who had come to the end of his term of office as an Associate Dean was just reappointed with no interview or recruitment process - and no public explanation of this. The incumbent was male and those subject to proper process - who had to reapply for their office as the term had come to an end - were female. It has not gone unnoticed in the Faculty and smacks of cronyism.

Best Wishes  
UCU member

## Thank you to our members who previewed the AL workload questionnaire

We had many constructive comments from branch members which helped us to produce the final version of our survey on AL workload. We'd like to say thank you to everyone who gave feedback. A few of the comments follow: -

*"I think your questions cover most of the AL duties. However, I wonder if it is possible to get something in about the 'other' activities that we are asked to do from TutorHome e.g I recently received an email from my Line manager advising me (and other ALs on the Module) to undertake a training course on the use of OU Live. The course was said to require 8 hours of work (unpaid)."*

*"It's lovely to be asked about this! Would it be possible to add a question regarding how long it takes tutors to travel to their tutorials and when they set off? I think this may be a relevant question, especially for the Scottish based ALs. I know some of them need an overnight to be able to travel to and from their tutorials."*

*"Another thing (which may not be relevant for this particular survey) might be the additional roles which as ALs are only allowed to hold if they teach a module. This is highly significant as it covers nearly a third of my income yet the hours I am paid for it."*

*".....the obligatory staff seminars for which one doesn't get paid (although they try to convince you that your 'salary' includes these two additional days in the year); the hours one is expected to travel to a tutorial (in my case I'm away from home for 7¾ hours each time I have a 2 hour tutorial)."*

*"Because the survey (new AL Workload survey) is only module based, it doesn't give an idea of some of the worst effects of our contractual position. I am currently out of contract now. I hold 2 contracts but they won't be live until next February, so no work and no money until then....."*

UCU campaigns for secure contracts for all staff in higher education, including OU Associate Lecturers, and this is at the heart of our campaign against zero hours contracts and other forms of casualised employment. However we often find that staff on insecure contracts are also working many more hours than they are paid for, because being on an insecure contract means staff feel they cannot say "no". This is why UCU, at local and national level, has made workload and pay part of its campaign for a fair deal for staff on insecure contracts.

For more information on what other branches as well as the national UCU are doing for the Anti-Casualisation day of action, visit this website: <http://www.ucu.org.uk/index.cfm?articleid=7247>.



## Your Executive Committee 2013-14

### 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)  
Twitter: @oubucu

**President:** Pauline Collins

**Honorary Secretary:** Lesley Kane

**Honorary Treasurer:** Stephen Pattinson

**Vice Presidents:** David Knowles and Meridian

**Equality Officer:** Costas Athanasopoulos

**Central Academic Staff Officer:** Jonathan Hughes

**Central Academic-Related Staff Officer:** Kate Servant

**Regional/National Academic Staff Officer:** Philip O'Sullivan

**Regional/National Academic-Related Staff Officer:** Liz White

**Associate Lecturers Officer:** Judy Ekins

### Ordinary Members:

Jeni Aldridge	David Houpt
John Bennett	Hilary Partridge
Chris Bollom	John Peters
Eric Bowers	Peter Piper
Gill Clough	Nicolas van Labeke
Bruce Heil	Eric Wade

Photos of these people are on our branch website: [www.ucu.open.ac.uk](http://www.ucu.open.ac.uk).

### UCU National Exec Committee Members:

Lesley Kane and Roger Walters

**Father of NUJ Chapel** - vacancy

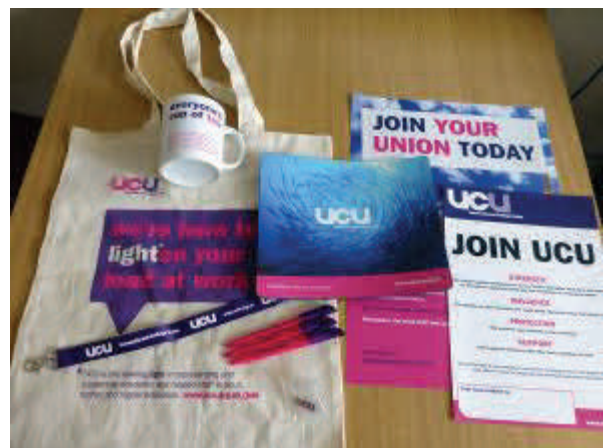
## Need help?

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.

## 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](mailto: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
- Mouse mat
- Publicity posters



## Branch meetings 2014

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

Wednesday 19th November 2014 AGM at 12.30pm, Room B232 or you can take part remotely in this meeting using our OU Live room – you need to make sure you have the latest version of Java installed.  
<http://learn3.open.ac.uk/mod/oucollaborate/view.php?id=44811>.