

The Open University branch of UCU

# The Spark — March 2012

## CE redundancies go ahead – UCU calls for external enquiry

The University Council decided last week to endorse a proposal to stop in principle the direct employment of staff in Continental Europe and to trigger a formal redundancy consultation process. This is “subject to due process in each country” and also “subject to full and active consultation with UCU.” This affects 102 Associate lecturers and nine academic-related staff.

The Council did not agree to a proposal from UCU that it should defer a decision to allow time for full consideration and consultation on all relevant issues, to be informed by a thorough investigation into the University’s employment practices outside the UK, with a view to reaching agreement with UCU on means to protect the University’s reputation and credibility and to avoid the need for redundancies.

The University has announced that the decision has been made because “Council viewed the current position as no longer sustainable for a combination of regulatory, operational and financial reasons.” It is however widely believed that the main driver for this decision is the University’s failure over many years to put in place proper and lawful employment arrangements for staff employed outside the UK – it is understood that the University fails to comply in some countries with tax and social security requirements.

In a message handed to Council members as they arrived at the meeting, OU UCU President Roger Walters appealed to them to “take the responsible and honourable course of action” and argued that “for the staff concerned to be sacrificed because of the University’s failure to put in place proper and lawful employment arrangements is simply dishonourable and unacceptable.”

Following the Council decision, he expressed his deep regret that Council had failed to do so but instead is to press ahead with a redundancy process which could lead to over 100 staff, many of them long serving and for whom the OU is their only or main employer, losing their jobs. “UCU members of course care about the reputation of the OU especially at a time which is critical in the light of the uncertainty caused by changes in the funding regime. But we are simply not prepared to remain silent whilst so many highly committed staff are thrown out of a job. I will therefore be writing to HEFCE to ask it to conduct an enquiry into the OU’s failure to act lawfully and properly and to honour its promises to the staff in continental Europe. We will also engage in the formal consultation process in which the employer is obliged to consider means to avoid, reduce, or mitigate the impact of, redundancies.” This consultation process has to last for a minimum of three months.

The University is pressing ahead with these redundancies before it has decided what alternative arrangements are to be put in place for those students currently supported by those ALs who it proposes be made redundant. It estimates that the substantial cost of making the redundancies will take over ten years to recover but even this estimate is viewed as being rather modest by UCU.

Council will decide whether to go ahead and confirm redundancies at its meeting on 17 July when it will receive a report of the formal consultation process. The University “is looking to terminate employment contracts by 31 October 2012 wherever possible.”



### Inside this issue:

USS dispute update	2
Stop the cuts ePetition	4
A change resistant organization and AL sick pay	5
CDSA for ALs	6
Research Excellence Framework	7
Student Quotas—a clarification	9
Tales from the picket lines, day of action	11-13
What is an AL paid to do?	14-15
Letter to the Editor	17

APOLOGY for offensive comments in the last issue of Spark about the Directors of Estates and Human Resources, see page 2.

## USS dispute update

The industrial action in relation to USS has been suspended with effect from Wednesday 15th February until Monday 18th June. This follows an overwhelming decision by a special Conference of representatives of USS affected branches held on January 31st, a decision which OU branch delegates supported following discussions at a special Branch meeting.

# USS

The suspension of action allows negotiations to take place on all of the issues of concern to UCU with the intention of introducing further and beneficial changes to our pension scheme. The aim of your negotiators will be to:

- build on the success already achieved and ensure that the right of members over 55 to an unreduced pension on redundancy remains a permanent feature of our pension scheme;
- ensure that USS remains an attractive and competitive pension scheme that provides a package of benefits which is at least as good as those available in the public sector schemes, particularly the Teachers Pension Scheme. This will include a review of accrual rates, inflation and revaluation rates and caps.

The negotiations will require a great deal of detailed work which will be assisted, when required, by USS staff, by the scheme actuary and by our independent actuarial advisors. In line with the Conference decision, the "Independent Chair" of the JNC will play no part in the negotiating working party. Discussions will take place directly between your Union and the employers.

A detailed timetable has been agreed and we will aim to reach agreement on most of the major issues by early Autumn. The suspension of action has been time limited so that the UCU Annual HE Conference can review progress when it meets in June.

UCU will be doing everything it can to ensure that this process reaches a successful conclusion. If it does not, your negotiators will not hesitate to recommend not just a resumption but a serious escalation of industrial action.

Alan Carr—National Treasurer, USS Negotiator and member of Branch Exec Committee

---

## Apology

In the last normal issue of The Spark (Nov 2011), the article about the lunchtime closure of the bars at Walton Hall inadvertently included a sentence which stated that Alan Burrell, Director of Estates and Nigel Holt, Director of Human Resources, had lied to staff and students at a meeting about the bar closure. The inclusion of this statement and other errors in the article were due to imperfect and incomplete editing both on the part of the author of the article and of the editor of The Spark.

As respectively the person with overall responsibility for the content of The Spark and the author of that article, we unreservedly withdraw that allegation and we deeply regret any offence caused by casting unwarranted aspersions on the honesty, integrity and professionalism of Alan and Nigel.

Although we both have strong views about the decision to close the bars at lunchtime, we are very sorry that discourteous and offensive comments were included in that article. We have each apologised privately both to Alan and to Nigel but in all the circumstances we wish to make our apologies public.

Roger Walters, President OU UCU

John Bennett, member of OU UCU branch Executive Committee



## Suspension of AL contract negotiations

As reported to members already, the AL contract negotiations have been suspended following an attempt by the University, which UCU resisted, to abandon them altogether.

Our attention will now shift in the short term to seeking to secure some piecemeal improvements to the current contract and we are surveying the views of members on priorities for such changes.

However we also see it as vital to build and organise the membership so that we are well placed to campaign to ensure that the new contract is not forgotten and to re-open the negotiations by this time next year at the latest.

---

## Branch by-election results

Sue Pearce from LTS has been elected as the branch's central academic-related staff officer in a by-election to fill vacancies not filled in the annual elections at the end of last year. She defeated Jeni Aldridge by 239 votes to 117.

Dorothy Calderwood, also from LTS and Mike McNulty, an AL from the North region, were elected to fill two vacancies as ordinary members of the executive. The full count for this election can be found here on the branch website, [News page \(ucu.open.ac.uk/news\)](#) and a full list of the membership of the branch executive is on page 17.

---

## Sally Hunt re-elected

Sally Hunt has been re-elected General Secretary of UCU with a decisive majority. She defeated challenger Mark Campbell, who was supported by the group which styles itself UCU Left, by 10,776 votes to 3941 – a majority more than five times **greater than when she was first elected UCU General Secretary in 2007. Speaking after the result Sally said "College and university staff play a vital role in our society and they deserve better than to have their pensions attacked, pay frozen and the services they provide threatened with privatisation.**

**"UCU's role today is not just to protect members' professional interests but also to stand up for the value of education itself. Improving support for members and branches in the current climate is not an optional extra, it is essential to protect our people wherever they work.**

**"I stood on a platform of improving services for members and supporting branches, campaigning on what matters and giving members more say in the union's decisions. Achieving this will mean making difficult choices such as reducing the size of our national executive committee to that of other unions in order to put more resources on the front line. This election result and the strong mandate I have received shows that UCU members recognise the need for positive change within the union if we are to rise to the many challenges we face."**

The results of the elections for members of the National Executive committee are due to be announced later this week.



---

## Fixed term or permanent after 4 years?

Section 8 of the Fixed Term Employees Regulations states that fixed term employees with over four years' service and at least one renewal or extension of contract, shall be permanent unless the fixed term nature of their contract is justified on objective grounds.

If this applies to you, please be aware that unless you pursue the matter proactively the OU will continue to regard you as fixed term.

If you think you should be recognised as permanent, please do not let the matter drift, because you could find you have left it too late. You should look into it while your contract has some time (ideally at least a year) still to run, and seek Union advice at an early stage about approaching the OU and requesting confirmation of permanency.

## Stop the cuts in the Open University

The ePetition which the OU UCU branch launched to call on the government to stop the cuts in the OU has now nearly 50,000 signatures and is ranked in the top 10 out of more than 10,000 ePetitions to the government. We now need a big push to double numbers and reach the 100,000 which will then provide an opportunity for a parliamentary debate and raise the profile of the impact of government policies on the OU. This is particularly important as we get closer to October 2012 and what could be a big drop in OU recruitment of new students in response to a tripling of fees.



The petition focuses on the cuts in the OU but puts these in the wider context of the cuts in higher education. The petition stresses the dangers which the cuts pose to widening participation and the social mission of the OU. The link to the petition is here: <http://epetitions.direct.gov.uk/petitions/22316>

As well as signing this yourself if you have not already done so, please widely promote the link to the ePetition and encourage friends and colleagues to sign, in particular using any appropriate email lists which you have access to.

Please use Facebook and other social networking sites to put the link out and encourage online friends to click and sign.

Please use trades union, political, social, environmental and any other networks you are part of to promote the link and encourage people to sign.



## NHS cuts in Milton Keynes

The NHS in Milton Keynes - as in most other parts of the country - is already feeling the squeeze from the government mismanagement of the NHS. The proposed bill to "reform" the NHS would open the door to a free market which would be disastrous especially in an expanding area like Milton Keynes.

We urge those of you in the Milton Keynes area to sign the petition below, which calls on the two local Tory MPs to join the ever growing and broad campaign to drop this damaging and ill considered bill.

<http://www.gopetition.com/petitions/dropthebillmk.html>



## Management aborts meeting on Student Services reorganisation

Management representatives recently aborted one of a series of scheduled meetings with the Union on Student Services reorganisation because they were unhappy with the Union's announcement on the suspension of AL contract negotiations. Union representatives arrived to be informed that the Director, Students was unwilling to proceed with the meeting and the Director of HR announced that he did not feel it appropriate to go ahead. After protests from the Union the management agreed that a senior member of HR could remain to listen to Union feedback on some crucial developments on the understanding that this was a purely informal meeting.

Academic related staff in regional and national centres will no doubt be dismayed to learn that management prefer to make such gestures rather than engage in proper discussions with the Union about issues of crucial relevance to them, especially when the reason for the abandonment of the meeting had nothing at all to do with that group of staff.

## A change resistant organisation?

Staff in IT were astonished last month to see an advert on the Computer Weekly website for a Head of Service Delivery in Milton Keynes. Though the ad did not mention the OU, they quickly and correctly identified the ad as being for an OU job which had recently become vacant.

The advert described the task as “turning around a failing and ill performing support function” with a need to improve services “within a change resistant organisation”. A requirement for the role was to “have worked within change resistant organisations in the past with firm experience of turning around a failing support function.”

IT senior management quickly had the advert removed from that website and issued an assurance to staff in IT that this ad had been placed by an agency without approval from anyone in the OU. Furthermore they revealed that the post had not even been cleared for advertising at that stage. However more than three weeks later an only slightly modified advert still containing the requirement “to have worked within change resistant organisations in the past with firm experience of turning around a failing support function” was still live on a number of other websites.

Staff in IT will wonder whether the agency in question thought up the quite offensive references themselves or whether they were reflecting on discussions with OU management which the latter had intended to remain confidential.

---

## AL sick pay

I have had a number of queries recently about AL sick pay, so I thought it would be useful to write a short explanation of the scheme and what we advise ALs to do if they are ill.

ALs are entitled to sick pay, on similar terms to those for full time staff. You can read about the scheme in paragraph 24 of AL Terms and Conditions. Self certification documents must be completed by all staff for absences due to illness (or injury) of 4 working days or more but not more than 7 calendar days from the first day of **the absence. If the absence continues for 8 calendar days or more a doctor’s medical certificate must be sent to the Staff Payments Office.** Once an AL has been off sick for a month, the length of paid sick leave they are entitled to increases with length of service, and varies between one month on full pay and one month on half pay in the first three months, up to 6 months on full pay and 6 months on half pay after 5 years service. For periods of sickness less than a month, payment is at the discretion of the regional/national director. I do not know of any instances where ALs have not been paid when they have been ill for less than a month, and ALs who have pay docked should get in touch with UCU.



Full time staff who have a separate AL contract on the side are not allowed to be off sick from their day job, while carrying on with their AL work. They must stop work altogether. Some of the convoluted language in paragraph 24 is to cover this possibility.

ALs do not have fixed working times, and usually if they are unwell and expect the illness to last only for a day or two, they do not call in sick, but plan to catch up on the work when they feel better. They consider that it is only necessary to tell their staff tutor if they need to postpone a tutorial. Even then it is usual for the tutorial to be re-scheduled for a later date, rather than taken by someone else. On the whole, the OU is not much troubled by AL sickness, ALs do the work even when unwell. UCU feels that this situation is becoming untenable, as some ALs now have very heavy workloads making it difficult to catch up even after only a couple of days off, and all ALs are subject to increased monitoring of their work, particularly marking turnaround time. We are therefore encouraging ALs to call in sick on the first day they do no work, especially if this is during or just before a period of marking. It may be that they agree with their staff tutor that they will catch up, but if they turn out to be more ill than they first thought it will be easier to get work re-scheduled or re-allocated if they have kept their line manager informed from the beginning. There should be no pressure about returning TMAs late if they have called in sick for a few days, although it is a good idea to let students know if this is likely to happen. ALs may find they have to be quite assertive about getting work re-allocated, staff tutors would prefer that they do not have to pay another AL to do it. To be fair, they have no way of knowing how ill the AL is, so it is up to the AL to tell them.

Sue Hawthorne, Exec member

## CDSA for ALs

Several members, especially regional/national academic staff, have expressed concerns that the introduction of CDSA for ALs will be a significant additional workload and it is far from clear how staff are expected to manage this new workload on top of existing work pressures. This issue has not yet been resolved, although the rollout of the process formally started in February.

The guidelines for AL CDSA suggest that each appraiser should appraise a maximum of 30 ALs within a period of two years to be completed over 2 years, so there will be on average 15 CDSAs for each Staff Tutor/Senior Faculty Manager or Lead Line Manager (LLM) each year. This compares with the maximum of 10 internal staff a year which any one person should be expected to conduct CDSAs for.

There is, as yet, no definite allocation of time in workload planning for academic staff in the regions/nations who have to carry out CDSA for the ALs whom they line manage. There had been some general discussion of an allowance of 2 weeks – 10 working days – **but this is not a formal policy or guidance yet, more of a “rule of thumb” working assumption, based on a rough calculation that each CDSA will take approximately half a days work.** From discussions with those involved in the pilot of CDSA, half a day was deemed a reasonable time if the CDSA was done by phone or Elluminate, but feedback indicated that face to face meetings took longer, not only because travel was involved but also because face to face meetings naturally tended to develop to cover other issues.

On a technical note, a new field for AL CDSA apparently was created in the Academic Workload Planning form in 2011 for the workload planning year 2011/12 but was not used by many staff. The facility to record it on the workload planning system is in place therefore. If this issue wasn't discussed in depth at last year's workload planning meetings, now the process has begun I think it is fair to assume that regional/national academic staff will raise it – and obviously should raise it – at their next workload planning meetings with their respective HoDs /line managers.

So there is little concrete information or guidance in place yet on this workload issue. The only firm information on which to base a guide, as to how much time to allow for this, is from the pilot of CDSA by the early adopters. I was told that the survey results from 300 participants – both ALs and staff conducting CDSAs – is being assessed right now by the AL CDSA steering group and, having considered the responses, a recommendation will be made to the faculties. After that the process is a little less clear, but as far as I understand it, faculties will then announce their own faculty workload allowances/norms for AL CDSA for regional/national academic staff through their ADRNs or equivalents. This is a situation which the union will continue to monitor. It cannot be right for AL CDSAs to be conducted on the margins of staff time and it is crucial for this to be fully taken into account in workload management to ensure that staff have sufficient time to conduct CDSAs for their ALs properly and effectively.

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

---

## UCU weekly campaigns email

The weekly Campaigns email will now be sent direct from UCU HQ to ALL members, rather than being forwarded to you by our Hon. Secretary, Lesley Kane. It will include all the latest news, parliamentary updates, current campaigns and essential links to UCU's specialist topic newsletters such as academic related staff, fixed-term contract staff and many more.



The first one of these emails was sent on Friday 13th January 2012 by Justine Stephens, Head of Campaigns at UCU—if you have not received these emails then it could be that UCU head office do not have your current email address. You can now check and amend your own record on the UCU membership database at this address: <https://members.ucu.org.uk/>. Alternatively email [ucu@open.ac.uk](mailto:ucu@open.ac.uk) and Deb can get your email address updated.

---

## As the REF replaces RAE: are you ready?

Higher education funding councils are using a different way of collecting information to allocate research funding from this year. The research excellence framework (REF) replaces the research assessment exercise (RAE). Like the RAE, the REF affects all academics who are entitled to carry out research.

According to the higher education funding Council for England (HEFCE) the primary purpose of the REF is to allocate research **funding accountability and to establish "reputational yard sticks" and benchmarking information.** UCU's view is that it's less benign: it is essentially a performance management tool applied at the level of universities with potential links to performance management within them. UCU rejects performance management while approving of professional development and appraisal – a two-way process based on an individual's academic role profile.

Each institution has been asked to provide the relevant higher education funding body with a code of practice by July this year. The code of practice defines the REF process. While UCU looks internationally for a substitute for the REF – sensible forms of gauging research activities for strategic purposes exist elsewhere – it is seeking to ensure that the REF is carried out fairly and equitably.

### What academics need to understand

Selection for the REF is likely to be harder than for the RAE, so a higher number of rejections is likely. However the REF can't and doesn't capture the true value of your contribution, only your research activity that fits a particular set of criteria. Some research won't "fit".

**UCU's view is that you should treat the REF as a measure of a proportion of an institution's research output, not as a measure of you.** It is important to remember that research is a team effort that involves many, including non-academic staff, and that your contribution to the University is wider and further-reaching than just research output.

The OU has agreed to include its own code of a number of clauses to protect individuals. These include reduced research outputs for particular groups of academics, for example those who have taken maternity, paternity or adoption leave and those with disabilities. It has also agreed to a "no detriment" clause so that academics who are rejected in the REF selection are protected. Non-selection for the REF should not mean that you sacrifice promotion, or be more likely to be made redundant, be less likely to have your study leave plans approved or that your teaching workload will increase. Your annual appraisal must be based on your job description and expectations – not comparison with your peers.

OU UCU advises you to read the REF code of practice carefully, when it is published and report any non-compliance directly to the branch by emailing [ucu@open.ac.uk](mailto:ucu@open.ac.uk). The Union will catalogue instances of non-compliance and inconsistencies of application across the University and act accordingly.

Sheila Tyler, Central Academic Staff Officer



## UCU personal injury claims

Just to let you know that a new online claim form has been introduced for members wishing to pursue a new personal injury/disease claim, including stress related. The online claim form may be found in the UCU Support Centre site (<https://ucu.custhelp.com>). It considerably speeds up the process of getting a claim out to our agents for investigation.

Although members can still call 0333 2400 474 or email [injuredatwork@ucu.org.uk](mailto:injuredatwork@ucu.org.uk) and speak to/contact a member of the **legal team**, it is the legal team's much preferred option that all new personal injury claims are now initiated by the member using the online form.

## New technology

The introduction of new technology is a negotiable item in the OU UCU branch's procedural agreement with management, so it is legitimate for our members to raise concerns with us about new technology, preferably before the OU has invested large amounts of money in whatever gizmo is cause for concern.

Safety considerations are still outstanding from the introduction of Lync phones in case of need to summon the emergency services quickly.

Many ALs are still having problems coping with the whiteboard in Elluminate, which one just can't write on the way one would write on a real whiteboard, and would happily swap some of the bells and whistles in this piece of software for a more usable whiteboard and a more reliable connection so that students and staff are not cut off part way through tutorials.

Pioneering is fine, but new technology needs to be properly tested in the situation it is going to be used in, and with the kind of **people who are going to use it. It isn't always best to "be first" if the technology still has "bugs" in it and other people end up learning from our mistakes.**



---

## AL work on conference moderation

At the last meeting of the Joint Negotiating Committee we told management that we had heard of cases where conference moderation work had been taken away from ALs who had been doing it for a number of years and redistributed to give other ALs experience.

We pointed out that this work often provided a considerable proportion of OU income for the ALs in question, that it usually includes providing academic support, and that it is not genuine self employment. The ALs concerned are often financially dependent on this work, and they should be treated as OU employees in this role.

This was referred to the AL Working group. In the meantime we ask our staff tutor members to be mindful that ALs who have been doing this work for some time may well be financially dependent on it.

---

## Changes in reporting of injuries

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR)

The Health & Safety Executive (HSE) guide to Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) has been updated to reflect the changes to reporting that are likely to take place from 6th April as a result of Lord Young's recommendations. Employers will only have to report injuries that lead to an absence from normal duties of over 7 days. (Major injuries set out in Schedule 1 of RIDDOR will still have to be reported as at present).

The revised guidance is at: [www.hse.gov.uk/pubns/priced/l73.pdf](http://www.hse.gov.uk/pubns/priced/l73.pdf)

The HSE website and the guidance both make it clear that "Employers and others with responsibilities under RIDDOR must still keep a record of all over three day injuries (i.e. where there are more than 10 employees) – if the employer has to keep an accident book, then this record will be enough."





## Are you on a Secretarial and Clerical contract?

We have no way of checking what grade a member of staff is, when they join UCU — however if you are grade 6 or below then the recognised trade union at the Open University for you is UNISON and not UCU. If you are on a Secretarial and Clerical contract, you should be a member of UNISON.

UCU is the nationally recognised body representing professional staff in Higher and Further Education. We are the representative voice for academic staff, academic-related staff, research staff and Associate Lecturers at the Open University. Open University UCU members work as academics, researchers, administrators, librarians, computer staff and Associate Lecturers, whether on fixed-term or on permanent contracts; whether full-time or part-time.

All staff on grade 7 and above are eligible to join UCU and for staff grades 1-6, you are eligible to join UNISON, some academic-related trainees and research assistants are appointed to the top 3 points of grade 6 with the right to progress to grade 7. These staff are on academic-related or research conditions of employment and are also eligible to join UCU.



For further information on UNISON please contact Cathy Williamson on 01908 6(53957), email [unison@open.ac.uk](mailto:unison@open.ac.uk) or visit: [www.unison.org.uk](http://www.unison.org.uk) or <http://intranet.open.ac.uk/unison>.

## UNISON—new Branch Secretary

We are very pleased to report that the OU branch of UNISON now has a new Branch Secretary, Kym Gosling is now working in the UNISON office full-time for 4 days per week (Monday-Thursday). Kym previously worked in LTS.

## Student Quotas and AL Employment

The University Secretary has asked us to clarify some aspects of the article headed Student Quotas and AL Employment in the last issue of The Spark (Nov 2011).

**Firstly he advises that it is not the case that "The University wished to limit the number of new students beginning their studies under the old fee system as they would be able to continue to pay fees at their current level for a few years."**

The University is committed to giving students and potential students choice as to whether to study now and be eligible for transition fee arrangements or to study later under the new fee arrangements – as some might prefer to do – so long as the University can cope with the numbers.

While there have always been quotas on some courses because of particular constraints (for example the availability of experimental kits, or capacity problems including constraints imposed by HEFCE), there have not been overall quotas for several years because the University has been able to stay within HEFCE student number limits without them. Quotas on new students were introduced last autumn because of a concern that there might be higher student numbers than the University could cope with in a situation where there was considerable uncertainty about the impact on recruitment of the announced future funding changes. There were no quotas on continuing students and the University is committed to enabling all students who meet the eligibility criteria for transitional fees to complete their studies under fees and financial support arrangements broadly similar to those applying when they joined the University.

The University might need to have tight quotas in future if, as expected, the funding bodies impose tight student number controls for part time students in England and possibly Wales, to limit the student loans bill. Full time student numbers are already controlled.



## Are you worried about job security?

You are not alone. This University is facing unprecedented changes due to the changing external funding environment. As a result there are many changes taking place internally. UCU are being inundated with requests for help with regard to personal cases, if you are worried, or are feeling bullied or harassed do get in touch, we can help.

Call in to the OU UCU office, room 015, Wilson C block, Walton Hall

Or email: [ucu@open.ac.uk](mailto:ucu@open.ac.uk)

Or phone: 01908 6(53069)

## CDSA and valued ways of working

Many members have asked us if the Union has agreed the valued ways of working to be part of the CDSA process. The answer is NO.

The CDSA is based on a national agreement supplemented by a local agreement with the OU. It cannot be changed without the agreement of UCU at both local and national level.

## Are you on a Fixed Term contract?

Do you know about the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, where a fixed-term employee has the right not to be treated by his/her employer less favourably than the employer treats a comparable permanent employee? Do you know that failing to renew a fixed-term contract is considered to be a dismissal? You have the right to statutory redundancy payments (after two years' service). These Regulations still apply to you, even if you have less than 4 years' service. If you have any worries about your situation please get in touch: 01908 6(53069) or email [ucu@open.ac.uk](mailto:ucu@open.ac.uk).

## Pass it on...and win £200 book tokens

Recruitment is of course vital to the health of the Union and it's really important that all new staff know about UCU and are encouraged to join as soon as they start their new job, along with encouraging colleagues who are not members to join. The OU branch of UCU writes to all eligible staff when they appear on the HR Starters report, inviting them to join UCU.

The Campaigns office at UCU Head office is currently running a "Pass it on..." recruit a colleague campaign and they are offering a prize for the member who gets the most colleagues to join UCU online using this link:

[http://join\\_web.ucu.org.uk/ym10](http://join_web.ucu.org.uk/ym10)

There is also a range of new join UCU posters, and the branch office has a stock of them—please contact the branch office if you have a place you could put one of the new posters.

The image displays four promotional posters for UCU. The first poster features silhouettes of a diverse group of people and the text "There's strength in numbers" and "So join your union today". The second poster shows a woman holding a sign that says "Join UCU NOW". The third poster shows a person holding a sign that says "JOIN YOUR UNION TODAY". The fourth poster features a red button with the word "HELP" and the text "For IMMEDIATE support Join your union now!". Each poster includes the UCU logo and contact information.

## Tales from the picket lines—day of action 30 November 2011

Newyddion o Gymru/the news from Wales

A good day to report in Cardiff—I was at the picket before 8am; Kevin Pascoe joined me at 9.30 and Eric Bowers at 11.30; and shortly after we set off to assemble in Cathays Park and march to the Glamorgan cricket ground for a rally. So it was a small picket and a huge rally. Other UCU members either worked away or were on strike. Rob Humphreys very helpfully mentioned at a staff briefing that staff should support the pickets because they were there for all of us – so our colleagues in UNISON or not in a union were distinctly more positive towards us this time – offers of coffee etc. And we stopped the postman, who rang his boss for advice then left it. Again helpfully, the building supervisor had told her staff not to interfere with the picketing (last time the receptionist dashed out and tried to grab the mail from the postman!) (*photos by Hugh Mackay*)

Hugh MacKay



Just to report that we had a successful picket outside the OU in Wales on 30th November. As before the Royal Mail deliverer would not cross the picket line and took the day's mail away with him. We had a good deal of sympathetic comment from UNISON members, many of whom regretted that they were not joining the strike. At midday we joined the rally and march through the centre of Cardiff. I would estimate about 2000 people on the march which was a pretty impressive sight, pity we did not have our banner with us!

Eric Bowers, AL rep for Wales

We had a small but successful picket in Manchester, then went on to join a massive demonstration. Couldn't begin to estimate numbers, but huge!

Hilary Partridge, OU UCU Exec member

Similar in Belfast. Successful picket – many thanks to those who turned up at 7.30am – only one member crossed the picket line – UNISON members sympathetic – post turned away. Huge march and rally – I would estimate about 20,000 people.

Alan Carr, UCU rep for Ireland

## Tales from the picket lines—day of action 30 November 2011

Also a good day in Scotland. Five on the picket line; many colleagues took the day off. We then joined the Edinburgh protest march where we proudly flew our UCU flag beside other UCU banners and, along with (hard to say but probably between 7000 – 10000) marched down the royal mile to a rally outside the Scottish Parliament.

Now we need the coalition to listen!

George Callaghan, UCU rep for Scotland

Picket in Edinburgh was also good. Some non-union and UNISON people going in but all very sympathetic. Had a good discussion with PCS and FDA pickets 100 yards along the road. March here 15000 I would think.

Bruce Heil, OU UCU Exec member

Seven of us picketed the OU's East Grinstead office (8 if you include Tony's son who came to take photos) on 30th November. We got half a dozen mean spirited voice and hand signals, but there was overwhelming support (hoots, friendly waves, thumbs up etc) from the thousands of passing cars/lorries (the office is on the busy A22).

The local paper, journalist and photographer, came and the following article appeared in the 1st December issue of the East Grinstead Courier & Observer. ([www.thisissussex.co.uk](http://www.thisissussex.co.uk))

John James, AL rep for the South East



Pictured from left to right: Sharon Pinkney, Ali Andrew, Elvira Haeussler and Lenny the Guide dog, Madeleine Smith & Naomi Colhoun

We had a good day on 30th November, though cold, and it got windy mid-morning so all our posters were blowing off the ground floor windowsill. There were 5 of us altogether and all 5 joined the rally. In the process of picketing, we got one very likely new member and another one who wants to join. Many non-UCU staff expressed their full support for the strike, and we had no problems.

Our new banner got its first outing during the rally as well, pictured with us all standing outside the Leeds R07 office.

After the rally we managed to pick up some UCU Save Our Pension posters which other members had stapled to sticks. I've kept those to make it easier for us to carry posters to any future rallies.

Elvira Haeussler, UCU rep for Yorkshire

## Tales from the picket lines—day of action 30 November 2011



Region 3, Bristol picket line from left to right (front row): Barbara Segal, Felicity Harper, Pat Thompson and Sally Organ.



Region 1, London picket line, photo from: <http://ouactivists.wordpress.com/>

The response in London was incredible. Over the day we had 24 people picketing – mostly in the morning, from 7.30am. At one stage we had 17 people outside the regional centre (I informed the assistant regional director of the relevant legislation and moved five of them to an appropriate distance away from the centre, where they acted as a supportive group.) It was immense and a real statement of solidarity. The atmosphere was great. Some colleagues left at midday for the march or chose to attend this instead of picketing.

During the morning, and after confirming that he was a member of the CWU, the postman listened to our arguments and refused to cross the picket to deliver post in the morning or collect in the afternoon, which was greeted with applause by colleagues. What was most striking, pardon the pun, was not the number of strikers but the number of people who did not come in. Most staff tutors and advisors stayed away from work and also two members of senior management. This meant we were quite unoccupied at times, aside from Secretarial & Clerical colleagues bringing drinks and a home made Bara Brith baked by our office services manager who is an ex-Welsh guardsman and a fine home baker. We even had a banner (pictured above.)

Matt Staples, UCU rep for London

## Vacancies in our Branch

AL Regional Reps: there are vacancies for AL regional reps in London and in Ireland. (Full list of reps at [ucu.open.ac.uk/al-reps](http://ucu.open.ac.uk/al-reps))

Walton Hall departmental reps: we are still looking for a UCU member to act as a point of contact in many Walton Hall units/departments, the only duty you would be asked to do is to put up posters/publicity in your department. (Full list of WH departmental reps at [ucu.open.ac.uk/people](http://ucu.open.ac.uk/people))

Regional/national centre reps—we are still looking for UCU members to act as a rep in Oxford, Gateshead and East Grinstead. (Full list of regional/national centre reps at [ucu.open.ac.uk/people](http://ucu.open.ac.uk/people))

If you are interested in taking one of these roles, please contact Deb on 01908 6(53069) or email [ucu@open.ac.uk](mailto:ucu@open.ac.uk) or call into Room 015, Wilson C block.



## What is an AL paid to do?

My piece in the last edition of Spark on the topic of telephoning students at course start (<http://bit.ly/yiwrT9> page 12 "Welsh National Director writes to ALs") attracted some criticism from managers who felt I was being negative. My intention was to write a tongue in cheek account of some of the pitfalls of telephoning students, so I am sorry some readers were not amused. I made an effort, before writing it, to find out that some ALs feel telephoning all their students at course start is a worthwhile exercise, and I did not wish to negate their point of view. They tended to have **many years' experience, had become accustomed to contacting their students by phone** before email and forums came into use and saw no reason to change their practice. They need to bear in mind though, that the OU has not increased AL salaries to take account of the time we now spend dealing with electronic communications. It is clear too that ALs have very different experiences of telephoning depending on what they teach and where they teach it.



There is a more serious underlying issue, which is of increasing concern to UCU, and this is the number of layers of managers at the OU who feel they have the right to instruct ALs to do something, which may or may not lie within the AL job description and is very rarely paid for. ALs are generally line managed by a staff tutor, or possibly several staff tutors if they teach more than one module, but the other managers who like to allot tasks to ALs include course team members, faculty managers, regional support staff and regional directors. I am sure that ALs who read this piece will write in and add to the list. ALs who **object to putting in the extra time demanded are likely to be accused of being "unprofessional", which is an insidious argument**, especially now that ALs are subject to performance review and CDSA.

The most recent batch of complaints I have had about this centre around Elluminate. UCU has been telling the OU for some time that the training for Elluminate is inadequate. **ALs have become accustomed to learning to use new software "on the job"** over the past few years, but Elluminate is different, as it requires an audience and ALs would generally prefer not to make a fool of themselves in front of a group of students. The OU does seem to have belatedly accepted that more training would be a good idea and region 01 ALs are the latest to receive the following communication from their regional office.

*Dear R01 Associate Lecturer*

*We have booked two dedicated 3 week Tutor Moderators online staff development modules for R01 ALs:*

- \* *Learn more about the tools available for moderating the OU forum, Elluminate and the OU wiki.*
- \* *Exchange ideas with your fellow ALs on good practices in working to support online groups.*
- \* *Feel part of the R01 AL online community.*

*Availability:*

*27th Feb - 18th Mar 2012*

*12th Mar - 1st April 2012*

*Participation times during each Week of the course are flexible, except for a choice of Elluminate demonstrations on the Tuesday and Wednesday evenings of Week 2 of the module at 7-30 pm. The module is suitable for anyone who wishes to learn about using forums, wikis and Elluminate in teaching and learning. Participants are expected to spend around 4 to 5 hours in each Week of the course. This module will run in the latest OU online learning environment.*

The remainder of the email is to do with registering for the course; there is no mention anywhere of payment for 4 to 5 hours of work each week over the three weeks of the course.

A further concern about Elluminate is the amount of time it takes to prepare whiteboards, longer than for a face-to-face tutorial, where board work is done in real time. There have been different attitudes to this from different module teams. Some have paid an AL or course team member to produce whiteboards and made them available to all ALs teaching the course, and this is obviously acceptable. Others have adopted a more radical approach, the most egregious of which is LORO, a scheme for language ALs to create their own learning materials for Elluminate and share them, but without pay. ALs are under strong pressure to contribute and are made to feel unprofessional if they refuse. I am unable to access the LORO website myself, as it is restricted to language ALs, but I would be interested in hearing more about it from members.

Other Elluminate issues include:

*....continued over*

## ..continued: What is an AL paid to do?

- connection problems, with some students being unable to get into Elluminate at all, some being able to get in but unable to speak and sometimes unable to hear the tutor.
- an hour-long Elluminate session often turns into a 2 hour session once time to resolve individual technical issues, to reconnect if the tutor's connection is lost and to get preparatory material loaded onto the whiteboard is taken into account.
- when Elluminate doesn't go well, the students often perceive that as a tutor failure.

I think it would be helpful to look in some detail at AL salary and what an AL is paid to do. I will use S104 as an example. According to the OU website, an S104 AL will work for an average time of 6.5 hours per week. The course runs over 39 weeks, but about 20 days (4 weeks) of this are holiday, so an AL is reckoned to work a total of  $35 \times 6.5 = 227.5$  hours on a single presentation of S104. 34 hours are contact, or teaching time. This is usually divided up into say 15 face to face tutorials of 2 hours each with the remaining 4 hours being allowed for other teaching activities, but regions have discretion on this, so there will be some variation. ALs are allowed an hour and 20 minutes preparation time for each contact hour so teaching time in this case accounts for  $34 \times 2.33 = \text{about } 79$  hours out of the 227.5 hours, leaving 148.5 for everything else. The lion's share will be taken up with marking.

There is also a small inconsistency here insofar as the fractional FTE corresponding to salary band 8 translates into 213 hours per year, not 227.5, based on 37 hours a week and statutory minimum holiday, so the OU's starting point seems to be that AL are working for 14 hours more than they are paid for.

There are 20 students in a standard S104 group, and 7 TMAs. If all the TMAs were submitted that would be 140 TMAs, and allowing 45 minutes to mark each one would account for 105 hours. Of course, we know from the OU UCU marking time survey that the University wide average for marking a TMA is nearer to an hour and a half, and S104 TMAs took even longer, but I digress. The OU assumes that not all TMAs will be submitted and therefore applies a scaling down factor, based on historic data. For the Science faculty this is about 62% so in practice S104 ALs are allowed around 65 hours for marking for an entire presentation of the course. Subtracting this from our 148.5 hours leaves about 84 hours. ALs are expected to attend two days of staff development each year\*, and this accounts for 15 of those hours, so we are left with 69 hours for all other work on S104, less than 2 hours per week, for everything including dealing with student emails and telephone calls, reading tutor forums, reading the course material etc. You can find a job description for the AL role at <https://intranet-gw.open.ac.uk/student-services/alt-services/pages/mopp-01.php> (scroll down the page).

I think it is clear that an AL does not need to respond positively to management requests for "extras" (such as telephoning the whole group) very often before we leave behind the sphere of paid work and join the voluntary sector. Applying a realistic figure for marking time wipes out all the time allowed for ad hoc student support for the duration of the module. Another "extra" is that recently the University has been loading groups to more than the standard allocation. An S104 AL could be given up to 25 students without extra pay. At 45 minutes per TMA this would account for around another 17 hours marking time after applying the scaling down factor, to say nothing of the extra work that supporting 5 more students would entail.

S104 is a 60 point module, for other 60 point modules the figures are similar, the times for 30 point modules are about halved. If you want to do your own calculation you can find the basic parameters for your course at <https://msds.open.ac.uk/tutorhome/coursepayments.aspx>, with the exception of the weighting factors for TMA return rates, which UCU will supply on request, although our latest figures are for 2009.

I know that many ALs do not work for the money, and do not mind spending extra time supporting students, as they get their job satisfaction in other ways. Unfortunately, the University knows this too, and has shown it is only too ready to exploit this attitude.

\* The two days of staff development time is per AL not per appointment, so ALs who teach more than one course gain a bit of time here.



# Letter 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 must express my disappointment at the negative attitude of Sue Hawthorne’s article “Welsh National Director writes to ALs” in the November 2011 issue of Spark. Although I am an AL with a large tutor group (33 students) I welcome the opportunity to make voice contact with everyone at the start of the module, and have heard no dissenting voices among my AL colleagues in Wales.

The conversations provided a useful means of differentiating between confident and nervous students, allowing me to pick up several issues which might not have come to light in an email exchange. In my ‘welcome’ email I invited students to phone me to introduce themselves, and many of them did call on the days when I had told them I would be available. I then only had to call the remainder, and I must say that I encountered none of the difficulties outlined in Sue’s article. There was certainly no need to set aside ‘every evening for a week’; calls lasted no more than 5 minutes – often much less – so 33 calls would have taken less than 3 hours in total, spread over a period of a week, which I think is time well spent to give students a good start and begin to build a good working relationship with each one individually.

Margaret Southgate

## Helping the OU branch of UCU

You will see below a check list of items that you may or may not be able to do to help the OU branch of UCU – we know that everyone is very busy but we want to hear from you, even if you can only offer to be the person in your unit who is willing to receive UCU publicity, it all helps! Please either print and complete the table and then return it to me at the address on the last page, or just send the information by email to [ucu@open.ac.uk](mailto:ucu@open.ac.uk).

For info—there will be a second meeting for Walton Hall based members on Wed 25th April at 12.30pm, room to be advised. Please email [ucu@open.ac.uk](mailto:ucu@open.ac.uk) if you would like to be included in the invite to this meeting.

NAME:	YES
I would be willing to put up posters in my area/building. Please specify your area or building.....	
I would be willing to send a recruitment email round to all the eligible non-members in my unit or sub-unit. Please specify your unit or sub-unit <i>(If you offer to do this Deb will send you a list of all eligible staff who are non-members in your unit or sub-unit and model text for the email.)</i> Please specify your unit or sub-unit .....	
I would be willing to be named as a union Departmental rep for my unit or sub-unit. Please specify your unit or sub-unit .....	
I would be willing to have my name on a standard letter to new eligible staff in my unit or sub-unit. <i>(If you agree to do this Deb will send you the standard letter and regularly tell you which new staff in your unit or sub-unit this had been sent to – you would not need to write to them yourselves.)</i>	
I would be willing to follow up on new eligible staff a month or two after they had received the above letter, to ask them if they had considered joining UCU.	
Do you have any other ideas for recruiting new members that you can share with us?	





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)

## Your Executive Committee 2011-12

- President: Roger Walters (r.j.walters)  
Honorary Secretary: Lesley Kane (l.h.kane)  
Honorary Treasurer: David Knowles (d.w.knowles)  
Vice Presidents: Pauline Collins & Bethan Norfor  
Immediate Past President: N/a as Roger Walters  
Equality Officer: Jonathan Jewell  
Central Academic Staff Officer: Sheila Tyler  
Central Academic-Related Staff Officer: Sue Pearce  
Regional/National Academic Staff Officer: **Philip O'Sullivan**  
Regional/National Academic-Related Staff Officer: Hilary Partridge  
Associate Lecturers Officer: Judy Ekins  
Ordinary Members:  
John Bennett                      Mike McNulty  
Eric Bowers                        John Peters  
Anne Brown                        Peter Piper  
Dorothy Calderwood            Eric Wade  
Sue Hawthorne  
Bruce Heil  
Malcolm Jenner  
  
NEC Members:  
Alan Carr  
Pauline Collins  
Lesley Kane  
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).

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



A6 notepad



Lanyard



Pens



Publicity posters

## Branch meetings 2012

Future scheduled branch meeting dates are as follows:

13th March 2012, 12.30pm, in the Berrill Lecture theatre

2nd May 2012, 12.30pm in the Berrill Lecture theatre

27th September 2012, 12.30pm in the Berrill Lecture theatre

AGM, 27th November 2012, 12.30pm in the Berrill Lecture theatre

