



The Researchers' Survival Guide

GETTING A BETTER DEAL FOR ACADEMIC RESEARCH STAFF



Foreword

UCU has published this guide in order to provide practical advice on a wide range of issues relating to your career. It has been written primarily by researchers for researchers. Inside, you will find information on what to expect when you start in your first post, how to plan your career and achieve greater job security. There is also advice on publishing, knowing your basic employment rights and networking with other staff. Although the guide is primarily aimed at researchers who are starting their careers, we hope that it will prove useful to all whose primary work is in research. It can be challenging when starting your first job and often the best advice comes from more experienced colleagues. We have aimed to put this knowledge to good use in this booklet.

Nationally 70% of research staff are employed on fixed-term contracts. Researchers play a vital role in our institutions and their skills and commitment should be properly rewarded. UCU campaigns for far greater job security for researchers so that they can develop rewarding careers and in order to create the best possible environment for world-class research. Researchers make a significant contribution to education and wider society. They deserve the stability and security of permanent employment which will only increase the scope of their contribution.

This booklet will be updated and we welcome your suggestions so that we can improve it. Please email us at researchers@ucu.org.uk

We hope you find the guide useful and look forward to hearing from you.

Ronnie Kershaw
UCU national organiser

Thank you

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Introduction

There are around 40,000 researchers currently employed in higher education institutions, staff whose primary role is research activity. British academia, society and the economy all benefit enormously from the knowledge creation and scholarly activity undertaken by researchers like you. But this value is not always reflected in the way universities and the government allow researchers to be treated.

Some researchers are on permanent contracts at their university. For some, research is a career in itself. For many more it is, in theory at least, a step on the road to building a traditional teaching and research academic career. Most researchers are on the lowest academic grades and are typically on some form of fixed-term contract. Some research assistants are even paid by the hour. Despite these varying experiences and expectations, researchers do form a community of practitioners with many common features and common pressures. Their distinctive experience of the working world sets them apart from

their other academic colleagues to some extent. For example, researchers typically face acute instability of employment, being employed on various forms of short-term contract. Even those who are permanent find themselves at risk of redundancy every time they fail to secure new funding. For many, particularly postdoctoral researchers, when the contract ends they are simply dispensed with by their institution.

Instability of employment brings with it other problems. There is an inherent temptation for universities to view short-term contract staff as second-class employees. If a member of staff is employed for three years and has to spend time during the last of those years applying for jobs, it is tempting for universities to view them as transients who need less attention than their permanent colleagues. Such second-class status permeates institutions, to be felt at faculty and department level too. Researchers often find they don't have budgets to go to conferences, don't have adequate work-spaces and aren't informed about

department meetings. This can create a feeling of isolation and of not being valued.

Although some of these problems are recognised by institutions and funding councils, UCU is actively working to improve the situation. This is because our members who are researchers are making this happen. They speak up, organise among themselves, recruit their colleagues and campaign in their institutions to win change. They also campaign in the union for change. As a result, UCU is fighting to end the use of fixed-term contracts and to ensure that researchers receive equal treatment as employees of universities and as professional academics. This guide is part of that fight. It aims to inform you what to expect from your institution and from your research manager or supervisor. If you don't know what you should expect, you can't know whether you are being unfairly treated and you can't begin to change things. It is also designed to give you advice on how to seek change. Some of the standards it sets down are

established by law, such as the regulations that establish an employer's duty not to treat fixed-term staff any less favourably than comparable permanent employees. Other parts of it are not regulated by law, however, and here the standards are those set by widely recognised 'best practice' in the field of academia.

Knowing the standards and identifying unfairness is one thing, but the point is to change it. In the guide, we also suggest ways in which you can improve things for yourself and other research staff in your institution.

It is your career and you need the best possible research environment. Through your union you can help to make the changes that are needed.

Section 1

Your employer's duties and your rights

As a researcher, it is easy to imagine that you are employed by your principal investigator or research supervisor, or even by the external body that funds your project. But that is not the case and this fact is vitally important. The university where your project is based is your employer and that means that the university has duties towards you and that you have rights in law.

The unfavourable treatment experienced by fixed-term contract staff can manifest itself in many ways. The key issue is job insecurity. Although you should be treated the same as other staff groups it isn't often the case when it comes to efforts to prevent you being made redundant at the end of your contract. UCU is using legal successes backed by strong campaigning to negotiate redundancy avoidance agreements that include researchers.

Other examples of unfair treatment include researchers not receiving

the recognition for the work they do or being discouraged from viewing themselves as full members of the academic team. You don't have to accept this.

There is legislation governing the rights of fixed-term employees, which was passed in 2002. Perhaps the most powerful aspect of this legislation is the stipulation that such staff must be treated 'no less favourably' than comparable staff.

■ THE LAW

Like all unions UCU tries to resolve members' employment related disputes through negotiations at local level. Your branch or local association should always be your first port of call. Using the law is always a last resort. It can be stressful, time-consuming and the outcome cannot be guaranteed. UCU does use the law to help members when other avenues have been exhausted. We have been very effective in a number of significant

cases in advancing the rights of fixed-term contract staff as well as winning thousands of pounds in compensation at employment tribunals for our members. The law is also helping UCU to negotiate agreements in a growing number of universities that improve job security for researchers. Look at your university's website for policies that affect you. Contact your local branch/association to provide guidance in exercising your rights.

Here is an outline of some key employment rights:

- Fixed-term employees have the right to be treated no less favourably than comparable employees on permanent contracts.
- This relates to all terms and conditions including pay, career development and pensions as well as training and the opportunity to apply for permanent posts.
- The 'less favourable treatment' does not only apply to contractual terms, but to any benefit offered to employees. This right only applies if the less favourable treatment is because the employee is a fixed-term employee, and the treatment is not justified on objective grounds.
- The regulations limit the use of successive fixed-term contracts to a period of four years.
- Once a fixed-term employee has four years' continuous service on two or more contracts (or has had their contract renewed), the contract automatically becomes indefinite unless the continued use is objectively justified.



Who are comparable staff?

A comparator is someone employed by the same employer who is defined in the regulations as 'engaged in the same or broadly similar work having regard, where relevant, to whether they have a similar level of qualification and skill'. It doesn't have to be someone with the same job title or someone on the same salary scale. It can be a staff member with a similar level of qualifications, skills and a similar work role.

What is objective justification?

The regulations do not define objective justification, leaving this open to interpretation by employers. This applies both to equal treatment and the use of successive fixed-term contracts. UCU does not believe that there could be any such grounds for less favourable treatment of our fixed-term members. UCU also believes that there should be fair, transparent and objective reasons for placing a post initially and subsequently on a fixed-term contract. This should only be done in exceptional circumstances. See Appendix 1 at the end of this guide for further details.

There was a case in 2008 (Ball v Aberdeen) where a UCU member,

Dr Ball, was supported by his union in taking a claim to an employment tribunal after he sought confirmation of his permanent status under the regulations.

The tribunal rejected the university's case that short-term funding could automatically provide a justification for employment on a fixed-term. Although not legally-binding, this is a significant judgement. For further details see <http://bit.ly/2SgoH7>

Differences in treatment or confirming permanent contracts? Requesting written statements

If you believe that you are being discriminated against because you are on a fixed-term contract, you have the right to request in writing a written statement giving reasons for the difference in treatment. Employers must provide this within 21 days of the request. If you think that, under the regulations you should be on a permanent contract you have the right to ask for a written statement confirming that you are now a permanent employee.

For further details about this legislation – the Fixed-Term (Prevention of Less Favourable Treatment) Regulations 2002 – go to www.ucu.org.uk/ftregs

Written statements – UCU model letters

There are model letters on the UCU website to help you in requesting a written statement regarding potentially less favourable treatment or to confirm that your contract is permanent.

See <http://bit.ly/9PVzKC>

Redundancy payments

Fixed-term employees can no longer be required to waive their statutory right to a redundancy payment. After a minimum of two years continuous service fixed-term employees now have the right to statutory redundancy payments as a minimum, or better local contractual schemes where they exist if they are made redundant at the end of their contract. Fixed-term employees should not be selected for redundancy purely on the basis of their contractual status.

■ CONTRACTS OF EMPLOYMENT

You should receive a written statement of your terms and conditions when you start work and, by law, not later than two months after the start of employment. Obviously your contract is important to you and your supervisor, telling each of you what to expect from the other and

what you can expect from your employer, the university. If you don't receive your contract, ask for it. Even if you haven't been given a written contract, if you are employed then, in law, a contract exists between you and your university. If you haven't looked at it for some time, it is well worth reading again – you might spot a benefit you had forgotten about.

See www.ucu.org.uk/writtenterms

Fixed-term, permanent or open-ended contract?

- *Fixed-term* is used when a contract has a stated end date.
- *Open-ended* is a term used when referring to a contract that doesn't have an end date. In law, *permanent* and *open-ended* mean the same thing. In reality, there are few jobs that are truly permanent.
- Some employers put researchers on contracts that refer to an *end-of-funding* date or an *at-risk-of-redundancy* date. Whether or not these are open-ended or fixed-term contracts is determined by the wording of the specific contract.

Being on an open-ended or permanent contract does not in itself increase your job security. There

will still be uncertainty once funding runs out unless your employer is truly committed to researchers' career development.

However, open-ended contracts can lead to a change in culture if seen as part of a wider commitment by your employer to create more stability so that there are career paths for researchers (rather than it being only a stepping stone to a different career). This includes creating pools of researchers, having effective redeployment policies and recognising transferrable skills.

Most importantly, whether on a fixed-term or an open ended contract, you have rights when the contract ends or funding runs out. In most cases this will put you at risk of redundancy and your employer must take certain steps to try and avoid your dismissal. They should be looking at all alternatives to dismissal including redeployment opportunities.

Where a number of staff across the institutions are at risk of redundancy (20 or more staff in a 90 day period) your employer is under a legal duty to provide information and talk to the unions about ways of avoiding dismissals. In most research-intensive institutions this trigger will be met most of the time. Some institutions have been



reluctant to do this for fixed-term staff but we have taken successful cases against Lancaster and Stirling universities for their failure to follow these rules. This requirement allows branches to get involved and represent all their members when they are at risk of redundancy.

UCU has also successfully negotiated the introduction of redundancy avoidance policies in a number of institutions. These should apply to all staff and set out the steps the employer will take in the event of threatened redundancies. Find out from your branch if such an agreement has been negotiated at your institution and ask them how they consult with the employer in the case of potential redundancies of research staff.

RESEARCHERS AND MATERNITY LEAVE

Your rights to maternity leave should be the same as for any other member of staff. The Research Councils UK (RCUK) provisions do allow for additional funds to cover the costs of either a substitute appointment or an extension of the grant. If so funded, your employer can ask the research council to allow the grant to be extended to enable the researcher to return and finish the project. There are different applications if the full maternity period falls within or outside the grant period, but the university is the employer and shouldn't be treating researchers any differently to other staff.

If a contract is due to end during the maternity leave period the employer must offer any suitable alternative employment. If you are in this position it is worth keeping an eye out for grants being prepared and for any vacancies that may be suitable. Employers aren't always the best at identifying suitable alternative employment.

As we have discussed at the beginning of this section, you have the right to be treated no less favourably than your permanent colleagues. However, you need to know if and when you are being

treated less favourably.

Here are some things you should check that your employer is doing for you:

INDUCTION

You should have an induction, so make sure you get one. An induction is your formal orientation around your institution and enables you to meet your immediate colleagues. It's a really important opportunity to make friends and build networks that will help you in your work and assist you in building your career. Inductions are perhaps more important for research staff than any other staff group.

There are different types of inductions: university-wide inductions, inductions aimed at researchers and also events at faculty, school and departmental level. Although most institutions will provide inductions, you can't assume that you will have one set up for you so ask for one if necessary. It is standard practice for other staff groups and you are entitled to have one too.

YOUR WORKSPACE

You should have a safe, healthy and adequate workspace and your employer has a duty to provide this. Your workspace should take into

account the need for appropriate seating, ventilation, temperature and lighting.

What **YOU** said

I work in an open-plan office which is shared by people doing administrative work and is often too noisy to concentrate. This matter has been raised in management meetings but the answer has been for us to work at home which can lead to exacerbating feelings of isolation if one is working alone from home a lot of the time.

When the team I was working with was relocated to another building, my academic colleagues were allocated a room each, and I was, temporarily I was assured, allocated a 'hot desk' in the room shared by a large number of research students. Would this have been offered to an academic colleague?

WORK FACILITIES

You should have the same access to work facilities as other members of staff including computing facilities, photocopying and secretarial support. If you don't and the reason is because you are on a fixed-term or part-time contract, then you may be able to challenge your employer.

STRESS AND OVERWORK

Your employer should ensure that you are not overworked or stressed.

With all the competing pressures on research staff to publish, teach, complete projects on time, account for funding, not to mention applying for new jobs, it is not surprising that workloads can get out of control, causing undue stress.

When you are working on a project, and especially when a deadline is approaching, or as a result of the constant insecurity of your job, you can find yourself working excessive hours which are way above what could be considered appropriate.

For researchers, who are often working alone and have to be self-motivated, it can be hard to know when you are overworking. You may feel that you are coping and are unaware exactly how stressed you are and the impact it is having on your health.

We all know that some stress is acceptable and comes with the job. However, when it gets out of hand it can be unhealthy. Excessive pressure can lead to dangerous levels of stress which undermines performance, is costly to employers and can make people ill. All education institutions have a legal

responsibility for the health, welfare and safety of their staff. Your employer's responsibilities extend beyond your physical environment. They should also ensure that workloads and working hours are such that you are not at risk of stress-related illness.

How do you know if you are stressed?

Signs of stress can include physical symptoms such as headaches, fatigue, backache and chest pains; emotional changes, such as irritability, low confidence or sleep problems, and behavioural changes such as indecision, erratic moods or excessive drinking.

If left unresolved, prolonged stress can potentially be life threatening. If you feel you are at risk, make an appointment to see your doctor. Keep a written record of any problems, and put them in writing to management, so that there is evidence that they are aware of the situation.

UCU and the HSE emphasise taking a preventive approach to work-related stress. Talk to your local reps and see what measures are in place to deal with it.

■ BREAKS AND REST FACILITIES

You should be able to take work breaks. The Working Time Regulations 1998 introduced a provision that requires employers to allow workers a break of a minimum of 20 minutes after six hours at work. In 2006 the law was amended so that employers are required to *ensure* that their workers took their rest breaks.

Guidance to regulations governing display screen equipment (DSE) recommends regular breaks away from the screen. We recommend that best practice is 15 minutes every hour, so that DSE users should be able to undertake other tasks away from the screen. You should have access to facilities to take breaks, rest and eat meals. Implicit in the Workplace Health, Safety and Welfare Regulations 1992 is that employers should provide breaks, given that they have a duty to provide facilities for workers to rest and eat meals. The associated approved code of practice says that employers must provide eating facilities, somewhere to heat up workers' own food, and the means to make a hot drink. In order to enjoy these facilities, workers must be able to take a break.

■ THE EMPLOYER'S DUTY OF CARE

Your employer has a duty of care toward you to ensure that you are treated properly at work. Principal investigators have tremendous pressures on them to meet project targets and justify their funding, while supervisors are under pressure to make sure their research students complete on time above everything else. Even the most well-meaning will have conflicting pressures and those who are trying to help may not properly understand their duties or your rights and needs. Sometimes they can be a source of real problems. There is more advice on working with your principal investigator or research supervisor in Section 2 of this guide, but here's some advice if you think you are being bullied.

■ BULLYING

If you think you are being bullied the first thing to do is to talk to your union rep. Sometimes the hardest thing can be to identify your treatment as bullying. We tend to associate bullying with physical or verbal threats. But bullying is far more than that. Some examples of bullying behaviour are:

- setting unrealistic targets

- consistently attacking a member of staff in terms of their professional or personal standing
- unfairly allocating work.

If you feel that your principal investigator or supervisor isn't treating you properly, the employer, your institution, has a duty of care toward you. It should have procedures, agreed with UCU, for dealing with such problems. Have a look on your institution's website. If you think you are being bullied, these are some steps you can take:

Ask the person to stop: In some circumstances you might be able to ask the protagonist to stop. If you wish, take a friend with you. This will prevent the person responsible for the offensive behaviour claiming that you did not complain personally, so they did not know you had any objection.

Get support: Talk about the problem with a friend, a colleague. Do not hesitate to contact someone even when an incident occurs only once. They may be able to suggest ways of resolving the problem. Contact Recourse, a charity which provides a range of free, confidential support services by telephone and online.

Tel: 0808 802 0304 /
<http://recourse.org.uk>

Collect evidence of the bullying or harassment: It is important to keep a note of all relevant incidents including dates, times and places. or representative and make a note. Find out if the same person is bullying or harassing anyone else. Often someone bullying will have a history of such behaviour. You will gain confidence from discovering you are not alone. Make a formal complaint. This should then be investigated by management. If formal disciplinary proceedings are to be taken against the person responsible for the bullying or harassment, you will be required to give evidence. You may find it difficult to do this but it won't be in your best interests for the case to be considered in your absence.

■ HOW YOU CAN MAKE A DIFFERENCE

Your career is affected by your contract, university policies and legal rights. It is obviously important to be aware of them and your union can advise you in exercising your rights. Some members have sent in UCU model letters requesting confirmation of permanence and kept their union notified.

Everyone wants to be treated fairly and while tackling issues individually helps, the best way to get

improvements for all researchers is if your union negotiates an agreement with your employer.

Researchers are highly skilled and committed professionals but the current way that you are managed puts barriers in the way of your research and your career.

UCU believes that things can and must change as the current system does not foster an environment that gives researchers the best opportunity to realise their potential.

These are some of the common problems:

- Funding is short-term when research programmes are often long-term.
- Teams regularly break up and talented researchers leave.
- Transferable skills are not recognised.
- Research is not completed.
- Information is not disseminated.
- Experiments have to be redone and expensive equipment is unused as there is no collective memory due to staff turnover.
- There is still not enough forward-planning, co-ordination and integrated working across some universities.

With the additional millions of pounds that full economic costing is bringing – intended for sustainable research rather than more research – university employers have the opportunity to work with UCU to create a research environment that gives researchers the stability to develop rewarding careers.

The best conditions for research staff are won by strong UCU branches campaigning for researchers and this can only happen if researchers like you get involved.

UCU has many groups of fixed-term research staff growing up across the country and they are helping to focus UCU branches' attention on the plight of research staff and forcing universities to take their researchers more seriously.

Talk to other researchers. Give them this guide and urge them to join UCU. Together, why not contact your branch secretary and arrange a meeting? People always take groups more seriously than individuals, so the more researchers you contact, the more who join UCU and the more of you there are in your group, the better your chances of winning real change.

The researcher's survival guide is available to download online <http://bit.ly/qKtel2>

Contact: researchers@ucu.org.uk for further copies or ask your branch/local association.

Did you know?

There is a growing network of researchers active in UCU, trying to recruit more researchers and win changes in their institutions.

If you are a member, you can join a researchers' e-mail network that puts you in contact with researchers across the UK, allows you to find out what is happening elsewhere and keeps you updated on the relevant issues. To register go to www.ucu.org.uk/elists

If you want to get in touch with your local branch and need contact details go to our branch information search <http://bit.ly/45jQVr>

Section 2

You and your research manager

■ THE ROLE OF YOUR SUPERVISOR

Your principal investigator, project leader or supervisor can be a great friend and advocate, looking out for your interests. And now there is more guidance and more training available to ensure that principal investigators understand the role and responsibilities of managing research staff better.

This section sets out some advice on current best practice to help you to know what you should expect from your principal investigator or supervisor.

What **YOU** said

It's important to know what is the best practice in the sector and talk to your supervisor about both your expectations. It can really help in pre-empting problems.

■ BUILDING NETWORKS

Finding your way around and meeting your colleagues can be difficult, particularly for researchers, who are often off-site or sometimes work from home. The project-based nature of work can also insulate you from the work of a teaching-based department.

It's really important that you get the facilities you need to do your job and that includes getting the opportunity to meet your colleagues and to get to know your way around the institution. The bigger your networks are, the better, and these can stretch beyond your institution to people working within your research area or discipline across the country and around the world.

Building your networks is not only a way of combating isolation, it can be vital for your career development and useful with your work. Your principal investigator or supervisor should help you with this.

 What **YOU** said

Find out who your subject librarian is and become best friends! He or she will not only help you to get to know 'your bit' of the library and what resources, research tools and support are available but will also give your moral support and help you network with other scholars in your area in the college or university.

Communicating with other people in your field or people who use similar research techniques is a good way to stimulate ideas in your own work and there are often opportunities to cooperate and collaborate which would not be apparent otherwise.

Ask for stuff. It's a very lucky postdoc who has a line manager who anticipates their needs. Make it clear that you need business cards, filing cabinet and shelf space, use of meeting rooms, a lock on the door of the women's toilets, experience in supervising students. Often you may need to keep at it, but keep the requests reasonable and polite.



■ **YOUR RIGHT TO EQUAL TREATMENT IN YOUR SCHOLARLY COMMUNITY**

It is sometimes the case that researchers are not encouraged to go to department meetings, or to play a full part in the democratic governing of their institutions or their trade unions. It is even the case that some departments or principal investigators have actively discouraged such activity. But you don't have to accept this. You have the right to play a full part in the life of your institution.

The Fixed-Term Employees Regulations 2002 apply not just to contractual terms such as pay and annual leave, but also to any benefits accorded to permanent staff such as the ability to participate in university governance and committees.

We've all been to meetings that seem interminable and felt our lives ebbing away. But on the plus side, they can be a big help. Playing a full part in your institution's life will give you great experience, help you develop and give you valuable opportunities if you want to pursue either an academic career or a research career outside academia.

What **YOU** said

There is a real issue of respect for researchers. It would help if we weren't marginalised. We now have a new departmental structure which sets out that contract research staff do not attend full departmental meetings. This is a really retrograde step.

Research staff should be regarded as members of the academic body and as such they should have access to all aspects of university governance and management structures.

Researchers should insist on being allowed to attend staff meetings etc. It is important to be seen as part of the department and valued for your contribution.

Find out what is happening in your research group, department, school or university... In my experience, the

same building can hold people working on very closely related fields, but having no idea about each others existence. This can't be good. So, read departmental emails, go to departmental meetings and talks, take coffee breaks with your colleagues, organise meetings with people working in similar areas. This takes time, but if you can find someone who has already done what you are trying to do, or who can give you new ideas for your research, it can also save you time.

■ ACCESS TO AN INDEPENDENT MENTOR

It can be a good idea to establish a mentor outside of your project and you should have access to one. It can help to talk to an experienced researcher or project leader independent of the project as it provides a perspective that isn't constrained by the principal investigator's need to meet project targets. The most far-sighted universities have formalised mentor schemes and it is widely recognised as best practice in the sector. This is recognised in national agreements such as the Concordat to support the career development of researchers, signed by Universities UK and Research Councils UK, together representing most higher education funding bodies and all the research councils.

There is no reason why this should not be available... Check with your principal investigator whether it is.

What **YOU** said

It's a good idea to have a mentor who isn't your supervisor, particularly if you are new and on probation. Don't be afraid to ask for one!

A mentor should be someone who understands personal and career development and derives satisfaction from developing people.

■ SUPPORT WITH WORKLOAD MANAGEMENT

The time pressures on researchers these days are acute and you may find it necessary to schedule in time to plan your project, network, attend career development training, publish, teach and look for a new job at the end of your contract.

These are some simple tips for effective project management:

- Establish your objectives at the outset.
- Set deadlines and stick to them.
- Devote time to planning – this is often the hardest thing to do when you are under pressure, but that's also the time it will pay off most.
- Use a calendar or diary and timetable key activities.
- Make sure your priorities are agreed and clear to your research manager – this will prevent unnecessary diversions, misunderstandings and unrealistic expectations.
- Try to establish a clear sequence of tasks in your work so that you are not trying to do too much at once.
- Keep reviewing your work so that you are able to carry your reflection forward into later practice.
- Establish rewards for yourself. With self-motivated and sometimes isolated work, this kind of thing is more important.

It is a really good idea to establish a timeline for the project with your research manager early in the project. A basic project plan might look like this:

- **3 months:** initial scoping of the project with training in relevant research techniques
- **6 months:** survey existing literature and establish goals
- **12 months:** review research goals, reflect on project, begin next phase of research

- **18 months:** at the halfway stage you are probably engrossed in research
- **24 months:** begin to pull together data, plan final phase of the project and discuss future funding bids.
- **30 months:** begin writing up, reviewing recent literature
- **36 months:** completion of project.



Your principal investigator should be setting regular meetings with you to review progress, monthly at least. These meetings should not be used to put pressure on you, but should be a way of ensuring that you have the support you need in the work you do.

You can get more help with this through project management training. If you are a postdoctoral employee, you should have access to staff development training from your employer including project management courses.

For further advice see UCU's Early Careers Guide
www.ucu.org.uk/youngmembers

■ YOU SHOULD GET RECOGNITION FOR ALL YOUR WORK

Since the advent of research assessment in the 1980s, the public funding and auditing of universities' work has been tied to the assessment of research output. UCU has always said this is a bad way to fund universities and has been highly critical of the ways in which research has been assessed. Because so many of our members were willing to campaign on this issue, we won some changes for the better over the years, but for the time being research assessment in some form or other will stay with us.

What this means is that your institution – any institution – will have its eyes firmly on your publication

record when considering you for a renewed contract or for a new job. So, you should receive recognition for all the work you do on a project.

What **YOU** said

One overriding piece of advice that I have heard time and time again is to publish. Keep writing and keep pushing to get your name printed on reports and articles. Try to make time for this area of personal development as it's key to progression and often gets sidelined by doing the legwork for large projects.

Academic papers should name the researcher as first or at least second author as this is vital in helping academic careers.

There should always be acknowledgment of work done, even if it is just data collection. So sometimes you have to fight to make it known that you wish to be an author.

Be prepared to fight for authorship... you have a right to authorship wherever you did the work. These arguments can be difficult and you won't always win. Don't push the point too far and hurt a good working relationship, but if you never raise it, you'll continue to be taken for granted.

■ THE RESEARCH EXCELLENCE FRAMEWORK

The Research Excellence Framework (REF) is the new system for assessing the quality of research in UK higher education institutions (HEIs). It will replace the Research Assessment Exercise (RAE) and will be completed in 2014. The REF will have a significant impact on the funding of higher education institutions and on individual research careers.

In July 2011 the higher education funding bodies published guidance to institutions on the submission process for the REF

<http://bit.ly/nSDf2D>

The guidance includes data on the eligibility of academic staff, including definitions of categories of researchers, eg *research assistants, independent researchers and early career researchers.*

Part 3, Section 1, pp 17–19

It is important that you are familiar with these staffing definitions as they will affect your participation in the 2014 REF.

UCU will be responding to the consultation exercise on the draft REF panel criteria and working methods and will be providing briefing to branches and local associations



on how best to protect members.

www.hefce.ac.uk/research/ref/pubs/2011/03_11/

■ TIME FOR YOUR OWN WORK

You should have time for your own work but, if you are working on someone else's project, it can be hard to fit this in. You may not want to carry on with the work you did at PhD level, but if you do, you'll find it's an important part of building an academic career. If you want to carry on and publish from your own work, you'll need time to devote to it. Some contracts allow for this. Many principal investigators understand the importance of your work and will allow for it, even if the contract doesn't. But some don't.

If your contract says you have stipulated time for your own work, use it. The institution may well benefit if

it's far sighted enough to keep you on. If not, try to get agreement from your principal investigator to allow some time for this. Research shows that this is one of the biggest motivators to academic recruitment and retention and that the frustration associated with not having any time for their own work is one of the biggest sources of disappointment among research staff.

Try using the above arguments with your principal investigator.

🗨️ What YOU said

Fight for your own time for your own work. I wish I had done this more.

Discuss with your manager study leave time for your research – one of the big problems is difficulty in finding time to really capitalise on one's research through publications.

■ REMUNERATION AND SUPPORT FOR TEACHING

If you teach, you should be properly remunerated and supported. Some researchers are required to teach within their contracts and many research students have to teach to supplement poor grants. For others, there is the option of teaching within their contract but no necessity to do so, and opinion among researchers is divided as to whether it is a good idea or not.

If you are in this situation, your decision on whether to teach will depend on your financial situation, what you want to do and on the time it will take. Some employers will look at your teaching experience favourably. Others will look exclusively at your publications profile and, given the pressures on your time, it can sometimes be a choice between publishing and teaching.

If you are a research student and you do undertake teaching, you should receive the appropriate salary as well as a proper contract. Often, teaching which is paid by the hour stays unseen by personnel or human resource departments. This is not acceptable. Best practice in the sector says that research students undertaking hourly-paid teaching should receive:

- a fair rate of pay. This means pay calculated as a fraction of the academic and academic-related salary scales at a point consistent with qualifications and experience, and subject to annual incremental progression.
- pay for all employment responsibilities and hours of work. This should include hours of teaching, preparation, marking, attendance of meetings and lectures, office hours, communication with students, invigilation, administrative responsibilities, and training associated with the job.
- access to university and departmental resources on a par with other academic and academic-related staff, adequate to fulfil employment responsibilities. This includes library, computing, car-parking, photocopying, email, telephone, stationery, social, technical and secretarial facilities and to office or desk space and staff common areas.
- parity in terms and conditions of employment with other academic and academic-related staff
- clear and regular procedures for assessment and review
- opportunities to participate in staff meetings and events

- formal representation on appropriate departmental and university committees
- an allowance for travel time and expenses when travelling in performance of duties for the employer
- a letter of appointment
- a job description
- a written statement of terms and conditions of employment

Postgraduates should have a clear indication of their rights and responsibilities as employees. Together the letter, the job description and the statement comprise most of the contract of employment. They should set out the employment responsibilities, hours of work, an estimate of the time to be allocated to different responsibilities, the rate or rates of pay, the intervals at which remuneration is paid, the duration of the contract, the member of staff responsible for supervising the work, and employment details required by law.

There is more information on the expectations that researchers who teach should have in the Postgraduate Employment Charter, agreed by UCU and NUS. While this

is aimed at postgraduate students who teach, some of the best practice it establishes can also be used to cover postdoctoral researchers who teach.

<http://bit.ly/hpBFT2>

■ CAREER DEVELOPMENT

You should have access to career development. Under legislation that forbids 'less favourable treatment' of contract staff, and under the national agreements universities are signed up to, all employers have the responsibility to provide you with opportunities to advance and develop your skills, career advice and the opportunity to apply for any vacancies at the institution.

Universities are also signed up to national agreements establishing best practice in the sector such as the concordat to support the development of researchers. This commits them to providing staff development courses and you should have the same rights to attend these courses as anyone else at the university.

See Appendix 2 for information on the Concordat

The range of useful courses is very wide and includes:

- writing and publishing

- presenting your research
- intellectual property
- project management
- writing research bids
- applying for jobs and interviewing
- writing CVs.

In addition to providing access to training, your employer and your principal investigator or supervisor have a responsibility to give you opportunities to undertake scholarly activity that will develop your career and enhance your employability.

As it currently stands, the Concordat states that, ‘as well as the necessary training and appropriate skills and competencies to carry out a funded project, researchers also need support to develop the research, subject-specific, communication and other professional skills that they will need to be both effective researchers and highly-skilled professionals in whatever field they choose to enter.’

This is a wide definition that can encompass attendance at conferences, presenting at seminars and teaching. You should therefore have access to these activities as well as a budget to support any necessary expenditure.

■ YOUR NEXT CONTRACT

You should have support in preparing for your next contract.

At UCU, we think that tying employment to project funding is an inefficient and unjust way to employ researchers. UCU believes that researchers can thrive and develop their careers best within a permanent contract.

UCU continues to campaign for changes that will transfer staff onto permanent contracts and that will enable continuity of employment even after the end of specific funding. However, for too many researchers the daily reality is that you will need to prepare for your next contract, so it’s important that you know what you should be doing and what you can expect from your employer.

Talk to anyone in the field and they will tell you it’s a really good idea to schedule in time that you will use to prepare for the ending of your contract. When you’re under pressure to finish a project and get research outputs published, you will have less time to think and less time to plan. So make sure you browse the job pages and the research council sites as well as ensuring you know about vacancies where you are currently employed.



Your employer and your research manager both have a responsibility to ensure that you know about any vacancies at your institution.

According to national agreements negotiated by employers and trade unions, your employer must do the following:

- Up to four months before expiry of the contract, all the alternative options should be considered, eg renewal, redeployment, etc.
- Up to three months before the expiry date, you should be consulted on the prospects for alternative options, taking account of your aspirations.
- As the post-holder you should be given information about other positions in the institution.

- Where the expiry of the contract is a redundancy (which it usually will be in the case of research staff), consultation should take place with the recognised union(s) in accordance with statutory requirements.
- Further consultation should take place with the recognised union(s) and the postholder as required.

If you're being interviewed for another research job, you will of course, do everything much better this time round. Here's a checklist of things to find out about:

- Research the project as much as possible in advance and look beyond the job advert. Talk to people in the department or lab.

- Think about the project – is it realistic?
- Who will be your principal investigator? What's their attitude toward researchers?
- Ask about facilities, support for researchers, recognition of independent research time and all the things that show an institution values its researchers. This should help you make your decision if you're offered the job.
- What salary are you being offered and does it reflect your experience and skills?
- Look for a supervisor who has helped previous researchers to develop their careers and be mindful that this is not necessarily the same as the most prestigious lab. At interview you could ask where previous staff are now working.
- Research the project carefully and independently, don't just accept the description outlined in the advert/interview.

What **YOU** said

Start preparing for the next contract from day one. Don't just assume that something will turn up.

I went for a one-year teaching job recently. I didn't get it, but it had the interesting effect of forcing the principal investigator on the project to consider that I might leave in the middle. He offered me some teaching and offered to write a research funding bid.

Try to get a sense of how researchers are viewed at the institution. Make sure your initial contract/salary is in keeping with your credentials/education and national salary standards (see the salary survey on jobs.ac.uk, for example).

What you can do

Some universities adhere to some of this best practice. Many don't. If you feel you are unfairly treated and you want to do something about it, what are your options?

The first thing you might do is talk to your supervisor and ask for the changes you want.

You can use the material in this guide and cite it as best practice in the sector. Also, find out about relevant university policies such as those for fixed-term contracts, redeployment and career development. However, arguments over unfair treatment are much better if they come from groups of people. Do you have colleagues in your department or research area who might feel the same way? Talk to them and find out. If you all feel the same, you could write a joint letter to the head of department or the head of research asking for changes.

The best way of making real and lasting changes is to persuade the university to change its policy toward the employment of researchers. Even if you are all funded by a research council or through private funding, how you are treated is determined, ultimately, by your employer. The

best thing you can do is argue for a policy that ensures that every principal investigator, research manager and department head knows the standards of appropriate conduct toward researchers: what they should be paid, their entitlement to staff development, recognition for their work and time for their own research.

How can you do this?

Negotiating a policy is best done through your local UCU branch, as they are recognised to negotiate collectively with your employer. They will listen much more closely if you are a UCU member, so make sure you join and encourage your colleagues to join.

You and your colleagues can have a real influence on your local UCU branch. Ask them to put you in contact with other researchers who are UCU members. You will find out how researchers are treated across the university, and networking with like-minded colleagues can only help your career. If there isn't one already, ask a few colleagues and start a network yourself. Besides email discussion, make sure you also meet up (maybe informally during a break). Let your branch

know what you are doing and ask them to invite members to join a network that discusses relevant issues and raises them with your union.

Form a group who will help the branch campaign and negotiate for researchers. You could conduct a survey of researchers' views about their work and what changes might help. Look at current relevant policies and read your contract to identify improvements you would like to see. Talk to your branch about how to take it forward. As always, it's numbers that count. If you have a group and can say that you have talked to and represent a large number of research staff, your employer is more likely to listen.

If you want to talk to researchers actively campaigning now and find out what they are doing, just email us at researchers@ucu.org.uk

HOW YOU CAN GET MORE INVOLVED

If you have read this guide and would like to get involved in some way, here are a few suggestions:

Talk to colleagues about the issues raised and ask your branch to put you in touch with other researchers.

Send colleagues this link:
Researchers' Survival Guide
<http://bit.ly/qKtel2>

Request more copies of this guide for your colleagues by emailing researchers@ucu.org.uk

Join UCU's Researchers' Network
www.ucu.org.uk/elists

Researchers' workshops

UCU runs workshops for researchers that cover rights, policies and what you can do to get improvements such as greater job security and fair treatment. If you are interested in attending an event or would like further information please contact UCU national organiser Ronnie Kershaw
rkershaw@ucu.org.uk

There is a wealth of information on the UCU website
<http://bit.ly/qisoVc>

JOIN UCU NOW

We hope you found the researchers' survival guide useful. Remember, the first thing you should do is join UCU. You can do this online at:
<https://join.ucu.org.uk>

TELL US WHAT YOU THINK

Then send us your comments. The researchers' survival guide is for researchers and by researchers so if you think we've missed something or you have something you wish to contribute, just email us at researchers@ucu.org.uk

Appendix 1

Useful links and organisations

About UCU

Information about joining UCU

<http://bit.ly/xE4pW>

Student and postgraduate members

If you are a postgraduate student, you can join UCU free of charge as a student member. Postgraduates who teach pay minimal rates for full membership.

Early Careers Guide

UCU provides a range of professional development resources designed for younger members including our Early Careers Guide for new staff which explains what to expect when you start work, how to get the most out of your career and what to do if things go wrong. We also campaign for better access to training, professional development and support for new staff in colleges and universities.

www.ucu.org.uk/youngmembers

UCU anti-casualisation committee

This represents fixed-term and hourly-paid staff. It influences UCU policy, campaigns for improvements

and supports members in branches. Members can attend the Anti-Casualisation Committee's annual meeting where they can hear the latest developments and attend workshops on relevant issues, as well as meeting colleagues from across the UK. The meeting is usually held in February or March. For further details, and to download the latest newsletter:

<http://bit.ly/eyVeXF>

See a short film about what our members do

<http://bit.ly/pH2CCN>

Publications

Challenging redundancies in higher education

UCU's redundancy avoidance briefing contains information regarding researchers – see appendices 1 and 4 <http://bit.ly/eV1fqH>

Researchers, fixed-term contracts and universities: understanding law in context

Vitae's research paper on the use of fixed-term contracts in

universities can be found at <http://bit.ly/oovCtp>

Other organisations

Vitae and UKRSA

UCU is committed to working with other bodies to promote sustainable careers for research staff. This includes Vitae www.vitae.ac.uk and the UK Research Staff Association (UKRSA) <http://bit.ly/9hsjk8>

Vitae supports the personal, professional and career development of doctoral researchers and research staff in higher education institutions and research institutes. UKRSA was established in 2010 to 'provide a collective voice for researchers at institutions across the UK.'

It is important that members and potential members do not see such associations as a substitute for trade union membership and organisation.

However, we recognise that UCU and UKRSA have a joint interest in the personal, professional and career development of research staff within HEIs.

To that end we are committed to working together on issues of mutual interest to maximise the voice of research staff in higher education institutions and to encourage such co-operation at a local level.

Careers in Research Online Survey (CROS)

There were nearly 6000 responses to the 2009 survey across the participating institutions and the aggregate results are available from Vitae at <http://bit.ly/oHYwAZ>

UCU uses the CROS data wherever we can to promote the need for greater security and sustainable careers for research staff. Ask your UCU branch if your institution took part in the survey and, if so, ask to see the results. As well as using this as a basis for local negotiations they could be used to start a discussion among colleagues. You and a few colleagues could invite your branch rep to give your views about the survey results.

For further details about CROS see <http://bit.ly/oNXAJnl>

Appendix 2

The Concordat to Support the Career Development of Researchers

The Concordat to Support the Career Development of Researchers is a document endorsed by research funders and employer organisations. UCU is not a signatory of the Concordat as we did not feel it went far enough in tackling the major problems of job insecurity for research staff. However, we would expect all universities to abide by its principles.

The Concordat covers recruitment and selection, recognition and value, support and career development, researchers' responsibilities and diversity and equality.

It is worth finding out how your organisation is implementing the Concordat and in particular you might want to ask questions about how it is demonstrating the following:

- A3** Research posts should only be advertised as a fixed-term post where there is a recorded and justifiable reason.
- A5** The level of pay or grade for researchers should be determined according to the requirements of the post, consistent with the pay and grading arrangements of the research organisation
- B1** Employers are encouraged to value and afford equal treatment to all researchers, regardless of whether they are employed on a fixed-term or similar contract. In particular, employers should ensure that the development of researchers is not undermined by instability of employment contracts. This approach should be embedded throughout all departmental structures and systems.
- B3** Research managers should be required to participate in active performance management, including career development guidance, and supervision of those who work in their teams.
- B4** Organisational systems must be capable of supporting continuity

of employment for researchers, such as funding between grants, other schemes for supporting time between grant funding, or systems for redeploying researchers within organisations where resources allow.

B6 Researchers need to be offered opportunities to develop their own careers as well as having access to additional pay progression. Promotion opportunities should be transparent, effectively communicated and open to all staff.

C3 Employers, funders and researchers recognise that researchers need to develop transferable skills, delivered through embedded training, in order to stay competitive in both internal and external job markets. Therefore, as well as the necessary training and appropriate skills, competencies and understanding to carry out a funded project, researchers also need support to develop

the communication and other professional skills that they will need to be both effective researchers and highly-skilled professionals in whatever field they choose to enter.

C6 Employers should provide a planned induction programme for researchers, on appointment to a research post, to ensure early effectiveness through the understanding of the organisation and its policies and procedures. They should also ensure that research managers provide effective research environments for the training and development of researchers and encourage them to maintain or start their continuous professional development.

If you don't think your institution is following the principles of the Concordat let your branch know!

A report on employers' responses to the Concordat can be found at <http://bit.ly/oDYvpD>

Appendix 3

Advice for principal investigators and supervisors

A good PI is primarily interested in your career development, trying to make researchers permanent if eligible under legislation and building a team that is happy to work hard for you as they know that you have their best interests at heart. Make sure researchers are appointed at the right scale and are rewarded financially. Allow them the same conference and travel allowance as everyone else, and the rest of the terms and conditions. Immediately put researchers in touch with other researchers at the institution and national networks too. Encourage them to attend staff meetings.

As a supervisor or principal investigator, you are responsible for the career development of your research staff. If you are a principal investigator, you will have the added pressure of completing your project in the timescale demanded by your funding. These are difficult pressures.

The casualised nature of research careers leads to a series of problems:

- Your staff may feel undervalued, anxious, marginalised and isolated.
- You may lose valuable staff to alternative jobs at a key point in the project.
- You waste time and resources looking for replacements.
- Your project's timetable is jeopardised as a result of the above.

If you supervise postgraduate researchers, your students may feel competing pressures to get teaching experience, publish work, attend conferences and complete their work within the timescale demanded by funding bodies. Like other researchers, they may well feel isolated and marginal to their workplace.

How can you help ensure that your staff remain motivated?

It's really important to make sure your research staff don't feel marginal. They must feel equal and be equally treated and have the same opportunities as other staff groups. The Fixed Term (Prevention of Less Favourable Treatment) Regulations of 2002 stipulate that staff on fixed-term contracts must be treated no less favourably than comparable permanent members of staff unless less favourable treatment can be objectively justified.

This applies not just to contractual terms such as pay and annual leave, but also to any benefits accorded to permanent staff such as the ability to participate in university governance and committees.

Universities are also signed up to national agreements with UCU that commit them to equal treatment in all aspects of employment between fixed-term contract staff and those on indefinite contracts.

Best practice in the sector establishes that employers should provide support and training to ensure that research managers can properly look after and help develop their staff. The current Concordat signed by universities and research funding bodies says:

'Employers should ensure that research managers are made aware of, and understand, their responsibilities for the management of researchers and should provide training opportunities, including equality and diversity training, to support research managers in doing this. Institutions will wish to consider how research leaders' performance in these areas is developed, assessed and rewarded, and how effectively this supports good research management.'

So what should you be doing?

- Ensure that your researchers are able to play their full part in the life of the university.
- Make sure they have the opportunity to play their part in the institution's structures.
- Be proactive in ensuring they have access to subject area or disciplinary networks as well as networks and groups that are specific to the institution.

A big part of sustaining motivation among research staff is making it clear that their job is part of a developing career and not just a hire and fire deal.

One major way to help with this is to agree with your researchers that

they will have access to independent research time. Research shows that this is one of the biggest motivators to academic recruitment and that the frustration associated with not having any time for their own work is one of the biggest sources of disappointment among research staff. (DfES research report: Recruitment and retention of academic staff in higher education, NIESR 2005, p203) Having a policy of independent research time will help when recruiting new staff and also in the retention of current staff.

If possible, write this into any research project. At least agree it informally with your researchers and allow adequate time within the research plan.

Ensure that researchers have access to budgets for conferences and research visits outside of the confines of the project.

Make sure that researchers know about staff development opportunities, training etc.

Guidance agreed by universities says staff on these contracts should be given:

1. the same opportunity as other staff to use services to assist better performance, such as staff development, training, appraisal and careers advice.
2. similar terms and conditions of employment to those in comparable jobs with indefinite employment in the institution unless the difference can be justified, in accordance with the legislation, for necessary and appropriate objective reasons
3. information on, and the opportunity to apply for, more secure positions
4. a regular review to consider, as appropriate, indefinite employment on full-time, fractional or hourly-paid contracts.

What must you do when your researcher's contract is nearing termination?

National guidance on fixed-term and casual employment states that the procedure for terminating a fixed-term contract should, wherever possible, include the following:

- Up to four months before expiry of the contract, all the alternative options should be considered, eg renewal, redeployment, etc.
- Up to three months before the expiry date, consultation should take place with the post-holder

on the prospects for alternative options, taking account of the post-holder's aspirations.

- The post-holder should be given information about other positions in the institution.
- Where the expiry of the contract is a redundancy, consultation should take place with the recognised union(s) in accordance with statutory requirements.
- Further consultation should take place with the recognised union(s) and the postholder as required.

Branches should include these steps in local procedures.

The ending or expiry of a fixed-term contract is regarded as a dismissal in law. In most cases, the dismissal of a researcher at the end of their contract will be a redundancy and the provisions relating to redun-

dancy must be followed. These include:

- consultation with the individual and the recognised trade unions
- fair selection for redundancy
- offers of suitable alternative employment
- redundancy payments.

If provisions are not followed correctly, the dismissal may be unfair. A member of staff must have completed at least 12 months with the same employer (but not necessarily in the same post or department) to be able to claim for unfair dismissal in an employment tribunal.

If the dismissal is for another reason – such as conduct or capability – then the necessary procedures must, again, be followed. If they are not, the dismissal may be unfair. ■



