

Scholarly activity in HE in FE – towards a better practice model

Introduction	1
College survey 2011	1
Follow up member survey 2012	2
Regional briefings 2013 - issues raised and suggested strategies	3
Branch negotiations	5
1. Quality Assurance Agency for Higher Education (QAA) Guidance	5
2. Examples of useful steps to support the negotiation process.....	7
3. Case study example: City and Islington College.....	8
4. Features of a better practice model	8
Annex 1: QAA guidance to colleges on scholarship and the pedagogical effectiveness of staff.....	10

Introduction

Over the past 18 months, UCU has been working to assess the range of agreements in place for staff delivering higher education courses in further education colleges. This work has included a national survey of all colleges delivering higher education, a follow-up survey with branch contacts at 30 colleges receiving direct funding from HEFCE of two million pounds or more, and lastly a series of regional briefings with members.

This document presents an overview of the findings of our research, and regional conversations as well as examples of branches which have successfully negotiated agreements for scholarly activity. It is hoped that the detail of this document will support branches to negotiate their own agreements.

College survey 2011

In November 2011, UCU conducted a survey of colleges providing HE in FE in England to gain a snapshot of activity in this area in the run-up to the changes in tuition fee regime in 2012 and to gauge areas of strength and weakness in colleges' support for HE in FE students and staff.

- a majority of colleges said they arranged payment of staff fees for all higher degrees, and made arrangements for staff to attend research conferences;
- fewer than half of the colleges responding to the survey said that they allowed reduced contact time to allow staff to undertake scholarly activity;
- a majority of colleges said they provided support from a designated college staff development fund, and that funds could be obtained by bidding for these funds for staff development;
- only one third of respondents gave staff teaching higher education reduced teaching timetables; and
- one third of colleges expected staff to undertake scholarly activity in their own time.

Follow up member survey 2012

In autumn 2012 we conducted a series of telephone interviews and email surveys with branch officers in the colleges who were the largest HE in FE providers in the UK. These interviews and surveys gave us deeper insights into the informal practices taking place. We found that:

- 12 of the 23 respondents stated that there was no remission for scholarly activity for HE staff at their institutions.
- Four respondents set out the specific arrangements in their organisation. In these cases, the offers were either a specific allocation of hours or a bid-in process. Each of these respondents referred to these allowances as 'not guaranteed', *"it's on a case by case basis, after quite a long argument"*. Another said *"scholarly activity is available subject to the goodwill, grace and favour of your manager"*. Many respondents reported unfair processes such as favouritism as common practice.
- In the remainder of cases it was generally expected that tutors complete their scholarly activity in the time that makes up the difference between teaching weeks in higher education and further education. This was generally not felt to be a helpful arrangement because this time is *"quickly taken up"* with moderation activities and exam boards.
- The vast majority of respondents felt that it was clear that there are a range of informal arrangements within their institutions which are not transparent. Similarly, whilst many respondents stated that their organisations did not give explicit time allocations for scholarly activity, some tutors described sympathetic managers with whom they were able to work out individual agreements.
- There is anecdotal evidence to suggest that some colleges are making moves to adjust contracts so that HE staff are required to make up the difference between their annualised hours and the typical 828 hours delivered by FE staff.
- A number of respondents voiced concerns about the quality of the HE offer in further education colleges where scholarly activity does not form a composite part of the expertise that staff can offer.
- Funding was identified as a key restricting factor for the availability of remission for scholarly activity. Five respondents reported that the allowances for scholarly activity and/or continuing professional development (CPD) had reduced in recent years.
- Many respondents reported that they were undertaking higher level studies in their own time, one respondent stated that they were undertaking these studies at their own cost.
- Two respondents reported a college reliance on staff taking up scholarly activity in their own time and described the sense of frustration of staff at being asked to demonstrate this activity when the college sought to provide evidence of staff development to HEFCE or QAA.
- Examples of clear bad practice included increased remission time for scholarly activity being proposed alongside a reduction in annual leave, or management expectations that remission time be used for administrative or managerial tasks.
- The responses also suggested a strong sense that managers often conflate scholarly activity with CPD which is typically generic and college provided.

- There are typically less teaching weeks on higher education courses than on further education courses. Though there was some range, further education courses were typically found to be delivered over 36 weeks and higher education courses over 30 weeks.
- Weekly teaching hours varied significantly across institutions and ranged from 21 to 25 hours per week.
- The lowest reported contact hours for HE in FE staff were 450 hours per year, and the highest, 880 hours per year. For FE only staff, the lowest reported were 528 contact hours per year, and the largest, 880 contact hours per year. The largest reported difference between institutions' annual contact hours was, therefore, 430 hours per year for HE in FE staff and 352 hours for FE staff. Most respondents stated that there was a clear expectation for staff to meet their annual contact hours, a few suggested that there was some degree of flexibility.

Regional briefings 2013 – issues raised and suggested strategies

Regional briefings with members highlighted the following concerns and suggested strategies to overcome them.

- It can be difficult for HE in FE members to raise scholarly activity and other HE issues at branch meetings if the college is a majority provider of FE courses – FE concerns typically prevail during branch meetings. HE in FE members sometimes feel embarrassed to raise issues surrounding their contact time while colleagues in front of colleagues enduring even higher contact hours delivering FE courses.

Suggested strategies: Branches with members delivering HE in FE should consider holding meetings of HE in FE staff only to allow these members and staff to voice their concerns more freely. Branch officers may need to more proactively promote HE in FE issues as bargaining issue for the branch and explain to members reasons why the issues are important and the differences in delivering HE courses. Appointing branch officers who deliver HE in FE and who can lead on these issues helps provide focus and momentum.

- There can be hostility from non-HE colleagues who perceive that negotiations for greater remission for HE staff are unfair.

Suggested strategies: It is useful for branches to make sure that all members have an accurate understanding of the ways in which the work of HE in FE staff differs from the work of FE only staff. For example it is not widely recognised that HE in FE staff write the curriculum for their courses and so require additional preparation time to do this. In addition, the average essay length for an HE student is 3,000 words and this has significant workload implications.

- “We are academics”. Attendees asserted that management roles in HE teams should be filled by staff who are also academics themselves. Where managers do not have an understanding/experience of HE in FE, it can be difficult to make the particular needs of HE in FE staff, and in particular the need for scholarly activity clear. This can lead to HE provision effectively being shoehorned into FE operating models. This can lead to a lack of policy, procedure and governance for HE provision.

Suggested strategies: There is no magic solution to this concern however branches that have been successful in promoting these concerns have used reference to QAA guidance and HEFCE requirements. It will be easier for branches with larger HE provisions to advocate for “Academic Leadership” for HE courses to be provided by staff with experience in HE. Where HE provision is smaller and college structures do not provide HE specific managers the need for adequate scholarly activity and remission to

support this will be even more important so as to overcome a lack of “Academic Leadership” inside the college.

- Colleges increasingly lack the physical resources to support scholarly activity. As colleges reduce their floor space, there is insufficient space to complete marking or reading. The quality of library provision varies significantly from institution to institution. Arrangements for working from home lack transparency.

Suggested strategies: Branches should seek to negotiate agreements that provide transparent arrangements for working from home for all staff and that address any specific and differing needs of HE in FE staff. QAA and HEFCE guidance can also be referenced and used to support negotiating arguments in favour of improved physical resources for both students and staff. Particular attention to issues of physical resources for current or future HE provision in FE should be raised by branches during negotiations or consultations over new building proposals. It cannot be assumed that FE managers will have given HE physical resource issues adequate attention.

- A customer culture is increasingly pervading the post-16 education sector, and this makes the idea that lectures should be ‘by the phone’ in order to respond to course enquiries much more prevalent. This makes negotiations around the freedom and flexibility to complete scholarly activity in the most relevant environment as deemed by the professional quite difficult.

Suggested strategies: Positive examples in HE include: guidelines on working location – staff do not need to seek permission to work offsite, and are simply requested to inform their managers of their whereabouts.

- Higher education’s relationship with FE institutions has typically been driven by the widening participation agenda. However changes to fee structures and entrance regimes mean that HEIs are increasingly severing their partnership relationships with colleges in order to defend their own positions. This may see a movement from collaborative to competitive relationships between HE, and HE in FE. This could have a significant impact on the overall level of HE provision in FE institutions. The context of reduced college funding and higher funding levels attached to HE students could mean that HE in FE staff have an additional lever to increase their bargaining power in an institution. However, planning is difficult if you do not know how many learners you will have next year.

Suggested strategies: Branches should seek regular updates from management on colleges’ planning and strategies for HE provision. Where expansion of HE provision is proposed there is an opportunity to advance demands for formal agreements on scholarly activity and other issues to support HE provisions. Branch officers need to ensure that they are aware of any existing informal arrangements before negotiating formal agreements. Making contact with neighbouring or partner HE institution UCU branches can help inform arguments for improvements. Some FE branches cooperating with HE institution colleagues in partner institutions have successfully arranged for pressure to be applied via the university for improved scholarly activity.

- Economies of scale and a critical mass can be useful to leverage negotiations, however, some representatives from large HE in FE providers disagreed.
- Mixed workload across HE and FE can limit members’ capacity to identify and assert themselves as HE lecturers.

Suggested strategies: Raising the profile of the differences and specific issues affecting staff delivering HE in FE amongst all members will help individual members understand how they are affected.

- There was a feeling that branches should work to defend the multiplier and avoid conversations about hours, focusing on roles and tasks.
- The successes achieved in the post 90s early 00s negotiations can mean that there is a reluctance to put contracts back on the table for fear that this will result in a degraded contract with increased contact hours. There is a sense that the current contact agreements are sacrosanct.

Suggested strategies: The timing of raising contact time issues should be considered carefully. Opportunities for making progress on contact time negotiations arise when QAA/HEFCE scrutiny is imminent or present or discussions with partner universities over on going or future relationships. Organising activities around HE in FE issues to ensure high levels of membership and support for demands prior to any discussions with management will help ensure a stronger bargaining position in negotiations.

Branch negotiations

The following information is intended to support branches develop arguments, strategies and bargaining agendas to negotiate improved and transparent agreements with colleges on scholarly activity, contact hours and other issues of concern for HE in FE staff.

1. QAA Quality Code and guidance on scholarship and the pedagogical effectiveness of staff
2. Examples of useful steps to support the negotiation process
3. Case study example: Coventry City College
4. Features of a better practice model

1. Quality Assurance Agency for Higher Education (QAA) Guidance

There have been two developments that can support branches in their negotiations for formal scholarly activity arrangements. The requirement that all further education colleges in receipt of direct HEFCE funding must subscribe to the Quality Assurance Agency for Higher Education (QAA), and the publication of QAA guidance on scholarship and the pedagogical effectiveness of staff. We feel that these developments strengthen the onus for colleges to have appropriate arrangements for staff to undertake scholarly activity as part of a quality offer higher education.

From 1 August 2013 all higher education providers designated for student support and all further education colleges that offer directly funded higher education courses will be required to subscribe to QAA. More than 200 further education colleges are directly funded by HEFCE. From the academic year 2013-14, annual subscription to QAA will become a condition of their HEFCE grant. This means that for eligible courses they are required to be compliant with The UK Quality Code for Higher Education¹, a document which sets out the expectations that all providers of UK higher education are required to meet. Part B, Indicator 3 states that 'learning and teaching practices [should be] informed by reflection, evaluation of professional practice, and subject-specific and educational scholarship'. As such it asserts the importance of scholarly activity and continuing professional development for HE teaching staff and strengthens the argument for local arrangements.

¹ <http://www.qaa.ac.uk/AssuringStandardsAndQuality/quality-code/Pages/default.aspx>

The QAA has also asserted the importance of scholarly activity provision where colleges are applying for Foundation Degree awarding powers or taught degree awarding powers by publishing specific guidance on the matter.² This strengthened guidance sets out the clear responsibility for colleges to support the scholarship and pedagogical effectiveness of its staff members. Whilst these guidelines currently only apply to institutions who seek QAA scrutiny for permission to award or their own degrees, it could and should be argued that the quality concerns prevail regardless of the awarding organisation. It is also noteworthy that the Association of Colleges (AoC) has highlighted that failure to meet the criteria for scholarly activity has been a key stumbling block for institutions gaining Taught/Foundation-degree awarding powers.

Further education (FE) colleges in England and Wales may apply for Foundation Degree-awarding powers (FDAP) or for taught degree-awarding powers (TDAP) so that FE colleges may issue degrees in their own name rather than in the name of their partner higher education institution. These awarding powers are issued subject to colleges meeting government guidance. The QAA scrutinises applications for FDAP and TDAP according to government guidance which requires QAA to consider evidence under four headings, one of which is *'scholarship and the pedagogical effectiveness of staff'*.

The guidance focuses on the scholarship and pedagogical effectiveness of staff, and on the expectations of staff teaching at Foundation Degree level and above. The QAA guidance references Chapter B3: Learning and teaching of the UK Quality Code for Higher Education (the Quality Code³), which sets out the expectation that:

'Higher education providers, working with their staff, students and other stakeholders, articulate and systematically review and enhance the provision of learning opportunities and teaching practices, so that every student is enabled to develop as an independent learner, study their chosen subject(s) in depth and enhance their capacity for analytical, critical and creative thinking.'

Common to both Foundation Degree and taught degree-awarding powers is the need for an applicant to demonstrate:

- the existence of 'a well founded, cohesive and self-critical academic community that can demonstrate firm guardianship of its standards'
- that staff are 'competent to teach, facilitate learning and undertake assessment to the level of the qualifications being awarded'.

QAA states that the focus of the Guidance on academic community and academic strength reflects the need to ensure that higher education qualifications continue to develop graduates with high-level analytical skills and a broad range of competences, distinguishing higher education from training or the acquisition of skills alone.

In the scrutiny of a Foundation Degree-awarding powers application, QAA considers the evidence presented by an applicant that indicates:

- how it discharges its 'responsibility for ensuring that staff maintain a close and professional understanding of current developments in scholarship in their subjects and that structured opportunities for them to do so are both readily available and widely taken up'

² QAA, (January 2013), *Guidance on scholarship and the pedagogical effectiveness of staff: expectations for FoundationDegree-awarding powers and for taught degree-awarding power*. Available at:

<http://www.qaa.ac.uk/Publications/InformationAndGuidance/Documents/Guidance-FDAP-TDAP.pdf>

³ Available at: <http://www.qaa.ac.uk/Publications/InformationAndGuidance/Documents/Quality-Code-B3.pdf>

- how it ensures that all teaching staff engaged with the delivery of their higher education programmes have relevant 'knowledge and understanding of current scholarly developments in their discipline area and at a level appropriate to a Foundation Degree and that such knowledge and understanding directly inform and enhance their teaching'.

For taught degree-awarding powers, QAA considers the evidence presented by an applicant that indicates:

- how it discharges its 'responsibility for ensuring that staff maintain a close and professional understanding of current developments in research and scholarship in their subjects and that structured opportunities for them to do so are widely taken up'
- how it ensures that all teaching staff engaged in the delivery of higher education programmes have relevant 'knowledge and understanding of current research and advanced scholarship in their discipline area and that such knowledge and understanding directly inform and enhance their teaching'
- for any member of staff teaching on doctoral programmes (where relevant), active personal engagement with research and/or advanced scholarship at a level commensurate with the degrees on which they teach.

We believe that this new more strongly articulated detail from the QAA significantly strengthens the case for local arrangements. Particularly in the light of the many changing partnership arrangements that are taking place due to the changing nature of funding arrangements and the increased difficulty around predicting student numbers.

Annex 1 sets out the list of questions that the QAA has recommends that colleges consider in order to demonstrate the strength and depth in the staffing base appropriate to the degree awarding powers being sought.

2. Examples of useful steps to support the negotiation process

- Establish HE in FE as a standard item on agendas at branch meetings can work to develop the understanding and awareness of the HE in FE concerns across all branch members.
- Facilitate cross-branch collaboration with the partner HEI to establish solidarity.
- Consider holding separate meetings for HE in FE members in addition to normal branch meetings so that these members can feel free to give voice to their concerns amongst colleagues in the same situation. Use these meetings to help determine an appropriate bargaining agenda for HE in FE issues.
- Conduct organising and campaigning activities on HE in FE issues in particular amongst affected staff. High membership density and support for UCU's HE in FE bargaining agenda will ensure maximum bargaining strength in negotiations with management.
- Highlight the academic criteria and validation standards that apply in partner HEI's to management in the FE college.
- Highlight HEFCE funding requirements and link QAA guidance on scholarship and pedagogy to your demands. See Annex 1.
- Scholarly activity arrangements are more likely to be in place in organisations where managers who lead HE in FE teams engage in scholarly activity themselves.
- Where members of the senior management team hold a position on the joint exam boards there is often a stronger organisational clarity about the professional development needs of staff teaching higher education courses.
- The development of individual college quality codes which identify clear HE standards for continuous improvement and remission/scholarly activity as integral to this along with quality benchmarks such as

academic expectations and standards around course development, materials and examination results can strengthen the argument for local agreements.

- Consider additional evidence sources such as external reports produced by consultants and examiners, any recommendations around professional development could be introduced as part of the JNCC and CPD processes.

3. Case study example: City & Islington College

City & Islington College

- Remission time calculated by a 1.15 multiplier (Equivalent to 60 hours for 405 taught HE hours per year)
- A non-exhaustive list of activities that qualify for remission
- Agreement to review the agreement annually, including agreement to consider increasing the multiplier, subject to the college's budget parameters

The claim was driven by the management decision to increase the HE course file. Negotiators argued that for transition to be successful, it would need to take place within an adequate HE framework. If the college purported to run equivalent and equal status higher education courses to universities, then giving staff scholarly activity time would add legitimacy to that claim. The branch also successfully argued that a scholarly activity agreement would allow systematic professional development, enhancing the teaching and learning experience, which would have a knock-on effect on reputation of the college and thereby, recruitment leading to higher income for the the College, all this alongside happier staff with greater job satisfaction. The following steps were taken:

- i. A series of preparatory branch sub-committee meetings to brainstorm and outline the main demands and rationale for these.
- ii. Request for meeting with senior management to put the case for scholarly, supported by 3 or 4 justifications and arguments from HE teaching staff (non-branch committee members), expressing the moral, logistical and long-term financial benefits
- iii. Meeting with senior management where the coherent and comparative (with similar institutions) case for scholarly activity was made
- iv. Offer received
- v. Second meeting to negotiate original offer
- vi. Negotiations culminated in an agreement on $\frac{3}{4}$ of the original demand

4. Features of a better practice model

The following is a non-exhaustive list of the features of a better practice agreement on remission for scholarly activity which you may like to use in your negotiations:

- a multiplier used to calculate the amount of remission time as a function of hours taught on HE provision;
- academic freedom so that staff are able to conduct their own independent research in remitted time;
- any additional time that the college wishes to make available for scholarly activity should be allocated under an open and transparent bidding system;
- an agreed frequency and format for staff to feedback their research to the college and/or students;
- a clear offer of the opportunities for peer-learning and staff development across the college and the validating/local universities;
- identified time and budget for development activities;
- a definition of scholarly time including examples of the activities that it might include; and
- explicit sabbatical entitlements for staff, including two-way secondment pathways with local/validating institutions.

Annex 1: QAA guidance to colleges on scholarship and the pedagogical effectiveness of staff

QAA guidance notes⁴ offer the following advice to colleges applying for FDAP or TDAP.

In preparing an application for degree-awarding powers, the onus is on applicants to demonstrate strength and depth in the staffing base appropriate to the degree awarding powers being sought. In preparing an application, whether for Foundation Degree or for taught degree-awarding powers, applicants should take due account of this guidance and the government-owned Guidance referred to in the introduction. Applicants should ask themselves the following questions:

- What is our strategy for ensuring the development and maintenance of 'a well-founded, cohesive and self-critical academic community that can demonstrate firm guardianship of its standards'?
- How is this expressed in our strategic mission or vision?
- Who is responsible for this strategy and to what extent is it devolved through the organisation?
- What is our strategy for addressing the expectations referred to in this guidance, as appropriate to our application?
- What is the balance between full and part-time staff supporting higher education at levels 5, 6 and 7, and what implications does this have for the organisation?
- How inclusive is the academic community?
- What use is made of external partners in developing our academic community?
- Are members of staff involved in research networks?
- What qualifications do we expect staff to have?
- What targets and aspirations have we set for ourselves with regard to the qualifications held by staff?
- Is there a clear organisation-wide view of what constitutes scholarship and scholarly activity?
- What criteria do we use to define scholarship and scholarly activity - for example, the level of participation, the outputs of scholarship, the extent of dissemination internally and externally?
- Do we differentiate between scholarly activity and continuing professional development?
- Are scholarly activity and its outputs audited and subject to external verification?
- What are the mechanisms for planning and allocating resources for scholarly activity to individuals and schools/departments?
- How do we know and ensure that the activity undertaken is relevant to the subject and the programmes delivered?
- How do we promote a shared understanding of scholarship across subjects and disciplines?
- How do we record and evaluate the impact of scholarship on:
 - individual members of staff?
 - curriculum design?
 - teaching and learning?
 - the students' transition to the next level of qualification?
 - the local and wider community?
- What mechanisms do we use to coordinate, promote and monitor all scholarly activity undertaken and its cumulative effect across the organisation?
- How are the outcomes of scholarly activity disseminated and used for future development?

⁴ QAA, (January 2013), *Guidance on scholarship and the pedagogical effectiveness of staff: expectations for FoundationDegree-awarding powers and for taught degree-awarding power*. Available at: <http://www.qaa.ac.uk/Publications/InformationAndGuidance/Documents/Guidance-FDAP-TDAP.pdf>