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Welcome from Chair

Our annual meeting this year again highlighted that now more than ever Academic Related Staff need to be in the thick of our union branches and national democratic structures. We really need to build our network of AR reps so that our issues remain on the agenda. Every branch where we have recognition for AR staff should have a rep on their branch committee that AR National Committee can use to keep in touch with the issues at your institution. If your branch doesn't have one, it's time to take that first small step into being an active union member.

Though I was unable to attend the annual meeting those that attended have informed me that it was yet another engaging and informative event. There were stories of mixed success in the fight against outsourcing, cuts and a general attack on our professionalism, as well as attacks on union recognition for AR staff. There were also two useful and informative workshops

on fighting redundancy and recruiting our AR colleagues.



As Annual Congress approaches UCU delegates will be asked to make some tough decisions about the future of our union. Let us hope they vote for a resilient, strong and united union that can go forward to protect our terms and conditions, allow us to effectively represent our members and build our branches within our institutions.

Dan Arthur, Chair, Academic Related Committee

Committee Priorities for 2013-14

The meeting of the Academic Related Committee on 25 April 2013 agreed the following Committee priorities for the next year:

- Recruiting new and active members and raising awareness among academic-related staff.
- Protecting terms and conditions of employment for academic-related staff, and protecting the status of academic-related staff in University statutes and in recognition agreements.
- Campaigning to resist deprofessionalisation and outsourcing and raising awareness of its damaging impact (based on case studies where implemented).
- Playing a full and equal part in action and campaigning to maximise the impact of industrial action.
- Dissemination of the academic-related manifesto.
- Communication via newsletters and other means, and development of a network of academic-related reps

Academic-Related reps network

The Academic Related Committee is developing a network of Academic-Related reps or branch contacts for Academic-Related members in order to exchange campaign ideas and gather and disseminate information about issues affecting AR staff. All pre-92 branches are asked to identify an officer with responsibility for Academic Related issues or someone who can act as a point of contact between the Committee and their local branch members.

If you are an Academic-Related rep or are willing to act as a contact for Academic-Related matters for your branch/HEI please

contact Dan Arthur, Chair of the Committee, Dan.Arthur@lshtm.ac.uk, or Stefano Fella (Committee Secretary) sfella@ucu.org.uk.

Academic-Related members who do not currently hold positions in their branch are also encouraged to get active, and become our local contact for Academic-Related matters (if you are interested, please contact your branch officers or contact us and we'll put you in touch). Thanks to all those who have responded so far!

Report of Annual Meeting for Academic Related Staff, Wednesday 6 March 2013

This year's annual meeting provided an opportunity for representatives of academic-related members from across the UK to hear from a number of guest speakers and discuss the challenges facing academic-related staff in the sector and strategies for addressing them.

The official business in the morning saw the adoption of a number of motions on the following themes: i) the need for parity between academic and academic-related staff in career development, progression and promotion; ii) the need for national model management of change procedures, with full and early union involvement; iii) opposition to the de-skilling and deprofessionalisation of academic-related staff; iv) strong opposition to attempts by pre-92 universities to de-recognise academic-related staff. The full text of these motions can be found here: <http://www.ucu.org.uk/2729>

The morning session was concluded by a talk by Matt Waddup, National Head of Campaigns and Organising. Matt's talk focused on the challenges facing the union and a number of key UCU campaigns, including recruitment and building union, workload, and funding for the post-16

education sector. For more on the 'build the union' campaign see:

<http://btu.web.ucu.org.uk> For more on the UCU funding campaign see <http://www.knowledgeeconomy.org.uk>

The afternoon session was kicked off by an illuminating talk by David Renton. David is a barrister at Garden Court Chambers, and has appeared for claimants in a number of high-profile Tribunal cases including Smith v Carillion (the blacklisting case). He is also author of *Struck Out - Why Employment Tribunals Fail Workers and What Can be Done* (Pluto Press, 2012). A review of this book by Terry Duffy can be found later on in this newsletter.

David talked on the theme of 'Using the law to defend academic-related jobs and terms and conditions'. He provided some useful pointers to the employment tribunal system and a critique of changes to it and other aspects of employment relations law being introduced by the government. These changes will further undermine the rights of trade unions and workers in all sectors. David also discussed key aspects of the law on TUPE and government attempts to change it, which will impact on UCU campaigns to oppose outsourcing and shared service models.

Following on from this talk, the meeting participants divided into two workshops: on recruiting academic-related staff; and challenging and avoiding redundancies. The workshop on redundancy avoidance was facilitated by Greg Howard and Terry Duffy. A questionnaire was circulated in order to gauge understanding of employment rights and how they could be used to defend jobs. Participants were invited to share examples of local cases, in order to facilitate group discussion as to how such cases could be

addressed through negotiation and local campaigning, and with a full understanding of the law, its uses and limitations.

The workshop on recruiting academic-related staff was facilitated by Lesley McGorrigan. Lesley has summarised the key recruitment tips that emerged from the discussion:

Tips for Recruiting Academic Related members:

- Always have a UCU presence at University new staff induction sessions to explain the importance of union membership and also hold recruitment stalls. These are ideal opportunities to explain to new academic-related staff that the UCU has negotiating rights for them.
- Circulate induction mailshots to new recruits to explain that UCU has negotiating rights for academic-related staff.
- Organise UCU Welcome Events, with an invited speaker where possible.
- Carefully explain the AR terminology. For some members, Admin, Library, Computing no longer seem useful. However, for many of our members the terminology is crucially referred to in University statutes which afford AR staff the same protections as academic colleagues eg. against redundancies. Where management use new terms to define staff we can use both, or add AR in brackets.
- Unions have a right to noticeboards for communicating with their members. Ensure AR newsletters/circulars are displayed on these.
- Convene local AR groups /meetings. This is the best way to share ideas and build collective strength when AR staff need to

fight back against attacks on our jobs and conditions etc

- Suggested topics for talks/meetings included: how to fight outsourcing and privatisation, governance issues, academic freedom and its relevance to academic-related staff.
- It was suggested that in order to attract more recruits the union should amend subscription rates – including more subs bands at the low end (where most AR staff are placed) and at the high end where the current maximum salary band is £40k (when salaries well above £100k exist)
- Aim to challenge any perceptions of unions not being relevant. Some people wonder what the union can do for them - we should advertise our successes more and make the union relevant by addressing members' issues.
- When we take action, union membership increases - build an active union and recruit new members.

Lesley McGorrigan, Leeds University, Academic Related Committee and NEC

Membership of Academic Related Committee 2013-2014

At the annual meeting, Dan Arthur, Helen MacCarthy, Terry Duffy and Deborah Viney were declared elected to two-year positions on the Committee. Following the meeting, Jo-Taplin Green, Patrick Moule and Marie Morley were co-opted to the remaining places. At the meeting of the new Academic Related Committee on 25 April, Dan Arthur was re-elected chair of the Committee. Patricia Hulme and Jo Taplin-Green were re-elected as vice-chairs. The full committee list is as follows:

Dan Arthur (Chair), London School of Hygiene and Tropical Medicine

Patricia Hulme (Vice Chair), Nottingham University

Jo Taplin-Green (Vice Chair), London School of Economics

Terry Duffy, Glyndwr University

Dom Kingsmill-Stocker, Loughborough University

Helen MacCarthy, Hull University

Lesley McGorrigan, Leeds University

Deborah Viney, School of Oriental and African Studies, London

Marie Morley, Bath University

Patrick Moule, London School of Hygiene and Tropical Medicine

Joe Gluza, Cambridge University (NEC representative)

Roger Walters, Open University (NEC representative)

Survey for branches on the status of academic related staff

The previous issue of this newsletter included the text of a survey that has been circulated to HE branches on the status of academic-related staff. The survey seeks to get a better understanding of the issues facing academic-related staff locally and gather information on the status of academic-related staff in HE institutions and their level of engagement with the union.

The survey can be found here:

http://www.ucu.org.uk/media/docs/2/i/acrelbranchsurvey_jun13.doc

Thanks to all those who have already completed the survey. If you have not done so already, branch reps or local academic-related contacts are asked to complete the survey on behalf of their branch/LA (we

need one response per branch, so please check with branch colleagues if a response has already been sent in). Completed surveys should be returned to Stefano Fella, Secretary to the Academic Related Committee (sfella@ucu.org.uk- preferably by the end of June).

Students and staff at Sussex University show how to fight privatisation on their campus

Recent editions of this newsletter have focussed on the threats that privatisation and outsourcing present to University staff. Staff employed by partnerships with private companies are often denied union recognition. Their terms and conditions, pay rates and access to staff development are inferior to those of University staff and they are denied access to USS or TPS pension schemes. Many staff employed in private ventures are casualised, creating a two-tier workforce.

In a magnificent display of solidarity with staff, students at Sussex University have provided an inspiring example of how to fight against privatisation on their campus.

In May 2012, Sussex University announced its unilateral decision to sell off most campus services to private investors. The huge list of jobs affected ranges from estates, catering, cleaning, conference facilities to Health and Safety operations. The announcement came with no student consultation, and almost no consultation with the 235 workers (over 10 per cent of the workforce) and the trade-unions concerned.

After a year-long campaign, including boycotts, petitions and demonstrations, management continued to refuse to engage in meaningful dialogue. In protest against

this, students, supported by staff, occupied various parts of the campus. The occupation lasted nearly eight weeks, ending on 2 April 2013, when the University used the courts and police to remove the occupiers. Around 100 police officers and 15 police vans used excessive force to drag them from the building. The Sussex occupation has attracted widespread support - including Noam Chomsky, Tariq Ali, Owen Jones, Peter Capaldi and their Brighton MP Caroline Lucas, who has gained the support of twenty-five MPs for her Early Day Motion on the subject.

An edifying aspect of the fantastic Sussex campaign is the unity forged between students and staff in defence of their University as a public institution. They understood not only the threat to staff jobs and conditions but, crucially, that when private companies are invited to divert profits from campus activities to their shareholders this undermines the whole University community. We have a lot to learn from the Sussex campaign.

Read more detail about the campaign at the Stop the Privatization of Sussex University Services BLOG:

www.sussexagainstprivatization.wordpress.com

and, watch the Youtube film about the campaign at:

<http://www.youtube.com/watch?v=fah9t6ePJDA&feature=youtu.be>

*Lesley McGorrigan, Leeds University,
Academic Related Committee and NEC*

UCU campaigns against Outsourcing and Privatisation

UCU nationally has kept up its campaigns against government attempts to smooth the

path for private providers entering the sector. This has included leading a successful campaign against government plans to grant for-profit providers of education exemption from VAT.

UCU argued that VAT exemption should not be granted to companies whose primary mission is to reward shareholders, rather than the provision of education. These concerns were shared by the House of Commons business, innovation and skills committee, who repeatedly questioned ministers on how a VAT cut for for-profit companies would affect the health of the sector. The call to block this move was also joined by the NUS. The announcement in the budget in March 2013 that the government had decided against granting a VAT exemption to for-profit providers therefore signalled an important victory in the campaign against the growth of the for-profit sector.

For more on UCU's campaigns against the privatisation of the post-16 education sector see, and new campaign materials for branches fighting privatisation and outsourcing see:

<http://www.ucu.org.uk/stopprivatisation>

We would welcome more examples and case studies from academic related members on how outsourcing or the shared services agenda has impacted on your institution, and local union campaigning strategies implemented in relation to these developments. Please send any examples, cases studies and information to Stefano Fella; sfella@ucu.org.uk

David Renton, 'Struck Out' - Book Review

David Renton, *Struck Out: Why Employment Tribunals Fail Workers and What Can be Done*, Pluto Press, London, 2012, ISBN: 9780745332550, Paperback

David is a barrister at Garden Court Chambers in London and appears regularly for claimants at Employment Tribunals. Before being called to the Bar, he taught in higher education in the UK and South Africa. He writes on employment law for the Haldane Society of Socialist Lawyers, is the author of the major study, *Fascism* (Pluto, 1999) and previously worked in UCU's Equality Unit. His recently published and interesting study, *Struck Out: Why Employment Tribunals Fail Workers and What Can be Done* raises many issues of direct relevance to academic-related staff.

Every year, over a hundred thousand workers bring claims to an Employment Tribunal. The settling of disputes between employers and unions has been exchanged with a drift towards individual litigation. Renton challenges many of the myths about these processes. For example he shows that far from bringing flimsy cases, two-thirds of claimants succeed at the hearing, and rather than paying lottery-size jackpots, average awards are just a few thousand pounds – scant consolation for a loss of employment and often serious psychological suffering. Renton blows the dust off conventional thinking about employment tribunals and shows how far from suggesting a drift to vexatious litigation, ET's are invariably the last desperate resort of employees who have tried every possible informal remedy.

The book also includes a critique of the present government's proposals to reform the Tribunal system. Deftly, Renton relates

this to an analysis of organisational sociology in the workplace, and in so doing reveals much that is of relevance to the challenges facing academic-related staff in universities and colleges today. As UCU members will be aware from our own industrial struggles of the past several years, the determination of our employers to enforce change management has created a number of conflictual spikes, and these have been experienced collectively- including by groups of staff such as ourselves in the academic-related area, and by individuals in their personal ET's and shop-floor bargaining.

Employment Tribunals are often seen by workers as the last line of defence against unfairness in the workplace. Struck Out shows why we can't rely on the current system to deliver fairness and why big changes are needed. As Renton shows, the legal regime governing work isn't only designed to discourage strikes. It also seeks to direct grievances into individual compensation claims at manageable cost to employers while at the same time removing as many people as possible from basic protections against unfair dismissal, redundancy and discrimination. Thousands of workers a year end up bringing cases to the Employment Tribunal but find the system won't deliver the remedies people really want i.e. justice and their job back. Therefore the author argues that 'we need to take grievances out of the legal sphere and back to collective protest'.

Identifying a real hostility towards work-force organisation in the Conservative-led government, Renton shows how the government's current ET proposals stymie class action because a lot of people simply won't now be able to bring an unfair dismissal claim due to the increased fees, for example, or the change in the qualification

period [i.e. you'll need to have worked somewhere for two years, rather than the present 12 months, to be able to bring an unfair dismissal claim]. Moreover academic-related staff are often precisely those in small units who are less likely to be in a position to strike or disrupt services. Therefore Renton argues that in the short term, the result of the ET reforms will be to reduce workers' confidence and the practical ability of unions to organise and will mean unions will take fewer cases to the tribunal. And people who expect their union to help them legally will be less likely to become members of a union that simply can't afford to offer that. This has real meaning for the situation currently facing UCU.

What about the force of the law itself and how it can help us? Much of the book is about the assumptions relied upon by judges in a common law system. Non-lawyers understandably don't really understand how judges think, how they apply statute, and use concepts like 'reasonableness' (for example, a key legal test in employment cases is: has an employer acted 'reasonably' in all the circumstances in dismissing this employee?) as a space for conservative caution rather than progressive decision-making. Renton examines many of these assumptions and demonstrates how unions and employees are facing an up-hill struggle in the effort to defend their rights in the workplace. The law has always been against them- with the ET reforms it is even more against them!

Where are the potential weaknesses of this important new study? An obvious potential criticism is that, in laying out such an extensive critique of the common law, there is an implied argument from Renton that a civil law system would be preferable. This may be to underestimate David's concern

with de-bunking the efficacy of the legal system as a whole in advancing or protecting worker's rights. However what he is trying to objectively explain is how the UK courts come up with the decisions they do. In so doing the author offers a genuine critique of an industrial relations system which is at best creaking and at worst manipulated by both political and employer-driven pressures. The clear message is that staff everywhere are even more under threat!

Academic-related staff in universities and colleges are facing numerous challenges from outsourcing, casualisation and erosion of their contractual status. We face an "up-hill structure" against a management climate which is implicitly and explicitly at war with academic-related staff. Renton offers some interesting suggestions as to how workers can defend their position in an increasingly hostile industrial climate. Apart from collective or individual legal action, Renton also gives some hope for the use of collective protest. It may be that by standing together and withdrawing or curtailing service we can try to negotiate our way out of the growing impasse which is facing us in our work in universities and colleges. We would be myopic not to realise that our jobs are under ever-increasing threat! There is certainly much of relevance in this stimulating new book for academic-related staff

Terry Duffy, Academic Related Committee

Academic Related Committee at UCU Congress, Brighton 29-31 May 2013

Motions adopted at the Academic Related Staff annual meeting have been subsequently re-tabled in modified form as Academic Related Committee motions to Congress or HE Sector Conference. These are as follows:

i) Congress

- 62 – Deskillling and Deprofessionalisation of staff
- 63 - Management of Change

ii) HE Sector Conference:

- HE14 - Career progression and professional development for academic-related staff
- HE15 - Academic-related staff recognition

The numbering above is as per the second report of the Congress Business Committee. See UCU512:

<http://www.ucu.org.uk/circ/rtf/ucu512.rtf>

Academic-Related Committee Fringe Meeting, Congress 2013

Outsourcing and deprofessionalisation - twin threats to HE staff and services

Brighton, Wednesday 29 May at 1pm

Outsourcing and similar 'shared service' initiatives threaten HE staff and services, often leading to redundancies and the downgrading of terms and conditions. This is linked to a wider process of deskillling and deprofessionalisation of our roles, and has a wider impact for all staff in the sector.

This meeting will bring together colleagues to share experiences and campaign strategies to fight these processes.

Speakers:

Rob French, University of Sussex UCU

Jonathan White, UCU Deputy Head of Campaigns

Chair: Dan Arthur, Academic Related Committee