

Commentary on the JNCHES guidance on work-life balance

The JNCHES guidance on work-life balance (originally agreed in 2002) has been revised and circulated to all HE institutions. UCU was involved in the discussions on the JNCHES Equality Forum which led to the revisions and the guidance has been endorsed by UCU's Equality Committee and Higher Education Committee. However, both committees recognise the limitations of the document. It is a national document which principally sets out the legislative framework. As such, it is very generic and although it contains some best practice examples, it should not be seen as a model local policy.

The commentary below on the guidance is provided for local negotiators to take into account when negotiating a local policy on work-life balance.

The guidance

This guidance should be used as a starting point for local negotiations and as a useful reference to ensure that minimum statutory requirements are complied with. The majority of HE institutions offer work-life balance policies which are better than the statutory minimum.

Pg 2 – the guidance recommends consulting with the recognised unions on work-life balance policies and procedures. UCU believes such policies should be negotiated and agreed with the recognised unions. We would also stress the importance of conducting a thorough impact assessment on the grounds of race, disability and gender equality before any such policy is implemented.

Pg 7 – The best practice example on page 7 demonstrates how work-life balance policies can be extended to all staff. UCU supports the extension of flexible working practices to all staff, however it is important that in agreeing a work-life balance policy that the needs of parents and carers are the principal driver.

Pg 9 – there is a reference on pages 9 and 14 to annualised hours. Care must be taken when negotiating a policy on work-life balance that existing contractual entitlements, particularly those set out in the post 1992 contract for teaching staff, are not diluted in any way. Take advice if you have concerns.

Pg 14 – there is a section on part-time working. Some members would welcome the opportunity to work part-time hours as a way of balancing work and other responsibilities. Any policy should be cross referenced to an institutional policy on part time work and ensure equality of treatment between full time and part time workers. UCU opposes the use of casualised forms of working (hourly paid contracts, variable hours contracts, zero hours contracts). Any policy must ensure that part-time contracts are on a full time fractional basis.

Pg 17 – Please note the section on dealing with changes in personal circumstances. UCU believes it is helpful if changes to working arrangements to allow flexible working arrangements contain a review clause.

Pgs 18 – 24 The sections on maternity, paternity, adoption and parental leave do contain references to same sex partners. UCU believes these references could be strengthened in any local procedure.

Other

Religious observance

Branches and institutions should consider whether their local policy should contain reference to the need for flexible working policies for adherence to religious practices and worship eg. Not working on Friday afternoon.

Disability

Any local policy could be strengthened by ensuring there is a section dealing with disability and flexible work arrangements for disabled staff which may assist with making reasonable adjustments. There should be adequate reference to the institution's Disability Equality Scheme and Disabled Leave Agreement.

Further advice and support

The UCU HE conditions of service database provides information about local terms and conditions. This will allow you to compare, for example maternity, paternity and adoption leave and pay arrangements at comparable institutions. See:

www.ucu.org.uk/heconditionschecker

If you are negotiating locally on work-life balance issues, do ask for advice and support from your regional office or from UCU's Equality Unit.